

**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, **May 18, 2023** at 9:12 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida and by Zoom Webinar.

Present and constituting a quorum:

Lauren Schwenk
Bobbie Henley

Jessica Kowalski
Emily Cassidy
Justin Brock

Chairperson (Resigned during meeting)
Chairperson (Assigned as Chair during the meeting)
Vice Chair (Appointed during meeting)
Assistant Secretary
Assistant Secretary (Appointed)

Also present were:

Tricia Adams
Roy Van Wyk
Molly Banfield
Marshall Tindall

District Manager, GMS
District Counsel (via Zoom)
District Engineer, Dewberry (via Zoom)
Field Services

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 9:12 a.m. There were three Board members present constituting a quorum. Other Board members were appointed during the meeting.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams reviewed the guidelines for the public comment period. There was one Zoom attendee.

Mr. Lopez noted he was part of the HOA Board. He commented on the proposed parking situation and emergency vehicles. He was concerned that limited parking on one side of the road would not eliminate the problem.

May 18, 2023

Lucerne Park CDD

The public comment period was closed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Consideration of Resolution 2023-06 Canvassing and Certifying the Results of the Landowners’ Election – Added

Ms. Adams stated this is certifying the results of the Landowner election which occurred in November of 2022. She noted Bobby Henley appointed to Seat #1, Albert Cassidy appointed to Seat #2, and Andrew Reinhart appointed to Seat #4. She added Supervisor Henley and Supervisor Reinhart are appointed serve 4-year terms and Supervisor Cassidy a 2-year term.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, Resolution 2023-06 Canvassing and Certifying the Results of the Landowner’s Election, was approved.

B. Acceptance of Resignations

Ms. Adams stated letters of resignation have been received from Supervisor Rhinehart from Seat #4 and has a term expiring in 2026. The second resignation was from Supervisor Albert Cassidy in Seat #2 with a term expiring in 2024.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, the Letters of Resignation from Supervisor Rhinehart and Cassidy, were approved.

C. Appointment to Fulfill Vacancies in Seats No. 2 and 4

Ms. Adams stated the resignation letters have been accepted and ask for nominations to fill the vacancy. For Seat #2 Ms. Schwenk nominated Jessica Kowalski and for Mr. Cassidy’s seat #3 Ms. Schwenk nominated Kristen Cassidy.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, the Nominations for Ms. Cassidy and Ms. Kowalski to the Board for the Vacant Seats, was approved.

Clarification was made that Jessica Kowalski will take Mr. Rhinehart’s seat for a 4-year term and Kristen Cassidy will take Mr. Albert Cassidy’s seat for a 2-year term.

May 18, 2023

Lucerne Park CDD

D. Administration of Oaths to Newly Appointed Supervisors

Ms. Adams the oaths of office for Ms. Kowalski. Ms. Kristen Cassidy was not in attendance.

Lauren Schwenk resigned from the Board. Ms. Adams stated there was a verbal resignation from the Board and the seat is declared vacant. Ms. Adams asked if there were any nominations for the seat. Mr. Justin Brock was nominated.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, the Appointment of Justin Brock to the Board to Fulfill the Vacant Seat, was approved.

Ms. Adams performed the oath of office for Mr. Brock. Ms. Adams noted that District Counsel, Roy Van Wyk, was on the line and provided some updates for new Board members. He reviewed the Sunshine laws and the Public Record laws.

E. Consideration of Resolution 2023-02 Electing Officers

Ms. Adams reviewed the current officers as Ms. Schwenk as Chair, Ms. Henley as Vice-Chair, and the remaining Board members serving as Assistant Secretaries. She stated that a re-organizing needed to occur after each election and appointment of Board Members. The Board decided to agree on a slate of officers. The Board elected Bobbie Henley as Chair, Jessica Kowalski as Vice Chair, and remaining Board members Emily Cassidy, Justin Brock, and Kristen Cassidy as Assistant Secretaries, and remaining officers to remain the same.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, the Officers as Bobbie Henley as Chair, Jessica Kowalski as Vice Chair, Emily Cassidy, Justin Brock and Kristen Cassidy as Assistant Secretaries and Other Officer to Remain the Same, was approved.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the January 19, 2023 Board of Supervisors Meeting

Ms. Adams presented the January 19, 2023 Board of Supervisors meeting minutes and asked if there were any comments or corrections to those minutes. She noted they had been approved by staff and counsel. The Board had no changes.

May 18, 2023

Lucerne Park CDD

On MOTION by Ms. Kowalski, seconded by Mr. Brock, with all in favor, the Minutes of the January 19, 2023 Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

Public Hearing: Parking Rules

Ms. Adams noted this public hearing for today was on proposed parking rules and has been published in the Polk County newsletter within the required timelines. She asked for a motion to open the public hearing.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, Opening the Public Hearing, was approved.

A. Public Comment Regarding Proposed Parking Rules

Ms. Adams presented the draft of the resolution on parking enforcement. She noted they are proposed in accordance with Florida statutes. Ms. Adams reviewed the specifics for towing, regulating the parking rules, and the agreement for towing services. She added they are suggesting parking rules on one side of the roadway. This would attempt to balance flow of traffic with the understanding that residents had guests from time to time. She further explained the specifics for vehicles allowed and not allowed such as commercial, recreational, vessel or boats, and watercraft too be parked on the roadway overnight. The map prepared by field manager was presented and suggested the tow away zones on one side of the road.

Ms. Adams opened for public comment.

Audience member commented on the issues and effects on the community. Residents asked for clarification on towing. Mr. Lopez, a resident on Zoom, commented against any street parking and suggested off road parking that is available or could be created. Another resident commented on other areas for parking lots. Discussion ensued on appropriate areas for parking.

Ms. Adams asked for a motion to close the public hearing.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, Closing the Public Hearing, was approved.

B. Consideration of Resolution 2023-03 Adopting Rules Related to Parking Enforcement

May 18, 2023

Lucerne Park CDD

Ms. Adams clarified the District owns the roadways and is not subject to the HOA covenants but would like to partner with the HOA as much as possible. The reason for not frequently changing the sides of the street that allows parking is due to potential confusion and signage being consistent. She added that commercial vehicles are allowed to be in the District on public roadway during the day. The restriction for commercial vehicles is to not park on the roadway overnight.

Mr. Tindell clarified the one side towing. He commented on establishing a parking policy and towing guidelines. He pointed out access to an open tract and maintenance tract and lift station access is needed.

Ms. Adams added that abandoned or broken-down vehicles are not permitted on site anywhere or anytime. It was noted that the open clear paths for emergency vehicles does not change.

Ms. Adams asked the Board for any additional discussion and comments. Ms. Kowalski noted this could be amended at a future time. Ms. Adams noted the rules do not prohibit vehicles from parking in the roadway overnight but does restrict commercial vehicles, RVs, boats from parking overnight. She added the rules can be amended to restrict all vehicles from overnight parking at a future hearing if that is decided by the Board. She clarified the overnight hours are designated between 10:00 p.m. and 6:00 a.m. Discussion ensued on trash pickup reaching destinations and issues with one side parking.

Ms. Adams asked the Board if they would like to take additional public comment on the issue. The Board agreed to take additional public comment.

A resident commented on trash pick-up and residents are not getting trash pick-up due to parking issue. He was concerned this was causing other issues by adopting this rule.

An attendee on Zoom, Sharon Stark, pointed out the trash day is a problem with one side of the street parking. She suggested no street parking from 9:00 a.m. – 4:00 p.m. on Fridays.

Another question was asked from the District Engineer from Dewberry about mailbox placements.

Ms. Adams asked the Board if they preferred to continue the public hearing rather than adopting the Rules today. District Counsel suggested to go ahead and adopt today and to have something in place for parking. Ms. Adams suggested adopting Parking Rules today to correct

May 18, 2023

Lucerne Park CDD

vehicles parking on both sides of the roadway and blocking traffic and emergency vehicle access. Board members can allow time for implementation and further feedback.

On MOTION by Ms. Henley, seconded by Ms. Kowalski, with all in favor, Resolution 2023-03 Adopting Rules Related to Parking Enforcement, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-04 Approving the Fiscal Year 2024 Budget and Setting a Public Hearing

Ms. Adams stated this resolution approves the proposed 2024 budget and sets the public hearing. She reviewed the proposed budget, and noted the assessment level would be a high-water mark. She noted the proposed budget is presented with no assessment increases. She added this budget starts October 1, 2023 and ends September 30, 2024 and suggested the public hearing be set on August 17, 2023 at 9:00 a.m. during the regularly scheduled meeting.

Ms. Adams reviewed the specifics of the budget and asked for Board questions. She noted the assessments are \$446,207 and all assessments are on tax roll and are include in the non ad valorem section of the property tax bill. She added the expenditures for 2023 totals \$128,712. She added many administrative expenses are holding steady but noted there a proposed 6% increase in management fees. She reviewed operations, field services, with an increase in property insurance. A 3% increase in field management and a \$5,000 in landscape maintenance. She noted the current budget is \$153,403 and the proposed budget is \$165,059. She noted amenity expenditures at \$114,092 and the proposed budget is \$124,962. That will increase the janitorial services based on feedback from residents and pool maintenance. The transfer out of \$50,000 will reduce to \$23,160 for the proposed budget.

Ms. Adams noted there are 346 units and the per unit gross assessment is \$1,386.69. She explained the difference in the gross assessment and the net assessment. She also reviewed the debt service fund and bond issuance for proposed interested and principal payment due in November and May and the attached amortization schedule.

May 18, 2023

Lucerne Park CDD

On MOTION by Ms. Henley, seconded by Ms. Kowalski, with all in favor, Resolution 2023-04 Approving the Fiscal Year 2024 Budget and Setting the Public Hearing for August 17, 2023 at 9:00 a.m. in the Same Location, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2023-05
Appointing Bank Signatories**

Ms. Adams stated that this resolution will add the assistant treasurer to the bank signatories.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, Resolution 2023-05 Appointing Bank Signatories, was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk had nothing further to report.

B. Engineer

i. Consideration of Dewberry Work Authorization 2023-01

Ms. Banfield was on the line for questioning. Ms. Adams presented the Dewberry Work Authorization 2023-01 for \$2,000. She explained the terms of the Trust Indenture. Ms. Banfield covered issues with stormwater and damage to the line.

On MOTION by Ms. Kowalski seconded by Ms. Henley, with all in favor, the Dewberry Work Authorization 2023-01, was approved.

C. Field Managers Report

Ms. Adams stated there were several proposals under field management and due to time restraints, she asked if these items should be deferred. The Board agreed to defer items i, ii, and iii.

- i. Consideration of Landscape Enhancements Proposal – Prince & Sons**
- ii. Consideration of Stormwater Repair Proposal – All Terrain**
- iii. Consideration of Camera Replacement Proposals – Current Demands (2)**

These items were deferred to a future agenda.

May 18, 2023

Lucerne Park CDD

iv. Security Enhancements - ADDED

Ms. Adams noted the Board had previously approved the security program with pool guards at the peak use hours of pool to enforce amenity policies and usage of authorized patrons. She noted there is a mobile control service where security stops on certain days to document conditions, check the restrooms and other amenity areas. She noted there have been issues with arson during the day and vandalism that has occurred at night. Discussion with the security team and they have recommended additional monitoring. She provided an overview of this program. She recommended the Board forgo the mobile patrol at currently \$54/month and implement the remote monitoring.

She noted this was added to the agenda and they are required to take public comment. Ms. Adams replied to a question that this amount is in the budget. She replied to a Board question about monitoring the pool deck area and will work with the vendor.

Ms. Adams asked for public comment regarding the installation of remote monitoring by the program with Securitas. A resident commented about the different angles for camera monitoring. Another resident commented on the pool issues and a juvenile that is commenting the vandalism and other incidents.

Ms. Adams further commented they have been in communication with the local police department and trespass orders have been filed and individuals that violation and enforcement of policies.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, the Securitas Proposal, was approved.

D. District Manager's Report

- i. Approval of Check Register**
- ii. Balance Sheet and Income Statement**
- iii. Presentation of Registered Voters – 431**

Ms. Adams noted that all District Manager items were deferred to a future meeting.

NINTH ORDER OF BUSINESS**Other Business**

There being no comments, the next item followed.

May 18, 2023

Lucerne Park CDD

TENTH ORDER OF BUSINESS

**Supervisors Requests and Audience
Comments**

There being no comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

Tricia Adams
Secretary / Assistant Secretary

Bolli Henley
Chairman / Vice Chairman