

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, February 9, 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, DPGF Management & Consulting
16	Larry Krause	Assistant District Manager, DPGF Management & 17 Consulting
18	Vivek Babbar	District Counsel, Straley Robin Vericker
19	Tonja Stewart	District Engineer, Stantec
20	Steve Stafford	Artemis
21	Linda Davies	Resident/Pond Observer

22 *The following is a summary of the discussions and actions taken at the February 9, 2021 Waterleaf CDD*
23 *Board of Supervisors Regular Meeting.*

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

25 There being none, the next item followed.

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

27 A. Consideration and Approval of the January 12, 2021 Regular Meeting Minutes

28 Mr. Neal requested that Board members review the minutes to ensure that any items that needed to
29 be captured were properly reflected.

30 B. Acceptance of the November and December 2020 Unaudited Financial Statements

31 Mr. Neal stated that he had discussed with Ms. Thibault at DPGF regarding the budget, and stated
32 that a budget amendment would be brought forward to the next meeting to segregate the reserve
33 fund. Mr. Neal asked about the web hosting item, and Ms. Elliott-Moore advised that she had
34 requested for this item’s removal, adding that she believed it was a one-time expenditure. Mr. Neal
35 added that sidewalk repairs, main pump repair, boardwalk repair, and pergola pressure washing
36 should come out of reserves. Mr. Neal further noted that hog removal services should be placed
37 under the “wildlife removal” line item and not as a “variance.”

38 On a MOTION by Mr. Daux, SECONDED by Mr. Gaines, WITH ALL IN FAVOR, the Board approved
39 items A & B from the consent agenda, for the Waterleaf Community Development District.

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

41 A. Exhibit 1: Consideration and Approval of Field Services by Artemis Proposal

42 Mr. Neal indicated that the proposal did not reflect the date change that he had previously requested,
43 and indicated that the scope of services was no longer included in the proposal, requesting that it

44 be included as an addendum or embedded within the contract itself. Mr. Neal added that a
45 termination agreement needed to be made with DPFPG for the field services being provided, and
46 Mr. Babbar advised that this would be considered separately, noting that DPFPG had a 60-day
47 timeframe.

48 On a MOTION by Mr. Daux, SECONDED by Mr. Gaines, WITH ALL IN FAVOR, the Board approved
49 the Artemis Proposal for District Field Services, pending date change and addition of scope of services, for
50 the Waterleaf Community Development District.

51 B. Discussion on Amenity Management

52 Ms. Elliott-Moore stated that Vesta had come forward indicating that they could not fulfill the
53 contract within the budget amount the District had. Mr. Daux asked for an overview of discussions,
54 and Mr. Neal summarized communications in working out the details with Mr. Smith via phone
55 and email. Mr. Neal noted that he had proposed the hours and scheduling for staffing, and Mr.
56 Smith had advised to sign the contract and work out details later. Mr. Smith had later advised that
57 costs would increase due to the state passing a minimum wage increased. Mr. Neal indicated that
58 he had then met on the phone with the Vesta manager, and that it did not appear that progress would
59 be made. The Board discussed staffing schedule rotation options. During additional discussions of
60 scopes of services, a Supervisor mentioned creating and managing a badge program, and the Board
61 debated the process of determining who in the amenities was a badge holder, with Mr. Daux
62 expressing concerns with policing the community and rights to ask, and Mr. Gaines arguing that
63 the rules and regulations required for badges to be displayed. Ms. Elliott-Moore asked the Board to
64 articulate the specific issue that they wished to resolve with investigation, and Mr. Gaines clarified
65 that the intent was to keep people that pay for the amenities able to have open access, and to keep
66 people that did not pay out. Mr. Gaines indicated that the method of determining who was not
67 supposed to be at the amenities would come from asking questions of people exhibiting poor
68 behavior, and stressed that he wished for the pool to be a safe place. Ms. Elliott-Moore advised that
69 she had seen other Districts move away from security providers to standard pool monitors, and
70 opined that the transitions had not gone well. Mr. Daux asked whether Vesta would still be agreeing
71 to the office build-out, and Ms. Elliott-Moore stated that Vesta would consider that at the Board's
72 pleasure. The Board requested arranging the build-out with Vesta, suggesting a schedule for April.

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

74 Ms. Elliott-Moore advised that the District had \$10,000 in the physical environment line item of
75 the budget, and that the three Brightview proposals for covering eyesores, addressing the center
76 median inside the gate, and addressing Waterleaf Vista Boulevard, totaling \$4,079.00, would fit
77 within the budget. A Supervisor asked whether the pump at the corner of Big Bend Road and Balm
78 River Road was within the scope, and Ms. Elliott-Moore gave an overview of the scope. Mr. Neal
79 stated that he did not see that area mentioned, though acknowledged that there were still funds
80 remaining under physical environment to address as needed.

81 On a MOTION by Mr. Neal, SECONDED by Mr. Gaines, WITH ALL IN FAVOR, the Board approved
82 the Brightview proposals, in the amount of \$4,079.00, for the Waterleaf Community Development District.

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

84 A. Exhibit 3: Ratify PO's and Contracts #183-187, E-Verify Memorandum of Understanding

85 Mr. Neal indicated that the invoice for purchase order 184 for Absolute Outdoor was in the amount
86 of \$15,220.00, but the schedule listed an amount of \$76,100.00. Ms. Elliott-Moore clarified that
87 the \$15,220.00 was a 20% deposit for the overall repair costs, and that the schedule listed the total
88 price of the contract. Mr. Neal requested for field operations to take a look at the bridge conditions

89 prior to the District giving an additional payment, and Ms. Elliott-Moore stated that this direction
90 had been given. The Board discussed observations, noting that handrails had not been finished off,
91 and indicating the need for the entrance boardwalk to be worked on first.

92 Mr. Neal commented on purchase order 187 and asked where the 30 CFL bulbs were.

93 Mr. Babbar stated that the final document for the E-Verify memorandum had been provided, and
94 that no changes had been made following its signing.

95 On a MOTION by Mr. Gaines, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved
96 the ratification of PO's and Contracts #183-187, and the E-Verify Memorandum, for the Waterleaf
97 Community Development District.

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

99 A. District Manager

- 100 • Boardwalk Replacement Update

101 Discussed at length under POs and Contracts, above.

- 102 • Pond Report

103 A resident named Linda Davies stated that the report would include “good, bad, and ugly”
104 descriptors in the future as requested.

105 Mr. Daux asked whether treatment was occurring monthly, noting that an employee had
106 appeared to drive up with a golf cart, take photographs, and leave. Mr. Neal noted that the
107 employee was specifically doing QA for the contractor. Ms. Elliott-Moore indicated that
108 treatment of ponds in Florida was regulated and needed to be treated according to a
109 schedule. Linda added that spike rush had been treated, and that the inflows and outflows
110 had been cleaned up.

111 Mr. Neal asked whether Linda wished to continue her task in looking over the ponds. Linda
112 expressed an interest in handing off the task to field services around July as the transition
113 was established.

- 114 • Status Report of Repair/Maintenance Items in Process

115 Ms. Elliott-Moore advised that a field inspection report was provided in the agenda,
116 assembled by a field service technician from another District. Mr. Neal inquired as to
117 whether Mr. Stafford would be providing a similar report, and Mr. Stafford advised that
118 they use AirTable to track and update projects. Comments were heard regarding the
119 fountain not running, and staff indicated that they would work to resolve by the next day.
120 Mr. Stafford discussed updates to the Waterleaf sign, noting that he would be getting a
121 proposal from Sherwin-Williams for painting and waterproofing. Mr. Neal expressed
122 caution regarding colors used. Mr. Neal and Mr. Gaines commented suggestions for the
123 sign, in particular adding the bronze lettering from a previous render.

124 Mr. Stafford noted that the bench had been repaired. Mr. Stafford additionally stated that
125 the dog park tension wire had been fixed. Discussion ensued regarding acquiring
126 automatically-closing dog gates.

127 Ms. Elliott-Moore noted that two additional proposals had been provided for front gate
128 cameras and back gate cameras for insurance compensation purposes related to damage.
129 Discussion ensued regarding camera monitoring and pricing. Ms. Elliott-Moore noted in
130 particular that the VideoFi equipment install was \$5,688, with silent monitoring fees of
131 \$1,980, with another \$165 monthly for panel motion viewers.

132 B. District Counsel

133 Mr. Babbar stated that there was no real substantive update from the school board. Mr. Babbar
134 advised that a draft of the community coordination agreement had been distributed separately from
135 the agenda prior to the meeting. Mr. Babbar advised that with violations of covenants and damage
136 to city property, the HOA could use their authority as a fining entity, recoup the costs, and
137 reimburse the District. Mr. Neal asked whether the agreement included parking violations. Mr.
138 Babbar stated that the agreement was intentionally not specific to accommodate for any changes to
139 CDD policies or HOA documents related to District property. Mr. Neal noted that cars were
140 routinely parking on roadways, District property, overnight, which was against the rules and rights.
141 Mr. Neal noted issues with enforcement as the HOA had indicated that they did not control the
142 roads, though comments were made regarding HOA documents forbidding parking overnight on
143 streets. Mr. Babbar advised that the agreement did not include this, but noted that HOA attorneys
144 sometimes recommended having specific agreements authorizing for parking or towing, and
145 advised as to other potential solutions involving liaisons. The Board discussed the need for
146 specificity in towing language and authority given, with comments suggesting the installation of
147 street signs advising against parking in areas of question.

148 C. District Engineer

149 Ms. Stewart stated that Metro had informed her that a contractor would be coming out to repair the
150 road depression on Phase 6A. Ms. Stewart noted that there was an issue with the playground mulch
151 where ADA compliance was needed from the manufacturer, indicating a response she had sent.
152 Ms. Elliott-Moore stated that the vendor Brightview was willing to do what was necessary to install,
153 and that the certification had been received.

154 Ms. Stewart noted that a drainage inquiry had been received from Cinnamon Fern Drive, and stated
155 that everything appeared to be functioning okay. Ms. Stewart stated that she would continue to
156 monitor in case any issues were to arise.

157 Ms. Stewart stated that the work to undergo the process of certifying road signs in the District had
158 not been done, noting that other Districts had been going through the process and had encountered
159 issues with signs not meeting height specifications, and observing that issues with height were
160 likely in this District. Ms. Stewart advised that low signs would need to have replacement poles
161 prior to being certified. Ms. Stewart suggested for speed control signs and/or for the District to hire
162 private police to issue warnings to curtail speeding issues. With regards to policing, Ms. Stewart
163 noted that she was not sure whether speeding tickets were actually being issued at this time due to
164 COVID-19.

165 Ms. Stewart gave an update on the 6B conveyances, stating that Metro had just informed her of a
166 large flood plain mitigation area. Ms. Stewart suggested that this area may need to be added to the
167 District's maintenance map.

168 In response to a request for an update on sidewalk repair plans, Ms. Stewart advised that the
169 community coordination agreement designated sidewalk conditions as a HOA issue. Mr. Babbar
170 advised that the District could still be listed as a co-defendant regardless. Mr. Neal commented that
171 a number of sidewalks were missing truncated end tactile pavers which were needed for ADA
172 compliance, observing that Phase 3 and 4 had sloppy sidewalk installs. A Supervisor commented
173 that the pavers may no longer be required due to a recent change, and requested a follow-up.

174 Ms. Elliott-Moore noted that Ms. Stewart was working on maintenance and ownership maps, and
175 asked whether it was possible to notate which portions of sidewalks the District needed to maintain
176 and repair, as an aid for the field services team. Ms. Stewart stated that she could provide for this
177 request.

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

179 Mr. Daux asked what the plan was with the number of items listed on the field inspection report.
180 Ms. Elliott-Moore stated that the report was a list of observations made by the field services
181 employee on her team to be sent to Mr. Stafford’s team to begin to address. Mr. Stafford indicated
182 that he would work to organize tasks by priority, and Mr. Daux suggested that Mr. Stafford place
183 the issue with the small floor tiles at high priority, expressing concerns with potential slip-and-fall
184 incidents.

185 Mr. Neal asked for confirmation regarding the payment shared with the HOA for the hog trapper,
186 and Ms. Elliott-Moore stated that she had forwarded the invoice to AP. Mr. Neal stated that the
187 reserve fund contained an interest-bearing component, which Ms. Thibault stated that she would
188 assist with. Mr. Neal noted that budgets accounted for money would be earned through interest
189 payments on these funds annually, and advised that the District could fall short if interest was not
190 being earned. Mr. Neal gave an overview of a refunding process related to proposed borders around
191 landscape areas at the amenity center which the landscapers had eventually not installed, and
192 indicated that there were some control and operational issues with how the credits had been
193 handled. Ms. Elliott-Moore noted that Ms. Conley had been designated as the gatekeeper and would
194 review to provide additional oversight. Mr. Neal additionally noted that additional waste stations
195 for pets had been included in the budget, and discussion ensued regarding recommendations for
196 locations. Mr. Neal suggested that one be installed by the side/back gate, and another station be
197 installed near the Freedom Homes area.

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

199 There being none, the next item followed.

200 **NINTH ORDER OF BUSINESS – Adjournment**

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

203 On a MOTION by Mr. Gaines, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board adjourned
204 the meeting for the Waterleaf Community Development District.

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

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

210

Signature

Signature

Printed Name

Printed Name

211 **Title:** **Secretary** **Assistant Secretary**

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