

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 Monday, July 12, 2021 at 6:00 p.m. at The Alley at Southshore Bay, 10221 Big Bend  
6 Road, Riverview, FL 33578.

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

8 Ms. Thibault called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

10	Bob Neal	Board Supervisor, Chairman
11	John Daux	Board Supervisor, Vice Chairman
12	Rebecca Smith	Board Supervisor, Assistant Secretary
13	Bob Crespo ( <i>via phone</i> )	Board Supervisor, Assistant Secretary

14 Also present were:

15	Patricia Thibault	District Manager, DPFPG Management & Consulting
16	Larry Krause	Assistant District Manager, DPFPG Management & 17 Consulting
18	Neysa Borkert	Garganese, Weiss, D’Agresta & Salzman
19	Tonja Stewart ( <i>via phone</i> )	District Engineer, Stantec
20	Steve Stafford	Artemis
21	Linda Davies	Resident

22 *The following is a summary of the discussions and actions taken at the July 12, 2021 Waterleaf CDD Board*  
23 *of Supervisors Regular Meeting.*

24 **SECOND ORDER OF BUSINESS – Pledge of Allegiance**

25 The Pledge of Allegiance was recited.

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

27 Ms. Davis noted complaints from other residents at ponds 1 and 18, and that weather conditions  
28 had prevented their immediate service.

29 **FOURTH ORDER OF BUSINESS – Legal Matters**

30 A. Proposals for District Counsel Services – Garganese, Weiss, D’Agresta & Salzman

31 Ms. Borkert gave an overview of District counsel services on behalf of Garganese, Weiss,  
32 D’Agresta & Salzman, and fielded questions from the Board.

33 Mr. Daux asked Ms. Borkert how long it took for agenda preparation, and Ms. Borkert advised that  
34 while it varied it generally took her around 30 minutes. Ms. Smith asked whether the firm served  
35 any other CDDs in Hillsborough County, and Ms. Borkert confirmed that they did not, advising  
36 that CDDs generally operated with their own separate operating documents. Mr. Daux asked about  
37 meeting attendance, and Ms. Borkert advised that she could attend every meeting, in-person or via  
38 phone depending on what a given meeting called for, with no additional charge for travel. Ms.  
39 Borkert noted that the Monday nights that Waterleaf meetings were scheduled for did not currently  
40 present a conflict for her. Mr. Neal noted that the Board’s priority was to seek representation that  
41 severs the ties with the developer. Ms. Borkert stated that she did not represent any developers.

42 **FIFTH ORDER OF BUSINESS – Field Operations and Amenity Matters**

A. Amenity and Field Management Services – Breeze

1. Pond Report

Ms. Davies noted that she had gone to observe the ponds and that some appeared to be in improved condition compared to the report. Comments were made about potential control issues with Ponds 16 and 17. Mr. Neal additionally commented on weeds in the area that needed to be addressed.

2. Exhibit 1: Landscape and Irrigation Report

3. 11887 Frost Aster Drive Curb Discoloration Update

Comments were made by Ms. Smith and Mr. Neal observing that the work done on the curb appeared incomplete, with Mr. Neal asking whether more could be done. Mr. Stafford suggested that water jet or light sandblasting could be options.

4. 11950 Climbing Fern Curb Discoloration Update

Mr. Neal noted that an attorney letter had been sent to the address but it did not appear that action had been taken. Mr. Neal additionally noted that another address, 11946 Climbing Fern, had been sent a demand letter on June 9. Ms. Thibault requested pictures of the address's conditions.

5. Bar Stools Repair/Replacement Update

Mr. Neal expressed concerns about the cost of new bar stools, noting that most of them were not broken. Mr. Stafford stated that he could repair some of the broken stools for the District.

6. Pest Control Proposals Update

Mr. Stafford noted that the proposal he had received was in the amount of \$80 for a site visit every two months. Mr. Neal asked for further clarification as to the scope of treatment from the vendor.

7. Back Gate Repair Update

Mr. Neal noted that a lightning strike had broken the back gate, and that Gate Pros had repaired the gate after authorization from the Chair for repairs in an amount of approximately \$300. Mr. Stafford stated that he had not double-checked to ensure that the gate was functioning, and Mr. Neal noted that he had not heard any complaints about the gate being broken.

8. Installation of "No Parking" Signs Update

Mr. Stafford stated that the signs had been approved.

9. Washed-Out Footer at Bridge Update

Mr. Stafford stated that he could not determine whether the post was still in the ground. Mr. Neal advised that it was not, stating that it was washed out at about two feet.

10. Conservation Area Encroachment on Cardinal Flower Update

Comments were made regarding the property on Cardinal Flower potentially already having a cease and desist.

11. Fob Distribution Update

12. Amenity Attendant Update

13. Hogs – Update on Trapper Progress (Weekly Reporting)

Mr. Neal asked whether there had been any reports of hogs being trapped, and staff responded that there had been none.

14. New Contract from Brightview Update

Mr. Neal commented that Mr. Reed had been working on the Brightview contract.

15. Fountain Repair – Options and Quotes for Repair

Mr. Stafford stated that no new quotes had been received for a new fountain feature.

16. Discussion of Replacement of Fire Extinguisher Boxes at Amenity Center

Mr. Stafford stated that the extinguisher boxes were \$40 per plastic box and \$200 per aluminum box, recommending the plastic option.

17. Discussion on Fencing to Prevent Hogs from Entering Waterleaf

Mr. Neal asked whether installing fencing for the community would prevent hogs sufficiently. Mr. Stafford advised that the dimensions of the community would necessitate over a mile of fencing. Mr. Neal noted that riprap could be an option for mitigating the erosion, though each pond would be an estimated \$30,000.

18. Discussion on Restaining of Bridges

Mr. Stafford commented that there were no updates on staining, noting that getting cleaning performed was the major problem.

19. Discussion on Posting Alligator/Snake Warning Signs at Ponds

Mr. Daux asked about the legality and responsibility of the District regarding wildlife, particularly alligators. Ms. Thibault stated that Fish and Wildlife recommended that alligators that were over six feet and/or acting aggressively should be harvested, and additionally recommended that reports should go to District staff to make the determination whether Fish and Wildlife needed to be called in. Mr. Neal asked whether there was any case law related to alligator caution signage, and Ms. Thibault stated that there was not, but that the insurance companies generally recommended that signage was in place. Ms. Thibault stated that she could post on the website and that a reminder could be distributed in an email blast to the community. Ms. Stewart added that the stormwater facilities on District property were not designed as recreational facilities, suggesting that this detail be included in communications.

**SIXTH ORDER OF BUSINESS – Business Matters**

A. Exhibit 2: Consideration and Approval of Proposal for Common Area Pressure Cleaning – Vice Painting (\$31,378.24)

Mr. Neal expressed concerns that the exterior walls were not included in the proposal's scope. Mr. Stafford noted that there was an additional page to the proposal with further detail, and Mr. Neal requested that this be distributed to the Board. Additional discussion was held on the pricing, with Ms. Thibault advising that this was the least expensive vendor that she had encountered.

This item was tabled to the next meeting for further discussion.

B. Exhibit 3: Consideration and Approval of Proposal to Repair Loose Pool Deck Pavers – Brightview (\$462)

Mr. Neal commented that the root underlying the deck needed to be removed prior to repair work. The Board expressed the need for further clarification as to the scope of the proposal, and whether it would repair all of the loose pool deck pavers present.

On a MOTION by Mr. Daux, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the Brightview Repair of Loose Pool Deck Pavers Proposal, pending authorization from the Chair contingent on updated proposal details, in an amount not to exceed the quoted price of \$462.00, for the Waterleaf Community Development District.

C. Consideration and Approval of General Surety Rider to Extend Phase 6B Warranty Bond, Expiration Date to 5/14/2023

Ms. Thibault stated that the request was to extend the bond expiration date to 2023, which she strongly recommended for the purposes of protecting the District. Following questions from the Board, Ms. Stewart advised that she could reach out to the developer and the County as to why the request had been made. Ms. Stewart noted that her understanding was that there was no additional cost to the District involved, and that the developer's other CDDs were receiving similar requests. This item was tabled pending comment from the District Engineer.

D. Exhibit 4: Consideration and Approval of Contract for Janitorial, Pool and Fountain Maintenance Services, Effective August 1, 2021 – IPMS (\$32,340)

Mr. Neal recalled discussions with Mr. Reed and an IPMS representative, noting that there were side gates missing from the scope of the contract. Mr. Neal additionally noted that there was no 90-day notice for any cost-of-living adjustment, and requested its addition, up to 2.5%.

On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the IPMS Contract for Janitorial, Pool and Fountain Maintenance Services, Effective August 1, 2021, as amended, in the amount of \$32,340.00, for the Waterleaf Community Development District.

E. Exhibit 5: Consideration and Approval of Pool Filter Replacement Proposal – IPMS (\$1,947.34)

On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the IPMS Pool Filter Replacement Proposal, in the amount of \$1,947.34, for the Waterleaf Community Development District.

F. Consideration and Approval of Proposal to Clean Security Cameras

Mr. Neal noted comments from DC Integrations regarding distortion in the infrared images.

On a MOTION by Ms. Smith, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved the DC Integrations security cameras cleaning, with approval from the Chair, in an amount not to exceed \$400.00, for the Waterleaf Community Development District.

G. Exhibit 6: Consideration of Roadway Concepts Detectable Warning Needs Proposal (\$10,632; Continued from June Meeting)

The Board discussed the lack of clarity as to what needed to be replaced, with Mr. Neal questioning some locations highlighted as pointing to incorrect areas. Mr. Neal asked whether the slip hazards on Climbing Fern could be removed, and Mr. Stafford suggested that removing the precaution warnings may be a worse security issue. Mr. Stafford stated that he could check the intersections and take pictures for discussion. This item was tabled pending a conference call with the District Engineer to address identified areas as necessary.

H. Exhibit 7: Consideration and Approval of Brightview Hurricane Agreement

Ms. Thibault advised as to the level of detail being requested from FEMA for reimbursement for storm damage cleanup and repair. Ms. Thibault noted that photographs were necessary for reimbursement, and that Brightview's agreement did not address photographs. The Board and Ms. Thibault discussed FEMA rates. Mr. Neal asked whether District Management could outline what was needed from Brightview for reimbursement requirements, and Ms. Thibault stated that she could provide an outline and work to make Brightview's form FEMA-compliant. This item was tabled to the next meeting, pending changes to the agreement, and with comments made in favor of the Chair signing off should a storm arrive.

I. Exhibit 8: Review of Amenity Center Rule Updates

On a MOTION by Mr. Neal, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved the Amenity Center Rule Updates for the Waterleaf Community Development District.

J. Exhibit 9: Consideration and Revision of FY2021-2022 Preliminary Budget

Mr. Neal gave an overview of the changes to the budget, with input from Ms. Thibault, noting that \$49,000 was now funded from reserves, and that the overall budget had been further reduced by \$25,000 as some line items were no longer needed. Mr. Neal advised that this constituted an increase of approximately 4%. The Board discussed the contingency in the budget compared to previous years. Ms. Thibault advised that the 50-foot lots had a difference of \$58.77, 60-foot lots had \$70.52, and 80-foot lots had \$82.28. The Board additionally discussed establishment of a reserve study.

On a MOTION by Mr. Daux, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the Revision of the FY2021-2022 Preliminary Budget for the Waterleaf Community Development District.

**SEVENTH ORDER OF BUSINESS – Consent Agenda**

A. Exhibit 10: Consideration and Approval of the June 14, 2021 Regular Meeting Minutes

Mr. Neal requested that the follow-up item on Line 69 regarding the field services vendor getting a new quote be documented in the minutes. Mr. Neal clarified that on Line 88 he had walked with the engineer from Cochran, and not with the District Engineer, adding that there was a follow-up action included to resolve the issue. Mr. Neal requested that an explanation be included for the item on Line 100 being tabled. Mr. Neal noted that Line 146 needed to mention a workshop for the budget. Mr. Neal requested that an action item note be included on Line 194, with Ms. Gamel-Rivera to acquire paperwork related to the holiday lighting committee.

On a MOTION by Ms. Smith, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the June 14, 2021 Regular Meeting Minutes as amended, for the Waterleaf Community Development District.

B. Exhibit 11: Acceptance of the May 2021 Unaudited Financial Statements

C. Exhibit 12: Ratification of Contracts and POs: 213, 217

Ms. Smith questioned PO #213 being charged directly to the District rather than to District Management. The Board discussed the incident and suggested that the resident should pay for the cleaning involved in the purchase order. The Amenity Manager advised that the contract would need to be amended. Mr. Neal requested that amenity management notify the District Manager of future issues. Discussion ensued, with the Amenity Manager and the Board members commenting on various rules, enforcement of rules, and amenity hours.

D. Exhibit 13: Ratification of Termination of H2 Pool Services, LLC

E. Exhibit 14: Ratification of Termination of Disclosure Services, LLC

On a MOTION by Ms. Smith, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board approved the ratification of Items B – E of the Consent Agenda, excluding PO #213, for the Waterleaf Community Development District.

#### **EIGHTH ORDER OF BUSINESS – Staff Reports**

A. District Manager

Ms. Thibault stated that some attorneys had requested an update on when the Board would be making a decision on a firm for District Counsel services. Mr. Neal asked about Ms. Thibault's history with working with Garganese, Weiss, D'Agresta & Salzman, and Ms. Thibault advised that she had worked with Ms. Borkert for six years. The Board commented positively on their rates.

On a MOTION by Mr. Daux, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the Garganese, Weiss, D'Agresta & Salzman proposal for District Counsel services, and issuing a 30-day notice of termination for Straley Robin Vericker, for the Waterleaf Community Development District.

B. District Attorney

C. District Engineer

Ms. Stewart noted that there was a dip in the road in the Freedom Homes area, but that the area was under warranty by the developer and that they would send someone out to address the issue.

➤ Exhibit 15: Update on Review of Phase 6B

Ms. Stewart stated that since the ponds had been constructed in Phases 6A and 6B, vegetation had grown for stabilization of the bank, and that there was a floodplain mitigation area and connecting ditch that did not appear to be part of the current maintenance problem, but that this oversight was being addressed. Ms. Stewart added that some dirt taken from the excavation of pools had been placed around houses by the pool builders, which may not comply with the approved grading plan for the phase. Ms. Stewart stated that she could follow up on how the County did their permitting and engaged with compliance for grading, adding that she had arials that would indicate the elevation changes. Mr. Neal asked whether Pond 22 had been conveyed to the District, and Ms. Stewart stated that she believed that it had been conveyed. Mr. Neal stated that Sitex was maintaining Pond 22, though it had been in poor condition. Ms. Stewart commented on floodplain mitigation area compliance. Mr. Neal expressed concerns that the Water Management District had not signed off on the phase as being completed, and asked whether Ms. Borkert could look into the matter once she was under contract with the District. Mr. Neal requested for Sitex to provide an estimate as to what the impact on their annual contract would be, prior to finalization of the FY 2022 budget. Mr. Neal asked whether there was an appropriate easement to access the floodplain area, and Ms. Stewart stated that mapping needed to be updated but stated that there appeared to be access involving a tract of land owned by the District.

#### **NINTH ORDER OF BUSINESS – Supervisor Requests**

Mr. Neal asked about the amenity center contract term which he had made a request about at the previous meeting, and Ms. Thibault advised that she had reached out to Ms. Price. Mr. Neal noted that there had reportedly been issues related to gate clicker signals at the main gate, and suggested that the antenna may need to be moved or otherwise highlighted for residents with signage. The



Board discussed lighting and staining at the mailbox station, with Mr. Daux suggested that pavers could be added to the path through the grass. Mr. Neal asked whether the squirrel tiles would be removed, and staff indicated that the tiles would be scraped and cleaned. Mr. Neal asked when SecuriTeam should be asked to deactivate key pads, with suggestions being made for August 1.

**TENTH ORDER OF BUSINESS – Audience Comments – New Business**

Ms. Davies commented that the Sitex contract had a date of September 16, and encouraged the Board to be mindful.

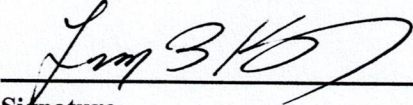
**ELEVENTH ORDER OF BUSINESS – Adjournment**

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

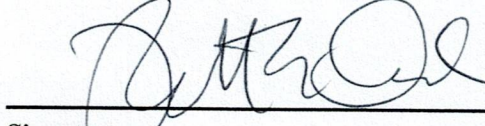
On a MOTION by Mr. Daux, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board adjourned the meeting for the Waterleaf Community Development District.

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

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on 8/30/21.

  
\_\_\_\_\_  
Signature  
Larry B. Krause Jr.  
\_\_\_\_\_  
Printed Name

Title: ☒ Secretary ☐ Assistant Secretary

  
\_\_\_\_\_  
Signature  
Bob Neal  
\_\_\_\_\_  
Printed Name

Title: ☐ Chairman ☒ Vice Chairman