

**MINUTES OF MEETING
BOYETTE PARK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Boyette Park Community Development District held a Public Hearing and Regular Meeting on June 24, 2024 at 6:00 p.m., at the Hilton Garden Inn Tampa/Riverview/Brandon, 4328 Garden Vista Drive, Riverview, Florida 33578.

Present were:

Joshua Yearout	Chair
Greg Murphy	Vice Chair
Bob Windheuser	Assistant Secretary
David Allen	Assistant Secretary

Others present:

Kristen Suit	District Manager
Lindsay Whelan (via telephone)	District Counsel
Chris Fisher (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 6:00 p.m. Supervisors Yearout, Murphy, Windheuser and Allen were present. Supervisor Puzzo was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2024/2025 Budget**

<p>On MOTION by Mr. Murphy and seconded by Mr. Yearout, with all in favor, the Public Hearing was opened.</p>
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A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-05, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending

September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Suit presented Resolution 2024-05. She reviewed the proposed Fiscal Year 2025 budget, which is unchanged since it was last presented and noted that assessments will remain the same as in Fiscal Year 2024.

No affected property owners or members of the public spoke.

On MOTION by Mr. Murphy and seconded by Mr. Yearout, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Murphy and seconded by Mr. Yearout, with all in favor, Resolution 2024-05, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Providing for Funding for the FY 2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Windheuser and seconded by Mr. Allen, with all in favor, Resolution 2024-06, Providing for Funding for the FY 2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2023, Prepared by Grau & Associates

Ms. Suit presented the Audited Financial Report for the Fiscal Year Ended September 30, 2023 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2024-07,
Hereby Accepting the Audited Financial
Report for the Fiscal Year Ended
September 30, 2023**

On MOTION by Mr. Windheuser and seconded by Mr. Yearout, with all in favor, Resolution 2024-07, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.

SEVENTH ORDER OF BUSINESS

**Discussion: Recently Enacted 2024
Legislation**

Ms. Whelan presented a Memorandum regarding the new requirement for the CDD to set and meet goals, objectives and performance measures and prepare an annual report. Staff and District Counsel will develop goals and objectives for the Chair for approval before the October 1, 2024 deadline and then present them for ratification at the November meeting.

- **Consideration of Resolution 2024-08, Declaring Vacancies in Seats Four and Five of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing for Severability and an Effective Date**

This item was an addition to the agenda.

Ms. Suit distributed Resolution 2024-08. Seats 4 and 5, currently held by Supervisors Puzzo and Murphy, respectively, will be declared vacant, effective as of November 19, 2024.

On MOTION by Mr. Windheuser and seconded by Mr. Yearout, with all in favor, Resolution 2024-08, Declaring Vacancies in Seats Four and Five of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing for Severability and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of May 31, 2024**

On MOTION by Mr. Allen and seconded by Mr. Murphy, with all in favor, the Unaudited Financial Statements as of May 31, 2024, were accepted.

NINTH ORDER OF BUSINESS**Approval of April 22, 2024 Regular Meeting Minutes**

On MOTION by Mr. Windheuser and seconded by Mr. Yearout, with all in favor, the April 22, 2024 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kutak Rock LLP**

Ms. Whelan stated the CDD was contacted by an Attorney for the Design Engineer for the stormwater system of the Paddock Manor residential development, which is adjacent to the CDD. Paddock Manor is experiencing significant drainage issues believed to be from faulty design engineering of its own stormwater system. A few years ago, the Developer of Paddock Manor asked for the CDD's permission to install Piezometers on CDD property to test water flow from CDD property onto Paddock Manor's property. The CDD was amenable to allowing it but, for several reasons, the Piezometers were not installed. Ms. Whelan noted that, while the CDD is not legally required to allow the installation, she has no problem allowing it but, to protect the CDD, she recommends a formal Agreement indemnifying the CDD and releasing the CDD from liability related to the design of its stormwater system.

In response to Mr. Yearout's question, Mr. Fisher stated his belief that the Piezometers would be installed on the southern and western sides of the pond on the southwest corner of the project. Mr. Yearout stated there is an overflow spot in that back corner; he is aware of it because Hillsborough County advised that the area needs to be kept free from debris or grass because it could overflow into that ravine. Mr. Fisher stated, given the elevation of the structure, that pond will only discharge during a 100-year storm event.

The pros and cons of allowing installation of the Piezometers was discussed. Mr. Yearout asked for the worst-case scenario from improper installation or if damage is found and how to fix it. Mr. Fisher stated a liner is installed on both the western and the southern sides of the pond that will preclude groundwater from leaching through the side of the pond and adversely impacting the property to the west. He thinks, worst-case, if damaged, the liner would need to be reinstalled.

It was noted that the HOA is pursuing a lawsuit against the Developer. Ms. Whelan stated she is aware of the lawsuit but thinks it has no impact on the CDD or this specific matter.

Mr. Fisher asked if the CDD can have input in vendor selection. Ms. Whelan stated, if it wants, the Board's right to approve the vendor and/or a rejection right can be added, in case an unqualified vendor is suggested. It was noted that vendor information will be needed to provide access via the gate.

Asked how invasive the installation will be, Mr. Fisher stated that PVC will be installed in the ground and periodically checked to determine a groundwater reading.

On MOTION by Mr. Yearout and seconded by Mr. Murphy, with all in favor, allowing installation of Piezometers, subject to adequate indemnity and release provisions included within a license agreement, and requiring Board approval or a minimum of a rejection right of the vendor installing the Piezometers, was approved.

B. District Engineer: Clearview Land Design, P.L.

There was no report.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **634 Registered Voters in District as of April 15, 2024**
- **NEXT MEETING DATE: November 18, 2024 at 6:00 PM [Landowners' Meeting and Regular Meeting]**
- **QUORUM CHECK**

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TWELFTH ORDER OF BUSINESS


Public Comments

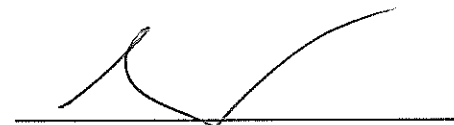
There were no public comments.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Yearout and seconded by Mr. Murphy, with all in favor, the meeting adjourned at 6:25 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair