

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

The regular meeting of the Board of Supervisors of the Lucerne Park Community Development District was held on Thursday, **April 21, 2022** at 9:32 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk *by Zoom*
Matthew Cassidy
Al Cassidy
Bobbie Henley

Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Jake Whealdon
Marshall Tindall
Lisa Kelley *by Zoom*

District Manager, GMS
KE Law
GMS
Dewberry

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order at 9:30 a.m. There were three Supervisors present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns stated that there were no members of the public present. There was one member of the public on the Zoom line. Ms. Burns stated that if anyone has a public comment, they can use Zoom's raise hand feature to be called on.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the March 17,
2022 Board of Supervisors Meeting**

Ms. Burns asked if there were any questions, comments, or corrections to the March 17, 2022 minutes. The Board had no changes, and Ms. Burns asked for a motion to approve them.

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On MOTION by Ms. Henley, seconded by Mr. Al Cassidy, with all in favor, the Minutes of the March 17, 2022 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-05 Approving the Proposed Fiscal Year 2022/2023 Budget (suggested date: July 21, 2022), Declaring Special Assessments, and Setting the Public Hearings on the Fiscal Year 2022/2023 Budget and Imposition of Operations and Maintenance Assessments

Ms. Burns stated that the proposed budget is attached to the resolution as exhibit 'A'. She stated that she would go through a couple of the line items that have increased and decreased a lot just to highlight the changes. The legal advertising, they were able to reduce by about \$7,000 now that they aren't doing ads for every monthly meeting. They were able to decrease that line item dramatically. They also dropped the contingency for the administrative portion. She noted that on the field services side they increased the landscape replacement. She stated the community is getting older and they feel that there will be more plants and trees that need to be replaced and it will also allow for one time mulch of the community. She stated that the streetlights were increased by \$10,000 and that is based on the actual amounts they are paying for the electric on those. She stated that the irrigation repairs, field items, general repairs in maintenance and the contingency were increased. She noted that on the amenities they increased the water based on the actuals as for the utility bills.

Ms. Burns noted that they included \$34,000 for security services. She noted that it wasn't intended for these facilities to be manned so there was no intention for there to be staff or security full time. She stated that this District has had a lot of vandalism issues. They were able to contact the company, Securitas, who will do limited security patrols. The \$34,000 would be three days a week, three 8-hour shifts and then a few drops by throughout the week. She stated that they had put that in in case the Board wants to consider doing that. The idea was that they would be there on weekends or peak hours. She stated that if that is something the Board is interested in doing, they could leave that. She noted they increased the amenity repair and maintenance line item as well.

Ms. Burns stated that the other change is to increase the capital reserve from \$10,000 to \$50,000. They need to start developing long term reserves so that when the roads need to be

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repaved, they can repave the roads and take care of the amenity building. She noted that this was for the long-term repairs in the community.

Ms. Burns stated that the current O&M per lot was \$1,067.86. She stated that this budget the per unit gross assessment would be \$1,386.69. It would be an increase of \$318.83 per unit. She noted that it is quite a jump, but there are things like capital reserves which they need to include. The only area that would be comfortable removing would be the security line item. She stated that their recommendation would be at least to leave it in for the proposed budget for sending the notice. She noted that if they want to consider removing at the time they adopt, they can do that, but it was their recommendation to keep it. She asked for any questions on these line items.

Ms. Henley asked if the owners now must pay an additional \$346. Ms. Burns answered that it is \$318 per unit and yes. Ms. Burns stated that if they remove the security, it would be about \$98 a household. So, if they remove it, it would still be an increase of about \$215. Ms. Henley asked how the property owners would get notice that it is going up. Ms. Burns answered that they would send a mail notice to every property owner within the community notifying them of the public hearing that the Board is setting today. Ms. Burns explained that if they weren't increasing the assessments, they don't have to send the notice to anyone about the budget and the assessment hearing, but if they are increasing everyone gets a notice. When they set the public hearing for the proposed date which is July 21st, everyone will get notice of that, and they will have the opportunity to come and provide comment to the Board during the public comment portion of the public hearing. She noted that they would take the public comments into consideration at that time. She stated that leaving it would set their cap and they could always bring it down.

On MOTION by Ms. Henley, seconded by Mr. Al Cassidy, with all in favor, Resolution 2022-05 Approving the Proposed Fiscal Year 2022/2023 Budget, Declaring Special Assessments, and Setting the Public Hearings on the Fiscal Year 2022/2023 Budget and Imposition of Operations and Maintenance Assessments for July 21, 2022 at 9:30 a.m., was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Whealdon had nothing further for the Board, so the next item followed.

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B. Engineer

Ms. Kelley had nothing further to report.

C. Field Manager's Report

Mr. Tindall stated that they were still dealing with vandalism at the amenity. He stated that if security services were implemented, it would make it a lot better. He noted that minor repairs had been done on the facility. They were monitoring an erosion area on the backside that they were working to get repaired. He stated that now the construction is more or less complete they will be doing street sign straightening and repairs. Mowing is moving over to weekly mows and they were working with the landscaper to facilitate that. He stated that the chair lift was being repaired and that the parts and cover were on order. He noted that the sidewalk was being scheduled as soon as they have a couple of the projects completed.

For the pool furniture, there was a handful of pool pieces that were damaged. They could either repair them or replace them. He noted that for the cost of the repair, it would be just as good to replace the furniture. Ms. Burns asked how many damaged pieces they were looking at. Mr. Tindall answered that it was about six chairs. Mr. Matthew Cassidy asked if it was normal wear and tear or vandalism. Mr. Tindall stated that it was a little of both. He stated that sometimes people would rock in the chairs and would use them aggressively. He noted that they were light weight chairs that would bend with frame and there was a bar of support across the back that would pop out and break after it bends too much and the frame starts bending in. As far as the slings go, there were some punctures and once the puncture happens it usually starts to open up. He noted that it could be from people messing around or it could be vandalism. It is primarily isolated to the chairs not the chaise lounges. Ms. Burns asked that Mr. Tindall get the price for the six chairs to bring to the next meeting.

i. Discussion Regarding Proposals from Prince and Sons, Inc. for:

a) Sod Gap Areas

b) Plant Refresh

Mr. Tindall discussed that he had the numbers for review and suspected that they will probably end up breaking this down if they choose to pursue it over a couple of fiscal years possibly. He stated that previously they had discussed looking into other options instead of sod, maybe seeding it. He stated that he had discussions with the landscaper and other counsel and

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seeding is not really a good choice for the investment. The soil was too unstable. He stated that he had talked to Patrick with the Developer and he said that he wouldn't be able to get the builders to come back at this point and do any sod work. He noted that his recommendation would be to pull some money each year for the landscape replacement fund or set up a longer term for projects at some point.

Ms. Burns asked how much they had approved on this at the last meeting. Ms. Tindall stated \$1,000 NTE for playground replacements, sod and some replacement sod going down for about \$400 around the playground and a little more right behind the pool area on a repair there. Ms. Burns stated that they had about \$6,000 left and they had increased that next year to \$15,000. They had doubled it for next year to allow for more. Ms. Burns asked if Mr. Tindall's suggestion was to do one of these areas over the other. Mr. Tindall responded that his suggestion would be to pursue at least part of one of them, maybe Tract J since that's the one that has received the most complaints at this point, and it is right near the front of the community. He noted that they would probably get the other one next year.

Ms. Burns stated that they do also have \$2,500 in the field contingency that they could put toward this, so if they wanted to do the whole Tract J and get the whole area taken care of and then that tract would be done. Mr. Tindall responded that yes, that would be fine. Ms. Burns stated that they have a total of about \$8,500 if they look at the contingency and the landscape replacement. Mr. Tindall stated that \$5,300 roughly would be coming out of the landscape replacement for sod of which \$1,000 was approved at the previous meeting. Ms. Burns asked for motion to approve Tract J, the area that they had the most complaints about.

On MOTION by Ms. Henley, seconded by Mr. Al Cassidy, with all in favor, the Quote from Prince & Sons for \$4,338 for the Sod for Tract J, was approved.

Mr. Tindall stated that they could revisit Tract F next fiscal year. He stated that they are open to replace one security camera with the security company. He noted that is all he had.

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D. District Manager’s Report

i. Approval of Check Register

Ms. Burns asked for any questions on the check register, she noted that it totaled \$118,624.64.

On MOTION by Mr. Al Cassidy, seconded by Mr. Matthew Cassidy, with all in favor, the Check Register totaling \$118,624.64, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns stated that the financials were included in the agenda package for review, and asked if there were any questions from the Board. There was no action necessary.

SIXTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Brock stated that this is the first time he had attended this meeting. He asked if this recording would be available for the public to access. Ms. Burns answered that yes, all the recordings were available under all District records to anyone who requests them under the public records law, so if anyone wants to request the recording, they will provide a link to anyone who would like it. She asked if he had any other questions, and he did not.

A member of the public stated that they are doing a good job cutting the entrance on Battlebrook off from Siren Park, but all you could see is roots of the trees and they circle around. He stated that it looks like big bald spots when driving in. Mr. Tindall asked if he was talking about the entrance in the median. The resident responded yes, in the median. Mr. Tindall stated that annual mulch gets done usually in June or July. The resident stated that he noticed that the subdivision right behind them had put up a sign about a no noise ordinance. He stated that they have several people who live there, and they come through the neighborhood, and you could hear their music if they were at the stop light on First Street every morning and every evening. Ms. Burns stated that they do not deal with noise ordinances usually because that is something that is through the county. She stated that their responsibilities are common areas, amenities, streets, etc.

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The resident asked if the sign was put up by the county. Ms. Burns stated that the county or a resident could have put it up. The resident stated that he wrote a letter to management and emailed them about some sidewalk cracks. Ms. Burns responded that would be the CDD and asked for the location so that Mr. Tindall can check those.

EIGHTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Henley, seconded by Mr. Al Cassidy, with all in favor, the meeting was adjourned.

Jill Burns

Secretary / Assistant Secretary

Laura O. Schuck

Chairman / Vice Chairman