

**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, **June 20, 2024** at 9:30 a.m. at the Holiday Inn, Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida and via Zoom.

Present and constituting a quorum:

Bobbie Henley  
Jessica Kowalski  
Emily Cassidy  
Justin Brock *by Zoom*

Chair  
Vice Chair  
Assistant Secretary  
Assistant Secretary

Also present were:

Tricia Adams  
Meredith Hammock  
Savannah Hancock  
Chace Arrington  
Rey Malave  
Marshall Tindall

District Manager, GMS  
District Counsel, Kilinski Van Wyk  
District Counsel, Kilinski Van Wyk  
District Engineer  
District Engineer  
Field Services, GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Adams called the meeting to order. Three Board members were present constituting a quorum. Supervisor Brock attended by Zoom.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Resident (Lopez) commented on a pipe sitting on Cambridge Dr. and easements and grandfathering in not being allowed.

Resident (Diane Macecsko, 884 Cambridge Dr.) commented on parking/red zones. Follow up on traffic study/speeding. Commented that dog stations are overflowing. Asked if cameras are working at pool. Commented that they should make entrances look happier and more welcoming.

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Resident (Joan Griffin, 913 Cambridge) commented on irrigation water/filthy reclaimed water clogging up sprinkler heads. Water pressure up and down.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the April 18, 2024 Board of Supervisors Meeting**

Ms. Adams presented the minutes from the April 18, 2024 Board of Supervisors meeting. The meeting minutes have been reviewed by District Counsel as well as by District Manager.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, the Minutes from the April 18, 2024 Board of Supervisors Meeting, were approved.

**FOURTH ORDER OF BUSINESS**

**Public Hearing**

Ms. Adams stated there is a public hearing today to adopt the FY2025 budget. 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. Consideration of Resolution 2024-07 Adopting the District’s Fiscal Year 2025 Budget and Appropriating Funds**

Ms. Adams noted Resolution 2024-07 approves the proposed budget for FY2025 starting October 1, 2024 and ending September 30, 2025. The budget was provided to the City of Winter Haven and Polk County prior to the public hearing. The public hearing was noticed in the paper. The proposed budget has been posted on the District’s website. This budget has not substantively changed since the proposed budget was approved a couple of months ago. The proposed assessment level is the same as the current year. She reviewed the proposed budget. There are 346 units and total gross amount per unit for O&M fees is \$1,386.69.

Ms. Adams noted unless there is any discussion by Board members, it can be opened up for public comment related to the FY2025 budget adoption.

Resident commented on discount collection 7% and that is added in. If there is a discount, why is it added in? Ms. Adams noted Polk Co. tax collector offers a 4% discount to property

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owners to pay their tax bill at the earliest possible time. The gross amount includes the discount but the net amount does not include that discount.

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.

Ms. Adams stated Board members have already been walked through what this resolution will accomplish and attached to the resolution is the proposed budget as an exhibit. She asked for a motion to adopt Resolution 2024-07.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, Resolution 2024-07 Adopting the District’s Fiscal Year 2025 Budget and Appropriating Funds, was approved.

**B. Consideration of Resolution 2024-08 Imposing Special Assessments and Certifying an Assessment Roll**

Ms. Adams stated now that Board members have adopted a budget, they are required to fund it. The proposed way of funding the budget is in Resolution 2024-08. Attached to the resolution is a copy of the proposed budget which will be converted to the budget. Also attached to the resolution is a copy of the tax roll so that all of the properties 346 units can be seen and how the O&M fee is aggregated. O&M fees are being imposed. The debt services fees were imposed at the time the bond was issued. This resolution authorizes collection of those fees.

On MOTION by Ms. Kowalski seconded by Ms. Henley, with all in favor, Resolution 2024-08 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

**FIFTH ORDER OF BUSINESS**

**Presentation of Fiscal Year 2023 Financial Audit Report**

Ms. Adams stated CDD’s are required to undergo an annual independent audit of the District’s finances. This is for FY2023 and is a clean audit. The audit is required to be filed with the State of Florida by June 30<sup>th</sup> each fiscal year.

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On MOTION by Ms. Henley seconded by Ms. Kowalski, with all in favor, the Fiscal Year 2023 Financial Audit Report, was accepted.

**SIXTH ORDER OF BUSINESS**

**Presentation of Series 2019 Arbitrage Rebate Report**

Ms. Adams stated the tax-exempt bonds are regulated by the IRS and the IRS requires that they do not earn more interest than what they are paying. No rebate liability exists.

On MOTION by Ms. Kowalski seconded by Ms. Henley, with all in favor, the Series 2019 Arbitrage Rebate Report, was approved.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Hammock stated she is working with the city attorney to get an agreement for traffic enforcement and will follow up with them to keep that moving. As far as easements, easements are a legal right on your private property in favor of the District. The reason for the variance policy is as communities are built out, they sometimes don't know when an actual fence or private improvement is installed on an easement until there is an issue. With the variance policy, the Board's intention was to get ahead of that issue. Ms. Adams noted the District has not asked staff to take any action to identify encroachments or escalate the situation in any way and having the policy in place does not change the legal rights of the District nor the legal rights of the homeowners. The policy is a mechanism to communicate with the HOA. There have been no changes to what can happen with an encroachment before or after the policy. If an encroachment is brought to the attention of the District, that situation is documented and presented to the Board for the Board to make a determination based on recommendation from staff.

**B. Engineer**

**i. Presentation of Stormwater Inspection Report**

Mr. Malave stated a report is required by the Bond Indenture. The engineer is to provide an inspection report of all the facilities of the District to ensure they are in working order and being maintained and operated as required. The report was done on May 13<sup>th</sup> and submitted to staff and to the District pointing out the largest issue being the stormwater ponds that are geared towards a permit with the water management district and ensuring they are maintaining and operating them.

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The report provides a couple of areas that need some extra work and staff is working through remediating these. As part of their requirement a letter has been submitted to the District which provides in accordance with the Indenture for the CDD bonds, they believe they have inspected and the system is working adequately and the District provides an O&M budget sufficient for the operation of these facilities. He submitted their letter related to the report for approval.

On MOTION by Ms. Henley seconded by Ms. Kowalski, with all in favor, the Stormwater Inspection Report, was approved.

**ii. Presentation of Annual Engineer's Report – Series 2019**

This item was not discussed.

**C. Field Managers Report**

Mr. Tindall presented the Field Managers Report. Mr. Tindall addressed the public comments from the beginning of the meeting. He noted there is a reclaimed pipe sitting in the gutter along the West entrance. It should be tied to city work. A hydrant was added on the East side of Cambridge at the roundabout the reclaimed. He called for information but they did not get back to him. He noted if they don't respond and give him any information, he will get it out of there. He has not seen the dog stations overflowing on his site visits but will review with the landscaper. He noted the CDD does not have any control over the supply of that line for irrigation water. Any reclaim is subject to the city's cut offs. He will review with the city. The reclaimed water is provided by the City of Winter Haven Utility Department. It is not a CDD matter. Mr. Tindall noted if the Board is interested, he can get prices from the landscaper on annuals for the entrances.

**D. District Manager's Report**

Ms. Adams noted the District has budgeted for a security guard to be at the amenity center for peak use hours to promote compliance with the amenity policies, access control issues, restricting any glass/dangerous items, and restricting rough housing. She noted she is not aware of any security system failures but will follow up with Ms. Macecsko on that. She noted they can do anything property owners want to do but there is a price tag that comes with it. The District has adopted parking & towing rules and those were sent via electronic mail to the residents.

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**i. Approval of Check Register**

Ms. Adams presented the check register from April 6, 2024 through June 6, 2024 totaling \$53,474.38 for items noted out of the General Fund. A detailed summary follows the register.

On MOTION by Ms. Kowalski seconded by Ms. Henley, with all in favor, the Check Register totaling \$53,474.38, was approved.

**ii. Balance Sheet and Income Statement**

Ms. Adams noted the unaudited financials are included in the agenda packet. The combined balance sheet through 04/30/2024 is on page 134 of the agenda. No action is required.

**iii. Adoption of District Goals and Objectives**

Ms. Adams stated a new law was implemented that impacts CDD’s, Special Districts Performance Measures and Standards. CDD’s annually must adopt performance goals and a way to measure those goals. Exhibit A is an actual goals, objectives and annual reporting form. These must be adopted prior to the next Fiscal Year. She recommended the District adopt these performance measures today to be in compliance with Florida Statutes.

On MOTION by Ms. Kowalski seconded by Ms. Henley, with all in favor, the Adoption of District Goals and Objectives, was approved.

**iv. Review of Fiscal Year 2025 Meeting Schedule**

Ms. Adams proposed the District meet the third Thursday of each month at Holiday Inn, Winter Haven at 9:30 a.m.

On MOTION by Ms. Henley seconded by Ms. Kowalski, with all in favor, the Fiscal Year 2025 Meeting Schedule, was approved.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

There being no comments, the next item followed.

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**NINTH ORDER OF BUSINESS**

**Supervisors Requests**

Ms. Adams stated this was for Supervisor requests or audience comments. Hearing no comments or requests, the next item followed.

**TENTH ORDER OF BUSINESS**

**Adjournment**

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

Signed by:  
*Tricia Adams*  
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Secretary / Assistant Secretary

Signed by:  
*Bobbie Henley*  
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Chairman / Vice Chairman