

## **MINUTES OF MEETING**

### **DAVENPORT ROAD SOUTH COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS' MEETING**

**Thursday, April 11, 2019 at 9:37 a.m.**

**Offices of Cassidy Hones,  
346 East Central Ave.,  
Winter Haven, Florida 33880**

Board Members present at roll call:

Rennie Heath	Board Member	
Andrew Rhinehart	Board Member	
Lauren Schwenk	Board Member	
Scott Shapiro	Board Member	(via phone)

Also Present:

Jane Gaarlandt	PFM
Sonali Patil	PFM
Roy van Wyk	Hopping Green & Sams, P.A.
Patrick Marone	Health Construction and Management LLC

### **FIRST ORDER OF BUSINESS**

### **Call to Order and Roll Call**

The meeting was called to order approximately at 9:37 a.m. Those in attendance are outlined above.

### **SECOND ORDER OF BUSINESS**

### **Public Comment Period**

There were no members of the public present.

### **THIRD ORDER OF BUSINESS**

### **Consideration of the Minutes of the January 10, 2019 Board of Supervisors Meeting**

The Board reviewed the Minutes of the January 10, 2019 Board of Supervisors' Meeting.

On MOTION by Mr. Heath seconded by Mr. Rhinehart, with all in favor, the Board approved the Minutes of the January 19, 2010 Board of Supervisors' Meeting.

#### **FOURTH ORDER OF BUSINESS**

#### **Consideration of Amenity Center Waiver**

Mr. Van Wyk presented the Interlocal Agreement to the Board. There is intent for the two Districts to share the Amenity Facilities and pay their proportionate share of the costs. The Districts would levy assessments to pay those costs for as long as the Amenity Center is in operation.

Mr. Van Wyk noted that he also represents the other District and drafted the agreement with the intent that there be a fair and equitable agreement; not that one party has precedence over another party. Included in the agenda package is a waiver of conflict and consent for dual representation with respect to the Interlocal Agreement. If any conflicts arise between the Districts regarding the Amenity Facility, Mr. Van Wyk would step back and the Districts would have to hire outside counsel. He asked for the Board's consent for the waiver.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved the Amenity Center Waiver.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of Joint Acquisition Agreement between the District and Highland Meadows West CDD**

Mr. Van Wyk requested a motion from the Board to approve the Joint Acquisition Agreement.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved the Joint Acquisition Agreement between the District and Highland Meadows West CDD.

#### **SIXTH ORDER OF BUSINESS**

#### **Consideration of Interlocal Agreement between the District and Highland Meadows West CDD**

Mr. Van Wyk requested a motion from the Board to approve the Interlocal Agreement.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved the Interlocal Agreement between the District and Highland Meadows West CDD.

#### **SEVENTH ORDER OF BUSINESS**

#### **Consideration of License Agreement between the District and Starlight Homes Florida, L.L.C., regarding use of Certain District Property**

Mr. Van Wyk presented the License Agreement to the Board. Mr. Shapiro discussed the request the District received from the builder to put up the sign. Members of the Board were unsure if the City of Davenport would allow it and asked Mr. Shapiro to check the sign ordinance. Mr. Shapiro told the builder it is their responsibility. The License Agreement requires that the builder comply with all laws. It also indemnifies the District.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved the License Agreement between the District and Starlight Homes Florida, L.L.C., regarding use of Certain District Property.

#### **EIGHTH ORDER OF BUSINESS**

#### **Consideration of Funding Request No. 31 - 35**

The Board reviewed Funding Request number 31 – 35. Mr. Heath abstained from voting due to conflict.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with 3 in favor and 1 abstained, the Board approved Funding Request No. 31- 35.

#### **NINTH ORDER OF BUSINESS**

#### **Ratification of Payment Authorization Nos. 3 - 7**

The Board reviewed payment authorizations numbers 3 - 7.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board ratified payment authorization nos. 3 – 7.

#### **TENTH ORDER OF BUSINESS**

#### **Review of Monthly Financials**

The Board reviewed the monthly financials through March 31, 2019. There was no action required by the Board.

#### **ELEVENTH ORDER OF BUSINESS**

#### **Staff Reports**

**District Counsel –** Mr. Van Wyk asked Ms. Gaarlandt to discuss the Amenity policies. Ms. Gaarlandt explained that the District will need to notice a public hearing to

adopt Amenity Center Policies. Mr. Van Wyk requested authorization from the Board to publish the notice of Rulemaking. District staff will come back in May to adopt the policies.

The Board discussed getting proposals for maintenance. Ms. Gaarlandt stated that the District might need to delay the May meeting and line it up with the Holly Hill and North Boulevard meeting in order to meet the 30 day notice period. The May meeting will be moved to May 15, 2019 at 9:30 a.m.

Mr. Van Wyk requested a motion to authorize staff to publish the notice of Rulemaking and notice of Rule Development.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Board authorized District Staff to publish Notice of Rulemaking and Notice of Rule Development.

Key fobs will come next week. Mr. Marone stated that next Friday there will be a potential walk through. District Management will send a notice via email or let the builder know that key fobs are ready to be distributed. Mr. Glasgow will set up a time frame for residents to come pick up key fobs. Mr. Van Wyk requested that Mr. Glasgow go out and do the walk through.

The Board and District staff discussed the pool. Ms. Gaarlandt stated that the District might not need a pool lift with the zero entry, but due to the size of the pool staff will check to make sure it meets the requirements for ADA compliance.

A discussion took place regarding the budget to cover these expenses. Mr. Van Wyk asked about landscaping. Ms. Schwenk noted that the people installing it are not the people maintaining it but she is getting together a proposal to add that landscaping.

Mr. Van Wyk stated that Mr. Wood will need to do a walk through and sign off for the acquisition and completion of the project. Mr. Shapiro stated that the project is not being funded by the bonds. The CDD acquired the assets. Mr. Van Wyk replied that it did not matter who funded the project and the District needed to declare it complete and follow all the procedures in the interlocal agreement.

**District Engineer –** Not Present

**District Manager –** No Report

**TWELFTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

There were no Supervisor requests or audience comments.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

There were no other questions or comments. Ms. Gaarlandt requested a motion to adjourn.

ON MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the April 11, 2019 Board of Supervisors' Meeting was adjourned.



Secretary / Assistant Secretary



Chairman / Vice Chairman