

**MINUTES OF MEETING  
LAKE POWELL RESIDENTIAL GOLF  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Lake Powell Residential Golf Community Development District held a Regular Meeting on April 5, 2021, at 2:00 p.m., Central Time, at the Boat House, 1110 Prospect Promenade, Panama City Beach, Florida 32413.

**Present and constituting a quorum were:**

|                        |                     |
|------------------------|---------------------|
| David Dean             | Chair               |
| Thomas Balduf          | Vice Chair          |
| Calvin "Bucky" Starlin | Assistant Secretary |
| David Holt             | Assistant Secretary |
| Jerry Robinson         | Assistant Secretary |

**Also present were:**

|                  |   |
|------------------|---|
| Howard McGaffney | District Manager                        |
| Cindy Cerbone    | Wrathell Hunt and Associates, LLC (WHA) |
| Mike Burke       | District Counsel                        |
| Robert Carroll   | District Engineer                       |

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. McGaffney called the meeting to order at 2:04 p.m., Central Time. All Supervisors were present.

Mr. McGaffney announced his resignation from WHA and as the District Manager for the Lake Powell Residential Golf Community Development District, effective at the adjournment of today's meeting. He introduced Ms. Cerbone as the new District Manager and thanked the Board and Staff for their kindness and helpfulness over the years.

**On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, accepting Mr. McGaffney's resignation as an Assistant Secretary and appointing Ms. Cerbone to the slate of officers as an Assistant Secretary, effective after the adjournment of today's meeting, was approved.**

▪ **Consideration of Responses to Request for Proposals (RFP) for Security Services**

This item, previously Item 2D, was presented out of order.

**I. Affidavit of Publication**

The affidavit of publication was provided for informational purposes.

**II. RFP Package**

The RFP package was included for informational purposes.

**III. Respondent(s)**

- a. **Securitas Security Services USA, Inc.**
- b. **Synergy Security Services, LLC**
- c. **TriCorps**

Mr. McGaffney stated, upon review of the proposals, Management found that the pricing in the Synergy Security Services, LLC (Synergy) proposal was calculated for 12 months, instead of 18 months, and, if SSS were to be ranked #1, Staff would ensure the accuracy of the 18-month pricing for the annual amount. Securitas Security Services USA, Inc. (Securitas) is the current contractor and TriCorps submitted the most cost-effective proposal.

**IV. Evaluation Matric/Ranking**

The Board evaluated the respondents. The rankings were as follows:

- #1 TriCorps
- #2 Securitas
- #3 Synergy

**On MOTION by Mr. Robinson and seconded by Mr. Starlin, with all in favor, ranking TriCorps, as the #1 ranked respondent for Security Services, was approved.**

**V. Award of Contract**

**On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, awarding the Security Services contract to TriCorps, the #1 ranked firm, authorizing District Counsel to draft a form of agreement with TriCorps and terminating the Securitas contract, in accordance to the terms of the Agreement, was approved.**

Management would coordinate with District Counsel to notify Securitas accordingly.

**SECOND ORDER OF BUSINESS****Business Items****A. Update: Pond/Environmental Sensitive Areas Repair/Restoration Status**

Mr. Carroll stated that Ms. Womack was not present at today's meeting but transmitted the following update:

- Ms. Womack met with a few POA members, the District Engineer, Mr. Dean and Becky and inspected the ponds to assess what is necessary to attain wet littoral compliance for the environmental permit. This is different than the upland bank stabilization and esthetics.
- The pond aeration proposal was executed and the contractor was awaiting a deposit to order equipment, which should take a few weeks. Mr. Carroll's understanding was that the deposit was mailed and should have been received.
- Mr. Carroll inspected a few erosion areas near the condominiums and is developing a plan of action. He will share his findings with Ms. Womack and make recommendations to resolve the issues.
- Staff is going from pond to pond, evaluating every outfall, to determine what repairs are needed and whether the boxes and ponds should be lowered.
- Engineering performs evaluations, which are submitted to Ms. Womack, who in turn obtains proposals.

Mr. Dean voiced his frustration with the POA and, in his opinion, its supervision of the ponds was non-existent and the POA is not making the agreed upon repairs. He felt that the Maintenance Agreement should be terminated, the CDD should take back landscaping responsibility and hire a contractor to perform the work at the POA's expense. Mr. McGaffney stated, since the POA would have an election soon, the CDD Board could wait and see what happens and allow the POA to mitigate the issues that were outlined in the communication from Ms. Womack. The other option was to terminate the Agreement and take over everything, which should be done sooner, rather than later, as the proposed Fiscal Year 2022 budget would be presented at the next meeting. The Board and Staff discussed the termination provisions, the POA election results, budgeting timelines, assessments and the POA's lack of

compliance with District standards in relation to the ponds, pond banks and stormwater system. Mr. McGaffney stated, if the Board was amenable, he and Ms. Cerbone could review the historical data and facilitate a \$300,000 increase in assessments, with an additional 10% for miscellaneous items in the budget to take over the landscaping, which would result in a \$540 assessment increase per household. A joint CDD/POA meeting would be necessary to facilitate the transition.

Mr. Burke felt that the proper thing to do, per Ms. Cerbone's suggestion, was to methodically time the maintenance takeover while working with the POA, invite them to an upcoming meeting, determine a transfer date and time the transfer in a way that benefits both the POA and CDD budgets, with the expectation that the residents would be unhappy. Mr. McGaffney stated Staff would contact the POA Attorney to inform them of the Board's intentions and extend an invitation to the next meeting. Ms. Cerbone stated time is in the District's favor and the proposed Fiscal Year 2022 budget could be presented fully loaded, no later than June 15, 2021, with the District taking back everything and allowing the POA a set amount of time to make repairs. If the repairs are not made, the budget would be adjusted prior to the adoption date of September 15, 2021. Ms. Cerbone asked for the Board's direction in terms of how to respond to resident calls for an explanation of the assessment increase. Mr. McGaffney stated that he and Ms. Cerbone would prepare an initial draft budget that reflects those increases; the assessment increase amount would be approximately \$550 per door front.

**On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, canceling the June 14, 2021 meeting and scheduling a meeting on June 7, 2021 at 2:00 p.m., at the Boat House, 1110 Prospect Promenade, Panama City Beach, Florida 32413, was approved.**

**On MOTION by Mr. Balduf and seconded by Mr. holt, with all in favor, consenting to invite the POA Board Members to attend the June 7<sup>th</sup> CDD Meeting, was approved.**

Discussion ensued regarding taking over the stormwater management and drainage systems, pipes beneath POA roads, berm removal, sinkhole repairs and need for a pipe study.

**B. Update: Road Resurfacing Project/RFP Review**

This item was not discussed.

**C. Discussion: CDD/POA Maintenance Agreement**

This item was discussed during item 2A.

**D. Discussion: Consideration of Responses to Request for Proposals (RFP) for Security Services**

This item was presented following the first order of business.

**THIRD ORDER OF BUSINESS****Discussion: Fiscal Year 2022 Budget**

Mr. McGaffney stated the proposed Fiscal Year 2022 budget would be presented at the June 7<sup>th</sup> meeting, at which a joint CDD/POA meeting would also be held, should the POA accept the invitation. He asked if anything else should be included in the proposed Fiscal Year 2022 budget that Staff was not aware, aside from the landscaping contingency. Mr. Dean stated that there would be insufficient funds in the reserves, once the roadway surfacing project is completed. Mr. McGaffney stated there is approximately \$200,000 in stormwater upgrade funds available, which would be used to fund the aerators and other upgrades. All the ponds would not be upgraded and Ms. Cerbone needs time to commence capital planning and prepare for a multi-year project.

Discussion ensued regarding stormwater upgrades in the Fiscal Year 2022 budget, retention pond standards in relation to littoral plantings and the South Florida Water Management District (SFWMD) regulations.

Mr. Carroll stated that the wet retention ponds should have at least 10' below the surface to generate dirt for the fill needed for development and to keep exotic species from growing. He discussed pond re-inspections, as-builts, lily pads and dredging. Mr. McGaffney asked if the Board wanted to place \$50,000 in general capital outlay, under the stormwater line item, as Staff needs to know the desired level of maintenance in order to prepare budget estimates. Regarding whether \$50,000 was sufficient budget to deepen the ponds, Mr. McGaffney stated no but an amount for dredging would be included in the proposed Fiscal Year 2022 budget.

## FOURTH ORDER OF BUSINESS

## Consent Agenda Items

Mr. McGaffney presented the Consent Agenda Items.

- A. **Acceptance of Unaudited Financial Statements as of February 28, 2021**
- B. **Approval of March 1, 2021 Regular Meeting Minutes**

**On MOTION by Mr. Robinson and seconded by Mr. Dean, with all in favor, the Consent Agenda Items, as presented, were approved.**

## FIFTH ORDER OF BUSINESS

## Staff Reports

- A. **Ecologist/Operations: *Cypress Environmental of Bay County, LLC***

- **Update: Stormwater**

This item was addressed during Item 2A.

- B. **District Counsel: *Burke Blue***

A Board Member asked if there was any progress with St. Joe. Mr. Burke stated he had not heard anything. Regarding the roads, Mr. McGaffney stated Mr. Carroll was finalizing the paperwork, which should be mailed out in June, and the paving would commence in the fall.

- C. **District Engineer: *McNeil Carroll Engineering, Inc.***

- **Update: Stormwater**

The stormwater update was presented during the Second Order of Business.

A Board Member reported significant settlement on the southeast corner of the first bridge after the guardhouse. Mr. Carroll would inspect the bridge.

- D. **District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: May 3, 2021 at 2:00 P.M. (Central Time)**
  - **QUORUM CHECK**

**On MOTION by Mr. Starlin and seconded by Mr. Balduf, with all in favor, cancelling the May 3, 2021 meeting, was approved.**

## SIXTH ORDER OF BUSINESS

## Public Comments

There being no public comments, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Asked if the various projects discussed in previous meetings should be included in the proposed Fiscal Year 2022 budget, Mr. Dean replied no; he felt that other financing options could be considered for projects, such as an amenity center. Mr. McGaffney stated the land for an amenity center has not been identified but planning for future capital items could be added as a discussion item on the June agenda. Ms. Cerbone stated that there would not be a line item for the amenity center but there would be discussion and the budget could be amended based on the Board's direction.

Requests were made for a screen enclosure and a microphone stand. Ms. Cerbone stated these items could be funded from unassigned funds.

Mr. Gaffney and Mr. Carroll were acknowledged for their service to the District.

**EIGHTH ORDER OF BUSINESS**

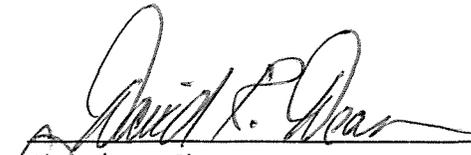
**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the meeting adjourned at 3:52 p.m., Central Time.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair