

**MINUTES OF MEETING  
TOWNE PARK  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Towne Park Community Development District was held Tuesday, **February 7, 2023** at 3:00 p.m. at the Towne Park Amenity Center #1, 3883 White Ibis Road, Lakeland, Florida and by Zoom.

Present and constituting a quorum:

Greg Jones	Chairman
Jennifer Tidwell	Vice Chairperson
Zabrina Sides	Assistant Secretary
Tom Zimmerman	Assistant Secretary

Also present were:

Tricia Adams	District Manager, GMS
Meredith Hammock	District Counsel, Kilinski   Van Wyk PLLC
Garrett Posten <i>by Zoom</i>	Rayl Engineering
Clayton Smith	Field Services Manager, GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Adams called the meeting to order and called the roll. There were four Board members present constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Ms. Adams noted that this time was an opportunity for any members of the public to make a statement to the Board of Supervisors. She stated that there would be another public comment period at the end of the agenda.

Richard Mace (3728 Peregrine Way) stated that the pine trees behind the fence on the south side of Peregrine Way are bending over from the hurricane. He requested that somebody come out and tie stakes to the trees. He stated that at the dog park, somebody started taking the fence down.

Jocelyn Velasquez (on Zoom) stated that she was concerned about the lighting in the back of the community.

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**THIRD ORDER OF BUSINESS**

**New Business**

**A. Discussion of Community Easter Egg Hunt and Activities**

Ms. Adams reviewed the temporary license agreement for the Easter Egg Hunt. She noted that the District was contacted by a resident of the community, Keren Figueroa, who showed interest in hosting an Easter Egg Hunt. Ms. Figueroa provided some additional details upon request which was in the agenda package. The event would be on April 1, 2023. Ms. Adams noted that the license agreement provides the District with standard protections in terms of insurance requirements, indemnification by the licensee, etc. Mr. Jones noted that the location would be in the area beside the dog park.

On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, the Temporary License Agreement with Keren Figueroa LLC, was approved.

**B. Consideration of Mailbox License Agreement with HOA**

Ms. Adams noted that there are about five different mail kiosks located throughout the District. She stated that the District owns the parcels of land but the respective HOAs previously installed the mailboxes on the District’s property and the responsible HOAs have responsibility for maintenance of the mailboxes. This agreement formalizes the District’s authorization of the mailbox installation and codifies the HOA’s maintenance responsibilities that has been in practice regarding identifying that the District owns the parcel and the HOA is responsible to maintain the mailboxes. Ms. Adams noted that there are some protections for the District included in the license agreement, such as indemnification and repair responsibilities. This is a license agreement that can be used as a template for all HOA-installed and maintained mailboxes located on District property and was prepared by District counsel.

On MOTION by Mr. Jones, seconded by Mr. Zimmerman, with all in favor, the Mailbox License Agreement with HOA(s), was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the January 3, 2023 Board of Supervisors Meeting**

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Ms. Adams presented the minutes of the January 3, 2023 Board of Supervisors meeting and asked for any comments, corrections, or changes to the minutes. The Board had no changes to the minutes.

On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, the Minutes of the January 3, 2023 Board of Supervisors Meeting, were approved.

## **FIFTH ORDER OF BUSINESS**

## **Staff Reports**

### **A. Attorney**

Ms. Hammock stated that they are still actively work with the City of Lakeland regarding the conveyance of roadways and received an updated report of the roadway and noting any remaining punch list items. That updated report was provided to the city representatives and she has not yet received back any communications from the city.

### **B. Engineer**

Mr. Posten had nothing further to report to the Board.

### **C. Field Manager's Report**

Mr. Smith reviewed his report that was included in the agenda package. Mr. Smith addressed the residents concern from the public comment period regarding the pine trees leaning. He noted that the landscaper was already directed to provide a quote to stake the trees; he stated that they are tall Italian Cypresses that will need to be staked with a special staking kit. Mr. Smith noted that he did not receive that quote yet.

Mr. Jones noted that at the dog park, the top metal loops holding the top of the chain link released. He stated that there is about 20 to 30 feet of the fence that has disconnected. Mr. Smith noted that issue was usually caused by people jumping on the fence. Mr. Smith stated that field services staff would repair the fence.

Board discussion ensued on residents using the stormwater ponds for recreational fishing and activities. Ms. Adams requested that the Board let staff and counsel research further on this topic and bring this back to a future meeting for discussion.

Mr. Jones asked about overnight parking on District property, recreational areas, and parks if there is no signage. Ms. Adams noted that she spoke with the District's parking enforcement

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provider about this matter, and she stated that they had done an audit of the property. Ms. Adams stated that they do have signage installed at the amenity centers, but they are preparing more signs for the community entrance. She noted that Mr. Jones was correct that signage needed to be in place in order to tow. Mr. Jones also noted that their current towing company could not tow tractor trailers, so the Board may need to consider different companies or options for that service. Ms. Adams will follow up on that matter.

**D. District Manager's Report**

Ms. Adams noted that Mr. Smith had been very helpful in aiding documentation for their FEMA claim. Hurricane Ian left property damage that is not covered by the District's insurance policy. In addition to the property damage that is not covered by insurance, there were other hurricane-related expenses that the District's insurance policy does not cover or reimburse, like cleanup costs. Ms. Adams noted that the FEMA claim has evolved, as initially the only item on the claim was the stormwater bank restoration, which is close to \$80,000 to repair because that repair work is not covered by the District's property insurance. She stated that FEMA can assist with expenses that insurance does not cover, like the deductible and property that ends up being rejected through an insurance claim. Ms. Adams noted that FEMA encouraged District management staff to add any expenses related to storm cleanup, including expenses covered by the District's insurance policy. FEMA has a new division that is emphasizing mitigation efforts. District management staff had a meeting on site on January 25, 2023, to work through the initial scope of the District's FEMA claim, and the final scope is due by March 26, 2023. FEMA will have a field visit on site and will meet with Mr. Smith, or his designee, to look at the different areas and perform GPS location identification, even if those areas have already been repaired. The remediation that is possible is relative to the lake bank restoration. There is an opportunity for the District to have funding for littoral shelf planting or shallow plantings, and the benefit of those plantings is that they help the bank to stay intact during waves and during high wind events. Ms. Adams stated that FEMA did not provide a timeline for reviewing and acting on the District's claim, but they did state that they thought they would be able to wrap up the claim by the end of the calendar year.

**i. Approval of the Check Register**

Ms. Adams reviewed the check register found in the agenda package. She noted that the total amount for the check run summary from December 24, 2022 through January 30, 2023 was

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\$1,677,838.25. Ms. Adams explained to the Board that each year, as part of the budget adoption process, the Board approves placing the assessments on the Polk County property tax bills in the non-ad valorem section. Ms. Adams noted that those debt service fees pass through the general fund. The portion for the maintenance fees is retained in the general fund but the portion that is to pay the District’s bond debt service payment obligations are transmitted to the bond trustee. Check #502 was \$1,635,412.89 and was for the debt service payments that are transferred to the District’s bond trustee.

On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, the Check Register, was approved.

**ii. Balance Sheet and Income Statement**

Ms. Adams reviewed the unaudited financial statements that were included in the agenda packet through the end of December. She noted that there was no action required from the Board.

**SIXTH ORDER OF BUSINESS**

**Other Business**

Ms. Adams asked for any other business. There being none, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Public Comments**

Toni Coleman asked what property would be turned over to the city from the CDD.

Richard Mace asked if they could get more crosswalks and stop signs. He stated that it was hard to get across when people were speeding.

Stephanie VanDerwerker stated that their mailbox is not ADA compliant, there is no sidewalk and there is no ramp. She clarified that was in Phase 3 and Phase 4.

Brian Kaytt asked if there were any plans to put waste receptacles by the benches at the lakes.

Ms. Adams noted that when the District was planned, there was a Capital Improvement Plan put together by the District engineer that laid out all the improvements that would be funded with the bonds and who would ultimately be the entity to own and maintain those improvements.

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Ms. Adams stated that regarding the roadway, all the public right-of-way up including the sidewalks, which will include all of the traffic enforcement signage as well as the pedestrian crossings, has been constructed using bond funds and District staff and City of Lakeland officials are in the process of conveying all of that property to the City of Lakeland.

Ms. Adams addressed the ADA compliance comment about the mailbox.

Ms. Adams stated that it was up to the Board if they wanted to put trash receptacles by the benches, but that they should be cognizant of the upfront cost and also the maintenance expenses associated going forward. After discussion ensued, the Board decided to put this on a future agenda for more discussion.

**NINTH ORDER OF BUSINESS**

**Adjournment**

The meeting was adjourned at 4:03 p.m.

On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, the meeting was adjourned.

Tricia Adams  
Secretary/Assistant Secretary

Gregory M. Jones  
Chairman/Vice Chairman