

1 **MINUTES OF MEETING**

2 **WATERLEAF**

3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors ~~Bob Neal~~ Waterleaf Community Development District
5 was held on Monday, August 30, 2021 at 6:00 p.m. at The Alley at Southshore Bay, 10221 Big Bend Road,
6 Riverview, FL 33578.

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

8 Mr. Krause 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	Board Supervisor, Assistant Secretary

14 Also present were:

15 Patricia Thibault	District Manager, DPF&G Management & Consulting
16 Larry Krause	District Manager, DPF&G Management & Consulting
17 Neysa Borkert	District Counsel, Garganese, Weiss, D'Agresta & Salzman
18 Steve Stafford	Artemis

19 *The following is a summary of the discussions and actions taken at the August 30, 2021 Waterleaf CDD*
20 *Board of Supervisors Regular Meeting.*

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

22 The Pledge of Allegiance was recited.

23 **THIRD ORDER OF BUSINESS – Introduction of New District Manager**

24 Ms. Thibault advised that Mr. Krause had been promoted to Waterleaf's full-time District Manager.

25 **FOURTH ORDER OF BUSINESS – Audience Comments**

26 There being none, the next item followed.

27 **FIFTH ORDER OF BUSINESS – FY 2021-2022 Budget Adoption**

28 **A. FY 2021-2022 Budget Public Hearing**

29 1. Open Public Hearing

30 On a MOTION by Mr. Neal, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the
31 opening of the FY 2021-2022 Budget Public Hearing for the Waterleaf Community Development District.

32 2. Exhibit 1: Presentation of FY 2021-2022 Budget

33 Ms. Thibault gave an overview of the budget, noting increases in assessments based on lot
34 sizes and confirming that the overall budget of \$963,541 was inclusive of the reserves.

35 3. Public Comments

36 There were no comments from the audience.

37 4. Close Public Hearing

38 On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the
39 closure of the FY 2021-2022 Budget Public Hearing for the Waterleaf Community Development District.

B. Exhibit 2: Consideration & Adoption of **Resolution 2021-08**, Adopting FY 2021-2022 Budget

On a MOTION by Mr. Neal, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board adopted **Resolution 2021-08**, Adopting FY 2021-2022 Budget for the Waterleaf Community Development District.

C. **FY 2021-2022 Assessments Public Hearing**

1. Open Public Hearing

On a MOTION by Ms. Smith, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the opening of the FY 2021-2022 Assessments Public Hearing for the Waterleaf Community Development District.

2. Exhibit 3: Presentation of FY 2021-2022 Assessments Analysis

Ms. Thibault advised that 50-foot lot assessments would increase by \$59 annually, 60-foot lots by \$71, and 70-foot lots by \$82.

3. Public Comments

There were no comments from the audience.

4. Close Public Hearing

On a MOTION by Ms. Smith, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the closure of the FY 2021-2022 Assessments Public Hearing for the Waterleaf Community Development District.

D. Exhibit 4: Consideration & Adoption of **Resolution 2021-09**, Providing for the Collection & Enforcement of Special Assessments for Fiscal Year 2021-2022

On a MOTION by Ms. Smith, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board adopted **Resolution 2021-09**, Providing for the Collection & Enforcement of Special Assessments for Fiscal Year 2021-2022, for the Waterleaf Community Development District.

SIXTH ORDER OF BUSINESS – Field Operations and Amenity Matters

A. Exhibit 5: Amenity & Field Management Services Report – Breeze

Mr. Stafford gave an overview of the report, noting that 150 homes had not picked up their key fobs. Mr. Neal noted that a social media notice for homeowners to pick up fobs had not been effective. Mr. Stafford stated that he would pick up the remaining fobs at the end of August 31 to return to DC Integrations. The Board additionally discussed the fire extinguisher boxes, with clarification given that the PO had been received, but that staff was waiting on the boxes themselves.

Mr. Neal asked how the field management team could be given approval for emergency items. Ms. Thibault advised that the Board needed to adopt a Resolution related to emergency spending, additionally explaining that E-Verify only applied to services provided on District property. Ms. Borkert advised that the District could assemble an approved vendors list for emergencies.

Comments were made on the landscaping by the playground/gate, as well as outside of the women's restroom by the cabana area, and how the latter area in particular was prone to flooding, and Mr. Neal suggested that staff discuss with Brightview on potential solutions. An additional request was made for a hand dryer proposal, with discussion on potential issues with electricity and placement.

B. Exhibit 6: Sitex Pond Report

Mr. Neal noted some improvements to the ponds compared to the previous year, which the Board concurred with, though added that recent improvement was slight overall.

C. Exhibit 7: Brightview Landscape Report

D. Exhibit 8: Presentation of “No Parking” Signs Installation

The Board commented that they believed that the newly installed signs were working as intended.

E. Amenity Pool Cleaning Update

Mr. Neal noted positive resident comments on pool conditions, though acknowledged that he felt janitorial services could use additional improvement. Mr. Stafford noted that the security cameras had been picking up a cat roaming around the pool area.

SEVENTH ORDER OF BUSINESS – Staff Reports

A. District Manager

Mr. Krause stated that he currently had nothing to report to the Board.

B. District Counsel

1. Discussion of General Surety Rider to Extend Phase 6B Warranty Bond, Expiration Date To 5/14/2023

Ms. Borkert advised that the warranty bond was required by the County permitting agency to warrant work that was completed, generally for a year post-completion. Ms. Borkert suggested that the request to extend the expiration date was to comply with this, as the associated work probably was not finished in time with the original bond length. Ms. Borkert added that she did not identify any requests for money to be paid or release of any performance guarantees.

2. Discussion of Liberty Field at Waterleaf Gate and Pond Responsibility Update

Ms. Borkert advised that any bill of sale giving the pond fountain to the HOA had not been located, and stated that she had drafted a bill of sale which would do so. Ms. Thibault suggested looking into the meter number.

On a MOTION by Mr. Neal, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved signing the Bill of Sale to Liberty Field at Waterleaf HOA, for the Waterleaf Community Development District.

3. Discussion of Conservation Area Easement Encroachment on Cardinal Flower Update

Ms. Borkert advised that a resident had been installing sod and other plant material in the wetland buffer area, which the County had determined to be a violation requiring removal. Counsel suggested that signage be posted indicating that work was not allowed in the area and that the CDD send a cease-and-desist letter to the resident. The Board directed District Counsel to send, on behalf of the CDD, a cease-and-desist letter that allows resident to access property only to return it to its original state, and no longer after that.

4. Exhibit 9: Discussion of Curb Discoloration Update

Mr. Neal observed that the staining was gone, and that he was not aware that the concrete had been present at the time of the curb staining.

Ms. Borkert stated that she had given presentations for other Districts regarding the Sunshine Law, and the Board expressed interest in this being part of a future meeting agenda. The Board additionally discussed easements, fence proximity to community walls, and details

with the Phase 6B conveyance process with the previous District Attorney. Mr. Neal additionally asked whether all of the District's agreements were stored in one central location, expressing concerns about items being misplaced through multiple District Manager transitions. Ms. Thibault advised that a link to DPG's contracts folder for Waterleaf CDD, or alternatively a general listing, could be provided to the Board.

C. District Engineer

The District Engineer was not present to provide a report.

Mr. Neal asked whether there were any options for putting together a sidewalk plan for the District, and Ms. Thibault advised that there were vendors that could walk the property and perform analyses for under \$5,000. Mr. Neal noted that there were funds present in the reserves.

On a MOTION by Ms. Smith, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved signing the Bill of Sale to Liberty Field at Waterleaf HOA, for the Waterleaf Community Development District.

EIGHTH ORDER OF BUSINESS – Business Matters

A. Exhibit 19: Consideration of Supervisor Price Resignation

This item was presented out of order.

On a MOTION by Mr. Daux, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board accepted the resignation of Supervisor Price from the Board of Supervisors for the Waterleaf Community Development District.

B. Exhibit 10: Consideration & Adoption of **Resolution 2021-10**, Designating Officers

Mr. Krause stated that Ms. Price's name would be removed from the Resolution, leaving a vacant seat on the Board of Supervisors.

On a MOTION by Ms. Smith, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board adopted **Resolution 2021-10**, Designating Officers, with the removal of Ms. Price, for the Waterleaf Community Development District.

C. Exhibit 11: Consideration of Meeting Dates, Times, & Location Options

Mr. Neal stated that he had previously wanted to move meetings to later dates in each month to allow for financial statements to be considered in their respective months, but expressed concerns about conflicts with holidays. The Board discussed meeting dates, agreeing to amend the Resolution's schedule to cancel the September meeting, hold the October meeting on the 11th, the November meeting on the 22nd, the December meeting on the 13th, and the February 2022 meeting on the 7th, with all other meetings to take place on the 2nd Monday of each month.

D. Exhibit 12: Consideration & Adoption of **Resolution 2021-11**, Designating Meeting Dates, Times, & Location

On a MOTION by Ms. Smith, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board adopted **Resolution 2021-11**, Designating Meeting Dates, Times, & Location, as amended, for the Waterleaf Community Development District.

E. Exhibit 13: Consideration of Brightview Contract Addendum

On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the Brightview Contract Addendum for the Waterleaf Community Development District.

F. Exhibit 14: Consideration of Vice Painting & Pressure Cleaning Proposals - \$21,711.42

1. Common Area Pressure Cleaning (Sidewalks) - \$10,036.46
2. Pressure Cleaning & Coat 5 Bridges - \$6,500.00
3. Pressure Cleaning 20 Panels Section of Wall at Cross Vine & Climbing Fern (Freedom Homes Entrance) - \$300.00
4. Pressure Cleaning Perimeter Wall (Exterior Only) - \$4,350.00
5. Pressure Cleaning 11 Panels & Columns at Waterleaf Vista & Cross Vine DR. - \$200.00
6. Pressure Cleaning 22 Panel Section at Wall at Waterleaf Vista & Fawn Lily - \$325.00

Ms. Thibault asked whether the Board wished to seek a secondary proposal with a competitive pricing, noting that the Board could approve a not-to-exceed amount. The Board expressed support, and Ms. Thibault stated that she could provide a proposal within 48 hours with the vendor being informed of the scope. Mr. Neal additionally noted that a part of the trail was not easily accessible by truck.

On a MOTION by Ms. Smith, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved for walls, sidewalk, and bridge painting, with the vendor to be determined, in an amount not to exceed \$21,711.46, the Waterleaf Community Development District.

(The Board recessed the meeting at 8:37 p.m., and reconvened at 8:42 p.m.)

G. Exhibit 15: Consideration of Infinite Property Fountain Repair Proposal - \$7,150.00

Mr. Neal opined that the proposal could use a larger downspout. The Board discussed desired fountain fixtures with Mr. Stafford, with Ms. Smith additionally requesting renderings of different luminescent paint options. This item was tabled.

H. Exhibit 16: Consideration of NaturZone Pest Control Proposal

1. Interior Clubhouse - \$60.00/ monthly
2. Playground - \$250.00/ annually

Mr. Neal noted that the budgeted amount for pest control was \$1,440 annually, which the NaturZone proposal fell within. Ms. Borkert additionally advised as to the boilerplate agreement prepared for the vendor, with terms of liability and a 30-day out clause.

On a MOTION by Mr. Daux, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board approved the NaturZone Pest Control Proposals for treatment of the clubhouse interior and playground, for the Waterleaf Community Development District.

I. Exhibit 17: Consideration of Brightview Proposals

1. Loose Pool Deck Pavers Repair - \$462.00

Mr. Krause stated that the pavers repair proposal was brought back from the previous meeting, with additional detail as to locations.

On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the Brightview Loose Pool Deck Pavers Repair Proposal, in the amount of \$462.00, for the Waterleaf Community Development District.

2. Bush Hog Mowing - \$2,943.36

The Board and District Counsel stressed the need to specify the ownership of the pond area, noting recorded conveyances and maintenance responsibilities of parcels. The Board expressed concerns that the proposal covered an area larger than the triangle that the District appeared to be responsible for maintaining.

On a MOTION by Mr. Daux, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the Brightview Bush Hog Mowing Proposal, in an amount not to exceed \$2,943.36, for the Waterleaf Community Development District.

J. Exhibit 18: Consideration of Conveyance of Fountains to Liberty Field of Waterleaf

On a MOTION by Mr. Neal, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the Conveyance of Fountains to Liberty Field of Waterleaf for the Waterleaf Community Development District.

K. Discussion to Determine How to Appoint New Supervisor

The Board discussed methods of publicizing the vacancy, and the Board opted for word-of-mouth for anyone in the community interested. This item was tabled.

L. Exhibit 20: Consideration of Trimmers Holiday Décor Lighting Proposal - \$9,600.00

Mr. Neal stated that he had been in contact with Ms. Gamel-Rivera, and that he had been informed that either posts at the front of the amenity center would need to be removed to properly install lighting, or that the scope of the proposal could be narrowed to only cover the front, in the updated amount of \$10,000. Mr. Neal additionally expressed concerns that the estimated installation time by December 10 was after the traditional timing of pre-Thanksgiving.

On a MOTION by Ms. Smith, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved the Trimmers Holiday Décor Lighting Proposal, contingent upon removal of the automatic renewal, and contingent upon lights being installed prior to November 25, in an amount not to exceed \$10,000.00, for the Waterleaf Community Development District.

Following the motion, Mr. Neal recalled that discussions at the previous meeting related to the Brightview Hurricane Agreement had been tabled to this meeting, and requested an update. Ms. Thibault advised that she was still waiting on a response. Mr. Neal requested for this item to be included on the next meeting's agenda.

NINTH ORDER OF BUSINESS – Consent Agenda

A. Exhibit 21: Consideration & Approval – The June 14, 2021, Revised Regular Meeting Minutes

B. Exhibit 22: Consideration & Approval – The July 12, 2021, Regular Meeting Minutes

C. Exhibit 23: Consideration & Acceptance – The June 2021 Unaudited Financial Statements

D. Exhibit 24: Consideration & Acceptance – The July 2021 Unaudited Financial Statements

Mr. Neal asked a question about a contingency amount, and Ms. Thibault advised that it was no longer present. Mr. Neal additionally questioned an expense for Florida Fountains & Equipment LLC, indicating that the PO dated back to January 2020 and that he did not recognize the company

name. Ms. Thibault stated that the District would be reimbursed if the PO was found to have been paid in error.

E. Exhibit 25: Ratification of Invoices

1. Artemis – Emergency Plumbing - \$376.25
2. Artemis – First Aid Kit - \$47.85
3. Infinite Property Maintenance Services – Pool Repairs - \$475.93
4. Brightview – Tree Removal at Climbing Fern/Cross Vine - \$808.50
5. Ricky Richards – Hog Trapping July - \$600.00
- Mr. Krause stated that a third month of service had been provided despite the original agreement being for two months. Mr. Krause advised that this invoice had not been paid.
6. DC Integrations – Front Pedestrian Gate Repair - \$355.00
7. DC Integrations – Manual Deletion of Codes - \$240.00
8. Straley Robin Vericker – District Counsel - \$3,503.19
9. Gate Pros – Service Call - \$2,250.00

On a MOTION by Ms. Smith, SECONDED by Mr. Neal, WITH ALL IN FAVOR, the Board approved the ratification of the Consent Agenda for the Waterleaf Community Development District.

TENTH ORDER OF BUSINESS – Audience Comments – New Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS – Supervisor Requests

Mr. Neal requested for a proposal for clubhouse repainting, opining that the shutters appeared to be in particularly poor condition. Additional comments were made regarding poor lighting at the mailbox kiosk. Mr. Neal indicated that he would send in a list of his requests.

TWELFTH ORDER OF BUSINESS – Adjournment

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

On a MOTION by Mr. Neal, SECONDED by Mr. Daux, 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 October 11, 2021.

Waterleaf CDD
Regular Meeting



Signature

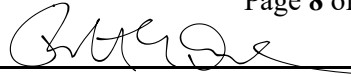
Larry Krause

Printed Name

265 Title: ☒ Secretary ☐ Assistant Secretary

August 30, 2021

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Signature

Bob Neal

Printed Name

Title: ☒ Chairman ☐ Vice Chairman