

1 **MINUTES OF MEETING**

2 **WATERLEAF**

3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Waterleaf Community Development
5 District was held on Tuesday, January 12, 2021 at 6:15 p.m. at The Alley at Southshore Bay, 10221 Big
6 Bend Road, Riverview, FL 33578.

7 **FIRST ORDER OF BUSINESS – Roll Call**

8 Ms. Elliott-Moore called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

- | | | |
|----|--------------------------------|---------------------------------------|
| 10 | Bob Neal | Board Supervisor, Chairman |
| 11 | Rich Gaines | Board Supervisor, Vice Chairman |
| 12 | John Daux | Board Supervisor, Assistant Secretary |
| 13 | Doug Draper <i>(via phone)</i> | Board Supervisor, Assistant Secretary |

14 Also present were:

- | | | |
|----|---|--|
| 15 | Tonya Elliott-Moore | District Manager, DPFM Management & Consulting |
| 16 | Larry Krause | Assistant District Manager, DPFM Management & Consulting |
| 17 | | |
| 18 | Vivek Babbar | District Counsel, Straley Robin Vericker |
| 19 | Tonja Stewart <i>(via phone, joined
20 in progress)</i> | District Engineer, Stantec |
| 21 | Lori Dann | Artemis |
| 22 | Scott Smith <i>(via phone)</i> | Regional Director, Vesta Property Services |
| 23 | Steve Howell <i>(via phone)</i> | Field Operations Manager, Vesta Property Services |

24 *The following is a summary of the discussions and actions taken at the January 12, 2021 Waterleaf CDD*
25 *Board of Supervisors Regular Meeting.*

26 **SECOND ORDER OF BUSINESS – Audience Comments**

27 There being none, the next item followed.

28 **THIRD ORDER OF BUSINESS – Consent Agenda**

- 29 A. Consideration and Approval of the December 8, 2020 Regular Meeting Minutes
- 30 B. Acceptance of the June, September, and October 2020 Unaudited Financial Statements

31 Ms. Elliott-Moore and Mr. Neal stated that the November financial statements had been pulled in
32 order to make changes relating to reporting of the Reserve Funds going forward.

- 33 C. Acceptance of 2020 Arbitrage Report

34 On a MOTION by Mr. Neal, SECONDED by Mr. Gaines, WITH ALL IN FAVOR, the Board approved
35 items A – C from the consent agenda, for the Waterleaf Community Development District.

36 **FOURTH ORDER OF BUSINESS – Business Matters**

- 37 A. Exhibit 1: Presentation on Field Services by Artemis – Lori Dann

38 Ms. Dann, Ms. Elliott-Moore, Mr. Babbar, and the Board discussed the process and responsibilities
39 of Artemis and working with the District. Mr. Neal indicated that the agreement date needed to be
40 adjusted in the contract, as the earliest date listed was in January.

41 On a MOTION by Mr. Gaines, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved
42 moving forward with working with Artemis for District Field Services, for the Waterleaf Community
43 Development District.

44 Following the motion, Ms. Elliott-Moore asked whether the Board wished to set a start date of
45 February 1, which the Supervisors expressed agreement with, adding that they would be welcome
46 to services starting sooner.

47 Ms. Elliott-Moore commented on a quote received from Johnson Controls, stating that she planned
48 on reviewing responsibilities and control between Vesta, Artemis, and Johnson Controls prior to
49 proceeding. Board mentioned wanting motion sensors and alerts to be part of system. Mr. Gaines
50 asked questions about data storage, and Ms. Elliott-Moore advised that data part of the software
51 package would be stored in the cloud. Mr. Babbar advised as to some pushback on items being put
52 into the contract, and that the contract itself was still being drafted. Mr. Gaines requested a
53 professionally recorded message announcing pool closures, and suggested proximity cards with
54 photo ID. Further discussion ensued regarding access to footage, infrastructure, and scope of
55 monitoring. Ms. Dann stated that she would provide a quote within a few days of the meeting. The
56 Board requested a demonstration of the system.

57 The Board summarized its requests as looking for all equipment to work, the ability to quickly
58 produce a video for events, and to switch from punch codes to fobs/printed sleeves. The Board is
59 looking for an alternative proposal that would supersede the Johnson Controls proposal and that
60 would provide for replacement cameras should they be needed – they would do same thing as
61 Johnson Controls with support, and without anyone monitoring video 24/7, which already wasn't
62 being done.

63 B. Update on Amenity Management – Vesta Property Services

64 Mr. Howell stated that he had visited the amenity center and spoke positively on the security
65 monitoring set-up. Mr. Howell advised that the total cost for conversion was not to exceed \$1,650,
66 which included an 8,000 BTU A/C, a desk, chair, laptop, office supplies, file cabinet, office
67 supplies, paint, and labor.

68 Mr. Neal asked whether a window would be a window positioned to see out to the pool area, and
69 Mr. Howell said that there would not be a setup where this was possible. Mr. Neal asked how
70 communications would take place. Mr. Howell advised that a phone line and Wi-Fi were likely,
71 and staff would be supplied with cell phones. Mr. Neal asked whether the office space could be
72 secured outside of operating hours, and Mr. Howell confirmed this. Mr. Neal additionally requested
73 a sketch rendering of the plans, and the Board requested a 90-day plan for the transition. In response
74 to the latter, Mr. Howell stated that the team could be up and running within 60 days, with 30 for
75 the transition and 30 for employing a team person to be assigned to work the area. Discussion
76 ensued regarding closure time and hourly schedules.

77 On a MOTION by Mr. Neal, SECONDED by Mr. Gaines, WITH ALL IN FAVOR, the Board approved
78 proceeding with Vesta Property Services for Amenity Management in substantial form, subject to
79 finalization of supplemental time & cost approval by the Board Chair, for the Waterleaf Community
80 Development District.

81 C. Exhibit 2: Update on Common Area Landscape Replenishment

82 The Board and staff discussed sod, landscaping, and irrigation, indicating that the sprinkler timers
83 needed to be checked to ensure that they were within county restrictions.

84 **FIFTH ORDER OF BUSINESS – Administrative Matters**

85 A. Exhibit 3: Ratify PO's and Contracts #179-182

86 On a MOTION by Mr. Neal, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved the
87 ratification of PO's and Contracts #179-182, for the Waterleaf Community Development District.

88 Following the motion, Mr. Neal asked whether a piece of sidewalk on Pond Lily was being looked
89 at, and Ms. Elliott-Moore stated that this was a matter for the District Engineer's additional
90 attention with regard to planning and addressing.

91 **SIXTH ORDER OF BUSINESS – Staff Reports**

92 A. District Manager

93 Ms. Elliott-Moore noted that demolition of the bridge was scheduled for January 15, that the mulch
94 had been installed for the playground, and that she was awaiting a more detailed scope and warranty
95 information from the vendor for the hand dryers. Mr. Neal commented on the need for attention to
96 a patch of plants by the amenity center. Ms. Elliott-Moore stated that she was continuing to work
97 on getting 50% of funds back to the HOA for the trapper. Ms. Elliott-Moore advised that some
98 portions of the dog park fencing had been fixed, and Mr. Neal stated that the main issue was that
99 the fencing was not being supported by the tension wire.

100 Mr. Gaines asked whether signs could be installed noting the presence of hogs in the woods,
101 expressing concerns regarding risks to the District though neither the District or the HOA were
102 responsible. Mr. Babbar commented on potential liability issues, stating that the District would
103 generally not be held responsible for wild animals, unless the District was creating a situation which
104 was actively attracting the animal activity. Discussion ensued.

105 Mr. Neal requested coordination with the individuals responsible for preparing the pond report to
106 incorporate "good/bad/ugly" conditions, or a similar status grading system.

107 B. District Counsel

108 Mr. Babbar stated that he was waiting on hearing back from the School Board attorney. Mr. Babbar
109 advised that the coordination agreement with the HOA on matters relating to Artemis would be
110 included for discussion on future agenda packages. Mr. Babbar advised that a bill currently before
111 the Florida House would eliminate the requirement for publishing meeting notices in a newspaper,
112 which would reduce costs on the District. Mr. Babbar additionally explained the E-Verify process,
113 and Ms. Elliott-Moore indicated that she was working with Ms. Conley and Ms. Dann on working
114 with vendors to get the E-Verify attached with their proposals and invoices.

115 C. District Engineer

116 Ms. Stewart indicated the pavement depression at the connection of Phase 6A was under warranty.
117 District Engineer (DE) addressed conveyance of Phase 6B, asked District Attorney to address: Mr.
118 Babbar advised that once all paperwork/authorizations with the County and SWFWMD are in place
119 and the Chair reviews, the CDD would accept the deed itself and any transfer paperwork.
120 Discussion ensued regarding the building of a pedestrian trail, sidewalk ownership, costs of
121 maintenance, and conditions on Pond L-3. After much research, DE could find no obligation by
122 Hillsborough County to build a trail – it was designed and permitted, but is not obligated to be built.
123 Sidewalks are included in the Right-of-Way (ROW) that is owned by the District; Mr. Neal
124 mentioned that sidewalks in front of homes are the responsibility of the homeowner for
125 maintenance; Mr. Babbar added that as long as HOA enforces CCRs that homeowners maintain
126 sidewalks in front of their homes, that's OK; in event of trip-and-falls/lawsuits/homeowner refusal
127 to maintain, CDD is property owner and can be named in lawsuits as defendant(s). Mr. Neal advised

128 that HOA is sending notices to homeowners to address sidewalk issues, and that if homeowner
129 refuses to address issues after receiving notice, the HOA should be able to proceed with work and
130 charge costs back to homeowner. DE stated that District should budget up to \$20,000 + a year for
131 sidewalk maintenance based on experience and conversations with other clients, that being also
132 dependent on age of community, amount of street trees - root issues - and other factors such as
133 ADA compliance, asset protection, life of slab, litigation, etc.; that amount will rise as community
134 matures. Pond L-3 (County designation; SiteX has pond designated as Pond 11) has algae issues;
135 Pond vendor is aware and treating as such.

136 **SEVENTH ORDER OF BUSINESS – Supervisor Requests**

137 Mr. Gaines stated that he had previously provided a personal email address for CDD-related
138 communications, and indicated that he wished to transfer to a permanent email address under the
139 DPFPG domain. Discussion ensued regarding maintenance of record of email communications, with
140 Mr. Babbar advising on scope of public record, general communications, and custodial
141 responsibility for emails on District business which District Management was not copied on.

142 Mr. Neal asked whether reserve funds would be segregated from the general fund, inquiring
143 specifically about interest-bearing accounts. Mr. Neal additionally indicated that there was a broken
144 bench at the park, and that the front monument needed to be repainted, also expressing concerns
145 that the monument had never been painted correctly in the first place. Mr. Neal additionally
146 indicated that the ground had been saturated at the monuments, and requested for staff to
147 investigate. Mr. Neal noted pine needles covering the amenity center gutters. Mr. Neal asked for
148 an update on the traffic enforcement agreement with the Sheriff's office, and Ms. Elliott-Moore
149 stated that the District Engineer needed to acquire the sign plans from Metro and have them
150 certified. Mr. Neal additionally asked for an update on the borders at the amenity center, and Ms.
151 Elliott-Moore stated that she had sought a quote from Brightview and that it had come back
152 somewhat expensive.

153 **EIGHTH ORDER OF BUSINESS – Audience Comments – New Business**

154 There being none, the next item followed.

155 **NINTH ORDER OF BUSINESS – Adjournment**

156 Ms. Elliott-Moore asked for final questions, comments, or corrections before requesting a motion
157 to adjourn the meeting. There being none, Mr. Daux made a motion to adjourn the meeting.

158 On a MOTION by Mr. Daux, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board adjourned the
159 meeting for the Waterleaf Community Development District.

160 **Each person who decides to appeal any decision made by the Board with respect to any matter considered*
161 *at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,*
162 *including the testimony and evidence upon which such appeal is to be based.*

163 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
164 **meeting held on _____.**

165

Signature

Signature

Printed Name

Printed Name

166 **Title:** **Secretary** **Assistant Secretary**

Title: **Chairman** **Vice Chairman**