

**MINUTES OF MEETING
FOREST LAKE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Forest Lake Community Development District was held Tuesday, **August 1, 2023** at 10:15 a.m. at 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk *by Zoom*
Eric Lavoie
Jessica Kowalski
Jessica Petrucci
Bobbie Henley

Chairperson
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Lauren Gentry
Marshall Tindall
Monica Virgen

District Manager, GMS
District Counsel, KVW Law Group
Field Manager, GMS
GMS

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. There were four Board members present in person constituting a quorum and one Board member joining via Zoom.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns opened the public comment period on anything specific to the agenda. Ms. Burns stated that there is a separate hearing for the Fiscal Year 2024 budget so please hold comments on the budget until we get to that section. Stephen Diaz stated he appreciates the hard work the CDD did setting up the proposed budget for 2024, however he feels the CDD miscommunicated clearly to the homeowners the details on how the general fund proposed budget was set up before this meeting, for example how the proposed increases were determined and why, also questions about the proposed budget. He noted he became aware that homeowners will have another added cost for the 2024 Special Assessment, once again no clear communication given to

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homeowners about this assessment before this meeting. He suggests the CDD post education on the website as to how the CDD operates.

THIRD ORDER OF BUSINESS

**Approval of Minutes from the June 6, 2023
Board of Supervisors Meeting**

Ms. Burns presented the meeting minutes from the June 6, 2023 Board of Supervisors meeting and asked for any comments or corrections from the Board.

On MOTION by Ms. Henley, seconded by Ms. Petrucci, with all in favor, the Minutes of the June 6, 2023 Board of Supervisors Meetings, were approved.

FOURTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing on the Adoption of the Fiscal Year 2024 Budget

Ms. Burns stated this public hearing was advertised in the paper. Do we have a motion to open the public hearing?

On MOTION by Mr. Lavoie, seconded by Ms. Petrucci, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated the Board reviews and approves a preliminary budget which is usually done in April or May of each year and a mailed notice is sent to residents if there is a proposed increase as there was this year. She stated all of the discussion and adoption of his preliminary budget was done at a public meeting with a lot of residents in attendance and was taken with a lot of resident input. She noted they send the budget to the city and the county at least 60 days prior to the hearing date and if there is an increase then residents get a mailed notice. She noted for Fiscal Year 2024 budget, this runs from October 1, 2023 to September 30, 2024 and is collected annually on the Polk County Tax Bill. She noted she is not sure what the question of the special assessment is but she expects it is maybe some confusion on the debt assessment. There are two portions to the CDD assessment, the first is the debt assessment which is a fixed amount that was disclosed at closing, a debt amount paid 30 years over the term of the bond or can be paid off up front at a fixed amount and does not increase over the term of the bond so you pay that annually on your tax bill or pay it off up front. What we are talking about today is adopting your Operations

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and Maintenance Assessment that goes to maintain the District owned infrastructure such as roadways, common areas, and amenities. The bond debt goes to build that infrastructure. The debt assessment covers the installation and improvements that the District owns. The Operations and Maintenance goes to maintain those things. She noted this assessment does not go away like the debt assessment will after the term of the bond. These are all special assessments. If you owned your home last year, this is the same debt assessment you paid last year and is the same amount. She noted the letter received was a proposed increase of \$182.34 per lot, collected annually on the tax bill. The admin portion of the budget went down. The increased items, a couple were due to resident requests for in the landscape maintenance line item to include annuals at the cost of \$12,000 per year that would include four times a year the landscape company refreshing with plants at the entrances. She noted there also was an increase to that line item because we are taking on additional phases, 2 and 3 which are the new areas. Also, there are street lights in that phase that we pay electric for just like phase 1. She noted the other thing added was security services for the pool which increased from \$2,500 to \$33,500 which was another request some residents had at the meeting to get limited security at the pool, basically peak hours, ideally mostly weekends. She noted a capital reserve transfer was included now that the community is nearing built out and we need to start budgeting for long term reserves. The capital reserves would cover things like every 10 years the pool needs to be resurfaced which is not a cheap thing to do so rather than have a huge increase one year and just including the cost for that for the residents living there right now, we will budget for those things over time so that everyone who is using the pool now pays for the use of that. She noted there is \$91,000 in this year so the idea is maybe 10 years from now, you would have roughly \$1,000,000 in there.

Resident stated that the Engineer report dated 12/17/19 which is in the agenda today mentions a dog park with walking trails which we do not have. Also, Resolution 2022-05 approved by the Board which addresses the dog park also but there are residents questioning where is the dog park and walking trails. Ms. Burns stated the developer installs the amenities and they turn them over to the CDD but sometimes those plans do change over time. Ms. Gentry stated the Masters Engineers Report lists all of the types of improvements that the District could fund using those public funds so I assume at one point it was contemplated. Ms. Burns stated at this point she doesn't believe the developer intends to install a dog park. She noted if it is something the community wants to look at, there are some reserve funds that could be used to put it in. Madison

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stated the current amount for the CDD is \$2,225 per year per lot. Could you clearly state what the new total amount would be if these proposed changes were to go into place per year per lot so we can better understand. Ms. Burns stated that may be your amount per lot but the debt assessment could vary by phase so all we are talking about here is the operations and maintenance. She noted for the current year, your assessment was \$974.90 and proposed for 2024 is \$1,157.24 so the proposed increase is \$182.34 per lot. The other portion of the assessment is the debt assessment which is a fixed amount that does not change over the term of the bond. She noted the proposed increase is \$182 annually per resident. Stephen Diez stated to clarify, is the special assessment just the additional \$182? Ms. Burns stated you pay a special assessment and there are two portions to that assessment, the debt assessment and the operations and maintenance assessment. The debt assessment is not changing and is the same as it was last year and will be the same next year, it is a fixed amount over the term of the 30-year bond. All we are talking about is the operations and maintenance so that assessment has a proposed increase of \$182 annually. Mr. Diez asked about the landscape maintenance expenditure proposed increase. He noted there was a \$19,000 savings from what was budgeted last year and the new increase is \$53,000 more so why an increase if money was saved from last year. Ms. Burns stated the line item is the actuals through May and the next is the project which is the current contract amount so projected is \$18,000 so the total for the current year was projected at \$56,082 based on the current contract that is in place. We are going to be talking about an amendment to that contract to add the areas of Phase 2 and 3 as well as adding \$12,000 in annuals which was requested from residents at the last meeting to enhance the entrances. Mr. Diez asked about a quote from a new landscaping company. Ms. Burns stated no, that quote is from the existing company to add the new areas.

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

i. Consideration of Resolution 2023-10 Adopting the District's Fiscal Year 2024 Budget and Appropriating Funds

Ms. Burns stated a lot of changes were discussed when the preliminary budget was approved at the May meeting. She noted a lot of those increases are obviously necessary with the addition of the other areas and the optional ones which were the increased services for the security

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and the annuals. She stated if the Board is comfortable with the budget, looking for a motion to approve.

On MOTION by Mr. Lavoie, seconded by Ms. Kowalski, with all in favor, Resolution 2023-10 Adopting the District’s Fiscal Year 2024 Budget and Appropriating Funds, was approved.

B. Public Hearing on the Imposition of Operations and Maintenance Special Assessments

Ms. Burns asked for a motion to open the public hearing. Ms. Burns stated that we are certifying our assessments for collection and certifying a tax roll so basically a separate public hearing where we are officially certifying the amount based on the budget that was just adopted.

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

Ms. Burns stated any comments will be taken on certifying the assessment roll. She stated no comments in person or on the Zoom line so asking for a motion to close the public hearing.

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

i. Consideration of Resolution 2023-11 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Burns stated this tax roll will be certified and sent to Polk County. We use the tax bill as our collection method so we will send this to them and they will collect the funds when tax bills are paid and send the funds to the District.

On MOTION by Mr. Lavoie, seconded by Ms. Kowalski, with all in favor, Resolution 2023-11 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-12 Designation of a Regular Monthly Meeting

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**Date, Time, and Location for Fiscal Year
2024**

Ms. Burns stated the schedule in the agenda package is the same date, the first Tuesday of each month and we bumped it up 15 minutes later to 10:30 a.m. She noted the meeting prior to this can run a little long so they are spaced out an hour apart instead of 45 minutes.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, Resolution 2023-12 Designation of a Regular Monthly Meeting on the First Tuesday of the Month at 10:30 a.m. at the same location for Fiscal Year 2024, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2023-13
Declaring the Completion of the Series
2020 Assessment Area One Project**

Ms. Gentry stated this resolution is a requirement of the bond that all the infrastructure that is contemplated by a particular series of bonds is complete. She noted they get the engineer to certify that it is complete and we do a resolution that allows us to release any funds and say how we are going to use any funds that were left over. In the agenda package is the resolution that sets out the history of what went into issuing those bonds. Attached to the resolution is a certification signed by the engineer that says that bond project is complete. She noted this is the assessment area one bonds. She noted there is a section in this resolution that finalizes the special assessments that secures assessment area one bonds that says, yes everything is the same as what we contemplated when we issued those bonds and no amendments are needed. She noted then the Engineer's Report is attached and the Assessment Methodology Report that was adopted in connection with those bonds to certify there have been no changes. She asked for a motion to approve this resolution.

On MOTION by Mr. Lavoie, seconded by Ms. Kowalski, with all in favor, Resolution 2023-13 Declaring the Completion of the Series 2020 Assessment Area One Project, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Conveyance Documents
for Phase 2**

Ms. Gentry stated in the agenda packet are three different documents, a Special Warranty Deed for the tracts in Phase 2 that were dedicated by plats of the District. Also are affidavits from

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the landowner making assurances that there are no leans on the property and there is a clear title. She noted this project on Phase 2 has been completed so as soon as we confirm there are no remaining punch list items. We would ask that the Board approve this so that we can have this executed and recorded and officially transfer the real property to the District.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, the Conveyance Documents for Phase 2, was approved.

EIGHTH ORDER OF BUSINESS

Discussion Regarding Approval of Davenport Fire Department Use of Pool

Ms. Burns stated a representative from the Fire Department reached out to use the pool for some training exercises such as water rescues. She noted they would reach out and schedule this ahead of time and use only a section of the pool. This would only be maybe once every couple of months. The pool would remain open but there might be officers in the pool doing training.

On MOTION by Ms. Kowalski, seconded by Mr. Lavoie, with all in favor, Approval of Davenport Fire Department Use of the Pool, was approved.

NINTH ORDER OF BUSINESS

Ratification of Towing Services Agreement with Anytime Towing

Ms. Burns stated at the last meeting the Board designated the Chair to find a towing company local to Davenport. She noted this was done and it is Anytime Towing in which that new policy went into effect yesterday so that contract was signed. She asked for a motion for it to be ratified by the Board.

On MOTION by Mr. Lavoie, seconded by Ms. Kowalski, with all in favor, the Towing Services Agreement with Anytime Towing, was ratified.

TENTH ORDER OF BUSINESS

Acceptance of Fiscal Year 2022 Audit Report

Ms. Burns stated the District is required to get an independent audit every year and the auditor is selected through a public process. This is one of the renewal years for the exiting auditor.

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She noted on page 30 of the report which is the report to management summarizes that audit. She noted it was a clean audit with no incidences of noncompliance. The District does not meet any of the conditions for financial emergency and there were no findings noted. It has been submitted to the state as required by the deadline and is an independent audit. Ms. Burns asked for a motion from the Board to accept it.

On MOTION by Ms. Henley, seconded by Ms. Kowalski, with all in favor, Accepting the Fiscal Year 2022 Audit Report, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Memo Regarding Ethics Training for Elected Officials

Ms. Gentry stated at a prior meeting she reported a legislative change that required starting in calendar year 2024 four annual hours of ethics training for CDD Supervisors. She stated a short memo has been put together to remind you of those requirements. She noted the four hours is not per District if you sit on multiple CDD Boards. There are some materials that exist on the Commission on Ethics website and her firm is putting together some materials targeted for CDDs specifically. She noted she will keep the Board updated as this draws closer in Fiscal Year 2024.

B. Engineer

i. Acceptance of Annual District Engineering Report

Ms. Burns stated the District Engineer was not in attendance. Included is the Acceptance of the Annual District Engineer's report which is a review of the District's infrastructure to note any issues. She asked for a motion from the Board to accept this report.

On MOTION by Ms. Kowalski, seconded by Ms. Henley, with all in favor, Accepting the Annual District Engineering Report, was approved.

C. Field Manager's Report

i. Presentation of Phase 3 Conveyance Report

ii. Consideration of Proposal from Prince & Sons, Inc. for Phase 3 Landscape Maintenance (*to be provided under separate cover*)

Mr. Tindall stated the report is on page 227 of the agenda. He noted overall landscaping over the community is being maintained well. The palm replacement should have gone in last week

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but I haven't been there this week to confirm. I discussed with the landscaper this is being arranged. He noted the entrances look good. There are no issues there at this time. The amenity center pool is being maintained well. There was an issue where a lightning strike hit some equipment and took a little time to ensure the electrical was good. He noted it ended up being a burned-out wire. The manufacturer was able to have the pool vendor come out on site and pull the wire through and hook everything up. The parking signs were installed. As far as the parking service goes, there is one sign that is not able to be installed at this time due to some house construction lot work and we will get it put up as soon as the site is appropriate. As noted, Phase 2 and Phase 3 was turned over. The landscapers went out there and cleaned things up and mowed. He noted currently the contract is \$56,082 a year that covers the permit and the amenity center. It is 42 common area mows and ponds are mowed 19 times per year. The complaints we get in the summer is my yard is mowed but the pond is not. Phase 3 which will be added as presented \$2,255 a mow, annual \$7,060 and that is for the recommended services plus the existing contract and that will be \$87,702 per year which is within budget. Ms. Burns stated in addition to this the annual rotations at the entrances would be added. He noted the additional line item proposed \$12,000 covers mulch.

On MOTION by Mr. Lavoie, seconded by Ms. Kowalski, with all in favor, the Proposal from Prince for Phase 3 Landscaping, was approved.

D. District Manager's Report

i. Approval of the Check Register

Ms. Burns presented the check register which was included in the agenda package for review. This is from May 30th through July 27th totaling \$86,540.57. She asked for a motion to approve.

On MOTION by Ms. Kowalski, seconded by Mr. Lavoie, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns stated the financial statements are in your package for review. There was no action that needed to be taken.

iii. Ratification of Series 2022 (AA2) Requisitions #38 and #39

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Ms. Burns noted requisitions #38 and #39 have already been approved by the Chair and just need to be ratified by the Board.

On MOTION by Mr. Lavoie, seconded by Ms. Kowalski, with all in favor, Requisitions #38 and #39, were ratified.

TWELFTH ORDER OF BUSINESS

Other Business

Ms. Burns stated they would get security quotes to line up for the start of the fiscal year so will look at that as we near the next fiscal year and the annuals will be added when the new fiscal year starts as well since those were included. Mr. Tindall had one recommendation to the Board regarding landscape replacement this year. The entrances have done very well, I would like to make a request to utilize the remaining funds based on some resident feedback to potentially mow the area around the playground if possible. Ms. Burns stated that will be scheduled with the landscapers.

THIRTEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Ms. Burns opened this time up for final public comments.

Resident Daphne asked if there are bonds for all three phases, or only certain phases? Ms. Burns stated all three phases as all property within the District pays a bond debt assessment. Daphne asked if part of their assessment is paying for lights in Phase 3? Ms. Burns stated Phase 3 is paying for landscaping and lights in Phase 1. Scott stated CDD and HOA kind of works together and kind of doesn't, he thinks for the community it helps a lot if they do work together. Ms. Burns stated Florida Statutes outlines the threshold and time where the community has to turn over to residents so once the District has been established for at least six years and there are at least 250 registered voters, two of the seats have to be filled by residents of the District so there is a turnover threshold. She noted there are also landowner elections held every two years prior to that date so there are opportunities for residents to come and vote for their representation on the Board as landowners within the District.

Scott stated he wanted to touch on the new parking policy and new towing company. He noted it looks like it is working well and he appreciates that they are using a local vendor. He stated the signs are not excessively big and everything was laid out very well. A resident stated he never

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got an email or anything in the mail. He stated he talked to four renters yesterday and they know nothing. Ms. Burns stated your notice is going to go to whoever your landowner address is at the Polk County Property Appraisers website. If the owner of that property has the notices going to them and they don't live in the community then they are going to the person who owns the home so they need to discuss that with their landlord. The email blast goes to whatever email address that was registered when you got your amenity access. If the residents haven't gotten them, check your spam folder. If you don't get them, email our amenity access team and they can double check to make sure you are on the list to receive those. Your assessment notices have to go by mail and they go to whoever is registered with the Polk County Property Appraisers website.

FOURTEENTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

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

Jill Burns

Secretary/Assistant Secretary

DocuSigned by:
Eric Lavoie
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Vice Chairman