

**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 6, 2024** at 4:00 p.m. at the Towne Park Amenity Center #1, 3883 White Ibis Road, Lakeland, Florida and by Zoom.

Present and constituting a quorum:

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

Also present were:

|                  |                                     |
|------------------|-------------------------------------|
| Tricia Adams     | District Manager, GMS               |
| Monica Virgen    | District Manager, GMS               |
| Meredith Hammock | District Counsel, KVW Law           |
| Alan Rayl        | District Engineer, Rayl Engineering |
| Allen Bailey     | Field Services Staff, GMS           |

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Adams called the meeting to order at 4:00 p.m. and called the roll. There were four Board members present in person constituting a quorum and Mr. Jones joined the meeting via Zoom.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Ms. Adams noted this is an opportunity for any members of the public to make a statement to the Board of Supervisors.

Angelie (5434 Keaton Springs Drive) commented about a drainage issue. She stated that three property owners did not receive information regarding drainage and fence removal. Resident asked if this is this a temporary thing and can the resident install a fence again.

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**THIRD ORDER OF BUSINESS****Approval of Minutes of December 19, 2023, Board of Supervisors Meeting**

Ms. Adams presented the minutes from the December 19, 2023 Board of Supervisors meeting. She noted the minutes are included on page 5 of the agenda packet. She noted there is a typo on the top of these that will be corrected. The substance of the meeting minutes has been reviewed by District Management Staff as well as by District Counsel. If Board members have any comments or additional corrections, she would be happy to take those now. The Board had no changes to the minutes.

On MOTION by Ms. Tidwell, seconded by Ms. Sides, with all in favor, the Minutes of December 19, 2023 Board of Supervisors Meeting, were approved.

**FOURTH ORDER OF BUSINESS****Consideration of Resolution 2024-02  
Setting a Public Hearing to Adopt  
Variance Policies and Rates**

Ms. Adams noted that the District was contacted by one of the HOA management companies who approves improvements to private property at Towne Park. They have been having some trouble identifying where easements are and requested there be a process that the District has an additional review for the installation of any private property improvement that would be on an easement in favor of the District for example drainage easements, access easements, or maintenance easements. The HOA would like to have this application come to the District management office. If the Board wants to engage in a process like that, they have the option to do so but would set a public hearing for potentially granting any easement variance and accompanied with that is the hearing for a fee of \$75 application fee which will cover the cost of recording the document. The Board has options. The Board can say no, they don't want any encroachments into any easements or the Board can say yes, they want to look at these on a case-by-case scenario. She noted from past discussion with the District Engineer, they know they do not want to approve any installation of hardscape or fencing into the District's drainage easements. If the Board approves this resolution, it will approve setting a public hearing and the soonest that public hearing could be held would be April 2, 2024, at 4:00 p.m. The resolution and a draft of the variance policies is on page 12 of the agenda packet. Mr. Zimmerman asked if that \$75 is in addition to a fee that the HOA might charge the resident. Ms. Adams noted yes because these would be expenses incurred

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by the District for recording the variance which is an important protection for all parties. This would not be retroactive.

Ms. Sides asked if the HOA currently has this information as far as encroachments as ultimately, they are approving fences, etc. Ms. Adams stated they have been sending formal letters to the HOA management team appealing to them to not approve any installation or improvements that would impact an easement in favor of the District. Ms. Sides stated she definitely thinks some kind of procedure needs to be put in place because of what this District is going through on Keaton Springs. She questioned if they have been sending the HOA documentation already, how do they know that the HOA is actually going to participate in this. Ms. Adams noted it would be in good faith that they will recognize when looking at a survey that there is an easement and if it's an easement in favor of the District, they would inform the property owner about the additional application and provide that application and require that be completed before the HOA approves.

Ms. Hammock stated if an improvement, for example a fence, is going to block an access easement, in the license agreement with the property owner the license agreement would require the property owner to install a gate in the fence that is at least wide enough for landscape equipment to get through and remain unlocked at all times, things like that and if for any reason District staff or vendors need to take the fence down to properly access these easements there would be a provision in the license agreement reserving the District's right to take this improvement down in order to maintain or repair District infrastructure. Mr. Zimmerman asked on the Keaton Springs issue, could the Board get clarification from the Engineer or Field Manager since there is some confusion on the homeowner's part about what the remedy is. Mr. Rayl noted at Keaton Springs there are seven lots encumbered by this easement. The grading of these lots is done in such a manner that the rear of the lots is part of the drainage/surface water management system that the District is responsible for maintaining and that is why there is an easement there. The back half of the homes, the lots all drain to the rear and are conveyed through that swale to stormwater ponds. There is a need to maintain the integrity of that swale. If homeowners modify that swale themselves, it creates a drainage issue in every lot there. He has suggested in other communities to make an exhibit of all the places where there could be potential encroachments and places where there are physical actual encroachments and provides that to the HOA to help.

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On MOTION by Ms. Sides, seconded by Mr. Zimmerman, with all in favor, Resolution 2024-02 Setting a Public Hearing April 2<sup>nd</sup> at 4 p.m. to Adopt Variance Policies and Rates, was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-03  
Relating to the General Election Seats and  
Qualifying Period Notice and Procedure**

Ms. Adams noted this resolution is on page 17 of the agenda packet and identifies seat 1, seat 4, and seat 5 are transitioning to the general election process beginning November 2024. There is a qualifying period from June 10<sup>th</sup> through June 14<sup>th</sup>.

On MOTION by Mr. Zimmerman seconded by Ms. Sides, with all in favor, Resolution 2024-03 Relating to the General Election Seats and Qualifying Period Notice and Procedure, was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Agreement with Polk  
County Property Appraiser**

Ms. Adams stated this is a contract agreement with Polk County Property Appraisers Office on page 21 of the agenda packet. This is an agreement in order to put the non-ad valorem CDD fees on the property tax bill. There are important dates that the assessment administration team is aware of and agrees to abide by these dates and this schedule. Staff does recommend approval as they collect CDD assessments on the Polk County Property tax bill.

On MOTION by Ms. Tidwell, seconded by Mr. Runyon, with all in favor, the Agreement with Polk County Property Appraiser, was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Swim Lessons with  
SwimKids USA at Amenity Center 2**

Ms. Adams stated this is consideration of a license agreement with SwimKids USA. District management staff has been in discussion with the Chairman of the Board on this. She noted one advantage of having this type of program at one of the pools is there is a responsible adult at the pool for about half of the day. Typically swim lessons start on the weekends around Mother’s Day weekend and once school is out swim lessons are offered in the morning through lunch hour six days a week. The benefit is it offers programming for residents of the District who

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want to improve their child's safety or swim skills. She noted that sometimes in order to meet a minimum attendance, it does require allowing members of the public to attend. In other Districts they have tried to incentivize resident participation by offering a reduced fee for residents and then any nonresidents who attend pay a higher fee. A portion of the tuition is remitted back to the District. One negative aspect could be that property owners who do not have children who would be attending would prefer not to have swim lessons when they go to the pool. If the Board wanted to see a license agreement, they would bring back the form of the license agreement with all of the specifics and how much would be remitted back to the District.

Mr. Zimmerman asked if this is for outside people also. Ms. Adams stated yes but typically the goal is to have it at capacity with residents. Sometimes to meet minimum class attendance for the program to work it does need to be offered to those who live outside of the District. SwimKids USA would be responsible for marketing to anyone outside of the District but would give residents the opportunity first. Ms. Sides stated it would be a great benefit to the neighborhood but doesn't want it for people outside. She also would like to have clarification of how many participants are in each of the classes. Ms. Sides asked maybe do a poll within the neighborhood for interest of the program with some kind of mass document through the CDD. Ms. Adams noted they could use the electronic mail message system to send surveys to people who have amenity cards. She noted they could add results and potential license agreement to the March agenda. Mr. Jones asked about the estimated class size and starting time for six days a week. Ms. Adams noted classes start around 8:30 and go until lunch time and would confirm capacity.

## **EIGHTH ORDER OF BUSINESS**

### **Discussion of 2024 Community Events**

Ms. Adams stated Keren Pagan approached the District and Board members discussed an Easter event and an end of school bash. During the discussion in December, there were some questions about specificity to what end of school bash would entail, types of activities and what age would be targeted. Ms. Pagan sent out an email with a few more details with the Easter event on March 23<sup>rd</sup> with event space and activities offered. She noted June 1<sup>st</sup> for end of school bash and identified the parcels used and types of activities included. Ms. Pagan is requesting use of the clubhouse where she would rent the clubhouse October 12<sup>th</sup> and December 7<sup>th</sup>.

Ms. Adams noted there is an email from Pastor Rick Beavers of Lakeland Family Church looking to do a spring event Easter egg hunt activity on Saturday March 16<sup>th</sup> from 9 a.m. until

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noon. Ms. Adams noted if the Board does approve these events District Counsel will prepare a license agreement offering protections and indemnification for the District. She noted they work with field management staff so they can communicate with vendors and security regarding any planned activities. Ms. Sides stated she thinks it all seems great. Ms. Tidwell agrees. Ms. Adams noted implicit in the motion is preparation of the license agreements.

On MOTION by Ms. Sides, seconded by Ms. Tidwell, with all in favor, the 2024 Community Events as Presented, were approved.

## **NINTH ORDER OF BUSINESS**

## **Staff Reports**

### **A. Attorney**

#### **i. Review of Ethics Training Memo**

Ms. Hammock stated in the agenda packet is a memo from her firm and sent via email detailing the 4 hours of ethics training required this year by December 31<sup>st</sup>. There is a link in the memo to the Florida Commission on Ethics website with videos and alternatively her firm is hosting some training through workshops if the Board is interested. Starting this year Form 1 is sent electronic at Florida Commission on Ethics website and should be in by July 1. Ms. Adams stated regarding Zoom workshops she would bring back dates next month.

### **B. Engineer**

#### **i. Consideration of Proposals for Stormwater Repairs Near Siltstone**

##### **a. Consolidated Land Services, Inc.**

##### **b. Level Up Site Development, LLC**

##### **c. Governmental Management Services**

Mr. Rayl stated he wanted to bring everyone up to date with the roadway paving repairs which are imminent. There is preconstruction tomorrow morning. A tentative construction start date subject to weather, equipment breakdowns, etc. is Monday 12<sup>th</sup> completing by the 16<sup>th</sup>. There is a schedule of streets to move through during that timeframe to be published to the community. The intent of this is to get that paving work complete and pass inspection of that by the City of Lakeland. These are their streets to own and maintain in perpetuity. When we accomplish this, we will be done with any of these roadway repair responsibilities. Ms. Sides asked if something can be written to publish to the community Facebook page so the people know as well. Ms. Adams

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will send that to Supervisor Tidwell. Ms. Adams noted if any homes will have limited ability to access roadway, they will do doorhangers. Mr. Jones asked Alan to bring this up as well.

Mr. Rayl noted the other item is the storm water sump area on Siltstone. He noted on the West side there is a wetland that is inside the loop of the road. The wetland area has a stormwater control structure in it to let that wetland water level rise no higher than a certain elevation. The water enters that control structure and exits a sump. Original construction plans called for that sump to have a shallow “V” shaped swale near the upper elevations of that sump that would connect it to the wetland ditch to the East. The swale was never constructed. The water level on the wetland is right at the control structure control level. Water in the pipe in the sump is six inches lower. The water is about 2 ft below overflowing the sump. This means water could rise 2 ft and get close to the inlet throats and roadway and inundate the wetland above stages it was ever intended to be at before whatever discharges off into the creek.

Mr. Rayl’s recommendation is that overall swale be established and basically consists of 25 ft. of a shallow swale probably 2 ft. deep at the most to connect the sump to the wetland creek and let the control structure control. He has three complete quotes for the work – one from Consolidated Land Services for \$3,138.90, and a second from Level of Site Development for \$6,400, and last from GMS for \$2,646. They are all comparable and grasp the work just described. He recommended the Board consider the quote from GMS. Ms. Sides asked whose responsibility it was to handle that swale. Mr. Rayl noted the developer. Ms. Hammock noted she could send a demand letter for reimbursement once the District incurs fees. Ms. Sides asked where the funds would come from. Ms. Adams noted the Board allocated \$15,000 for general repairs and maintenance for field expenses. As of the end of December, zero dollars have been spent in that category.

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| <p>On MOTION by Mr. Runyon, seconded by Ms. Sides, with all in favor, the Proposal from GMS for Stormwater Repairs near Siltstone, was approved.</p> |
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**C. Field Manager's Report**

Mr. Bailey noted some damaged pickets in the playground fencing were replaced. The amenity wash station activation was fixed. Holes at the dog park were filled in and stones were added to help with erosion from the fountain. The emergency flood light at amenity one was found damaged and has been repaired. The lake on Medulla has seen the Hydrilla die off from the treatment. They have not received an answer on how many fish they can get. The fences along Medulla have been treated for mildew. Ms. Sides asked about trying a different emergency light that won't be as easy to break. Mr. Bailey noted if it becomes a bigger issue, he will start looking into it to solve the issue. Mr. Runyon noted the Hydrilla is coming back but the fish will suppress it.

**i. Consideration of Current Demands Proposal for Magnetic Locks at Amenity Center 1 Restrooms**

Mr. Bailey presented a proposal from Current Demands who installed the magnetic lock system at amenity 2. The cost is \$3,720.79 to have that same system installed here. Ms. Adams noted to Board members that they did allocate \$20,000 for amenity repair and maintenance. As of the end of December, about \$4,800 had been spent out of that so funding is available. Ms. Sides noted so many things have been replaced due to vandalism so this is an added expense that needs to be done to help secure the amenity.

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| On MOTION by Ms. Sides, seconded by Mr. Runyon, with all in favor, the Current Demands Proposal for Magnetic Locks at Amenity Center 1 Restrooms, was approved. |
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**ii. Consideration of Swim Lifts Proposals for Hydraulic Pool Lifts at Amenity Centers 1 & 2**

Mr. Bailey presented the proposals for Hydraulic Chair Lifts for Amenity 1 & 2. The total cost for one lift is \$10,100. If they purchase one now and sign for plan to get one in 2025, the vendor is willing to purchase the other Hydraulic Chair Lift at the current price and they wouldn't be billed until 2025 until the request for it to be fully installed in the next fiscal year. He noted if they don't, it will be at a roughly between 6 to 8% increase yearly. Ms. Adams noted if Board members wanted to approve this, it would be a two-year purchase agreement. This option was asked for due to budget constraints. She noted this is an item to be compliant with ADA Guidelines



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for public pools. Mr. Runyon noted people that needed the chair lift could use the pool with the lift so the District would be clear for this year. Ms. Hammock noted that, once installed, there would be one compliant pool that shouldn't be at risk of being shut down for violating ADA guidelines. The other pool would continue to be at risk of that. Mr. Bailey stated the hydraulic lift would be easier and less to fix. Mr. Runyon asked about the warranty. Mr. Bailey noted a one-year warranty and would confirm how far the warranty covers on this. Ms. Tidwell suggested negotiating a longer warranty.

Mr. Bailey stated he has talked with Prince about the hostile vegetation. They would like to get a couple plants to set up a small demonstration to show what that would be. This would be best done in Spring when planting is officially done.

#### **D. District Manager's Report**

Ms. Adams wanted to let Board members know a set of dates that are on radar for the amenity access team which is Spring Break. They have experienced some challenges during Spring Break in the past so do plan to utilize extra security staff during Spring Break week. This was done last year on a limited basis. The Board did budget for additional security during Spring Break, Mother's Day weekend, Fourth of July weekend, and Memorial Day weekend.

She also noted the FEMA grant they have been waiting for, the Federal Government part \$73,971 has been approved and they have requested bank account information to wire the funds. We had been tentatively approved to around \$80,000. There was a state cost share that is still pending information.

##### **i. Approval of the Check Register**

Ms. Adams presented the check register from November 2, 2023 through January 20, 2024 for \$1,736, 022.57 on page 56 of the agenda packet. She noted one of the large transfers on page 59 of the agenda was \$1.6M that was transferred to the Trustee for the debt service account.

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| On MOTION by Ms. Tidwell, seconded by Ms. Sides, with all in favor, the Check Register, was approved. |
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##### **ii. Balance Sheet and Income Statement**

Ms. Adams reviewed the unaudited financial statements.

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**TENTH ORDER OF BUSINESS**

**Supervisors Requests**

Ms. Adams asked for any Supervisor’s requests.

She noted there were some questions regarding the encroachments by Keaton Springs. She will follow up with the property owner and will do an audit of the area. If there is anyone who has not yet removed their encroachment, they will send a second letter. She noted they are requiring those encroachments are removed and the plan is the District Engineer is going to evaluate and provide a scope for the work that needs to be done to restore the swale to design. Homeowners in that area will be notified that the District is doing maintenance of the stormwater system to get that regraded according to specifications and resodded with the intention to get proper drainage before storm season. Ms. Sides asked if they got anywhere on contacting the Sherriff’s department or Lakeland police on a crossing guard. Ms. Adams noted that is still a work in progress and officially have an application in with Polk County Sherriff’s office who provides crossing guards. They have an evaluation study period that they do to determine if they will staff a school crossing. They have been in contact with Lakeland Police more of a community policing situation resulting them coming to monitor the bus stop and interact with the juveniles. There are some other requests for proposals for off duty law enforcement patrol of the amenities.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no additional business, the Board adjourned the meeting.

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

DocuSigned by:  
*Tricia Adams*  
Secretary/Assistant Secretary

DocuSigned by:  
*[Signature]*  
Chairman/Vice Chairman