

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, October 11, 2021 at 6:00 p.m. at The Alley at Southshore Bay, 10221 Big
6 Bend Road, Riverview, Florida 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 <i>(via phone)</i>	Board Supervisor, Assistant Secretary
12	Rebecca Smith	Board Supervisor, Assistant Secretary
13	Bob Crespo	Board Supervisor, Assistant Secretary
14	Robert Bernardo	Board Supervisor, Assistant Secretary

15 Also present were:

16	Larry Krause	District Manager, DPFG Management & Consulting LLC
17	Neysa Borkert	District Counsel, Garganese, Weiss, D'Agresta & Salzman
18	Tonja Stewart	District Engineer, Stantac
19	Steve Stafford	Artemis/Breeze
20	Craig Dileo	Freedom Homes, City of Tampa Fire Rescue Department
21	Lynda Davies	Resident

22 *The following is a summary of the discussions and actions taken at the October 11, 2021 Waterleaf CDD*
23 *Board 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 There being none, the next item followed.

28 **FOURTH ORDER OF BUSINESS – Office of Elected Supervisor & Form 1**

29 A. Presentation & Consideration of Seat 5 Candidates

30 1. Exhibit 1: Robert S. Bernardo

31 Mr. Neal asked Mr. Bernardo about his interest in the position and what he would bring
32 to the Board. Mr. Bernardo stated that he had been a resident of Waterleaf for 6 years
33 and that he wanted to improve the community. Mr. Neal inquired as to whether Mr.
34 Bernardo had been involved with the HOA or CDD in the past to which Mr. Bernardo
35 replied he had not.

36 On a MOTION by Mr. Crespo, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved
37 the appointment of Robert S. Bernardo as a Board Supervisor for the Waterleaf Community Development
38 District.

39 B. Seat 5

40 C. Exhibit 2: Oath of Office

Mr. Bernardo delivered the Oath of Office.

D. Exhibit 3: Form 1

E. Exhibit 4: New Supervisor Information Sheet

F. Exhibit 5: Sunshine Law & Code of Ethics

Ms. Borkert gave an overview of Supervisor responsibilities and limitations under Sunshine Law and the Code of Ethics.

G. Exhibit 6: Consideration & Adoption of **Resolution 2022-01**, Designating Officers

Mr. Krause stated that this Resolution would add Mr. Bernardo to the slate of officers, and replace Mr. Aagaard with Mr. McGaffney under the Assistant Treasurer role.

On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board adopted Resolution 2022-01 , Designating Officers, for the Waterleaf Community Development District.
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FIFTH ORDER OF BUSINESS – Field Operations & Amenity Matters

A. Exhibit 7: Amenity & Field Management Services Report – Breeze

Mr. Neal noted that Breeze did not include everything they had done in their report, and mentioned that pool hours had not been reported accurately. Mr. Neal stated that he wanted signs posted on the fence with pool hours, and that he wished to work with Mr. Stafford on the wording and specific hours for the sign. The Board and Ms. Stewart discussed matters relating to conservation areas and property line boundaries for homeowners.

B. Exhibit 8: Sitex Pond Repair

Ms. Davies stated that she would be stepping back from involvement with the ponds due to increased work with the HOA, and the Board expressed gratitude. Ms. Borkert provided guidance to the Board during discussions on a pond maintenance committee and/or liaison. Mr. Neal commented that the responsibilities of a liaison would include talking with the pond company, reviewing the pond report, attending meetings, and communicating with the District Manager. Mr. Dileo introduced himself to the Board, stated that he wished to be involved, and indicated that he could communicate with a pond company regarding a potential contract for providing additional feedback. Mr. Krause agreed to send Mr. Dileo some previous pond reports and the current pond maintenance contract.

The Board discussed the Pond Summary and ratings for each pond. Mr. Neal observed that while some ponds previously graded “Ugly” had improved, there had been an increase in the number of “Ugly” graded ponds overall.

C. Exhibit 9: Discussion & Consideration of Infinite Property Maintenance Services Fountain 3 Proposal - \$15,885.00

The Board discussed the scopes of the two fountain options. Mr. Stafford noted that he was working on finding a less expensive painter for the fountain, with comments made stating that the project could start in December or be postponed to early 2022. Mr. Daux stated that he wished to defer making a decision on this proposal until after a render of the fountain is obtained. Mr. Stafford will acquire a rendering and dimensions of the columns to be marked on the rendering. This item was tabled and will be brought back after the rendering is obtained.

D. Exhibit 10: Brightview Landscape Report

Mr. Stafford stated that he has been requesting a proposal for the back gate and to beautify the area. Ms. Smith requested that Brightview be contacted regarding the garbage. Mr. Stafford will invite a representative from Brightview to attend the next meeting for an update.

SIXTH ORDER OF BUSINESS – Staff Reports

A. District Manager

Mr. Krause stated that he spoke with the manager for the Liberty Field HOA, who had the form needed for the Pond Fountains Conveyance, on October 11. Mr. Krause added that the HOA Board was scheduled to meet on November 10, and that discussion of the conveyance was on their agenda.

B. District Counsel

1. Update on Construction Charges

Ms. Borkert stated that the previous attorney had questions regarding the claims about their charges for construction. The previous attorney had stated that the charges are for the CDD, not the developer, and that he would like something signed releasing them from any future recompense from the District Attorney. Mr. Neal noted that pursuing further action would incur attorney fees. This item was tabled pending any further developments.

Ms. Borkert stated that she would deliver a presentation on Public Records law at the next meeting.

C. District Engineer

1. Exhibit 11: Presentation & Discussion of SWFWMD Transfer to Operation Phase

The Board inquired about construction in regard to a spillway. Ms. Stewart stated that all construction was done. Ms. Stewart confirmed that the area was looked at on the map during the last meeting did belong to the CDD and must be maintained by the CDD. Discussion on the pond bank/tree maintenance and the District's drainage system ensued.

Mr. Daux asked if Pond 22 was maintained by the CDD, which was confirmed. Mr. Stafford mentioned that a maintenance map was needed, and that Ms. Stewart was working on one which should be completed by the next meeting. Ms. Stewart stated that Ponds 42 and 48 were also to be maintained by the CDD. Comments were made on landscaper access to areas behind ponds and easements held by the CDD.

2. Consideration of Onsite Survey of CDD Property behind Cardinal Flower DR.

Ms. Stewart stated that the County had rules about the buffer area and wanted everything to grow back, additionally commenting on a lack of easy access to the area. The Board opted to wait to see what actions would be taken by the County, and what their decision would be in regard to the final notice.

3. Exhibit 12: Presentation & Discussion of Pond Erosion at 13330 Waterleaf Garden

The Board discussed the Exhibit which showed how a homeowner's fence intruded into CDD property. Ms. Stewart noted that she did have a contractor go look at the property. A discussion regarding the sprinklers and fence ensued, related to District ownership. The Board directed for a letter to be drafted, with District Counsel to review, to be sent to the homeowner for permission to turn on the sprinklers at the property. Mr. Stafford would then set up a time for the sprinklers to be tested after the correspondence was sent.

SEVENTH ORDER OF BUSINESS – Business Matters

A. Exhibit 13: Presentation & Discussion of False Alarm Violation Warning Notices

Mr. Neal explained that the Videofied system recorded people in the area after hours when movement activity was detected, and sent brief bursts of footage to the company call center to determine whether a bad actor may be responsible. Mr. Neal outlined the process leading to the County being notified, and indicated that the CDD had received three notices of false alarms from the County within a 365-day period and may begin to incur fines. Ms. Borkert commented on the appeals process for false alarms. Mr. Krause stated that he obtained the police reports from the Sheriff's Office and that he would send the reports to Alarm Admin with Ms. Borkert's assistance.

B. Exhibit 14: Consideration & Adoption of **Resolution 2022-02**, Authorizing Spending Authority for Amenity Manager

Ms. Borkert stated that she had drafted this Resolution following related discussion at the previous meeting.

On a MOTION by Mr. Crespo, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board adopted **Resolution 2022-02**, Authorizing Spending Authority for Amenity Manager, for the Waterleaf Community Development District.

C. Exhibit 15: Consideration of Reed Electric Power Hand Dryers Proposal - \$2,734.38

Mr. Neal noted that the hand dryers have a 35 second lock-out feature to deter intentional damage, and included a warranty for 7 years. Ms. Smith stated that she would like to use Ms. Borkert's boilerplate contract format, rather than the contract Reed presented. The Board discussed terms of fees and maintenance with Ms. Borkert. Mr. Stafford stated that he would like for the paper towel holders to be taken down so the holes could be patched.

On a MOTION by Ms. Smith, SECONDED by Mr. Crespo, with Ms. Smith, Mr. Crespo, Mr. Neal, Mr. Bernardo voting "AYE", and Mr. Daux voting "NAY", the Board approved the Reed Electric Power Hand Dryers Proposal, in the amount of \$2,374.38, for the Waterleaf Community Development District.

D. Exhibit 16: Consideration of All Florida Fire Equipment Fire Extinguisher Certification/Inspection Proposal - \$290.00

Mr. Neal observed that the proposal included charges for two service calls.

On a MOTION by Mr. Daux, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board approved the All Florida Fire Equipment Fire Extinguisher Certification/Inspection Proposal, for the Waterleaf Community Development District.

E. Exhibit 17: Discussion of Electric Meter Payments

Mr. Neal inquired about how many wells were in the CDD and asked whether one of the meters was not connected to anything and could be removed. He additionally asked if Waterleaf wanted to back-bill the HOA for the meter that they had been paying. The Board opted not to pursue repayment.

Prior to consideration of the Consent Agenda, Mr. Neal suggested eliminating the Consent Agenda from future meeting agendas, instead listing its contents as a subsection of Business Matters.

EIGHTH ORDER OF BUSINESS – Consent Agenda

A. Exhibit 18: Consideration & Approval – The August 30, 2021 Regular Meeting Minutes

Mr. Neal asked if DPFG had reimbursed the CDD for the \$175.00 amount related to the Florida fountains. Mr. Neal stated that the decision was for the CDD to not post the sign related to work

not being allowed in an area on Cardinal Flower, and requested for Line 110 to be reviewed and amended as needed.

On a MOTION by Ms. Smith, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the August 30, 2021 Regular Meeting Minutes, as amended, for the Waterleaf Community Development District.

B. Exhibit 19: Consideration & Acceptance – The August 2021 Unaudited Financial Statements

Mr. Neal suggested that the Trend Report only needed to encompass 13 months, and that this limit may improve readability.

On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board accepted the August 2021 Unaudited Financial Statements, for the Waterleaf Community Development District.

C. Exhibit 20: Consideration & Acceptance – The August 2021 Operations & Maintenance Expenditures

Mr. Neal commented that he had been looking for items where the Board had not been made aware of invoices that had been paid, and asked whether the updated format was more effort to prepare. Mr. Neal additionally observed that a late charge in the amount of \$102.46 was assessed on an IPFS invoice, which he questioned noting that it was on a notice of intent to cancel.

On a MOTION by Mr. Neal, SECONDED by Ms. Smith, WITH ALL IN FAVOR, the Board accepted the August 2021 Operations & Maintenance Expenditures, with the exception of the late fee on the IPFS Corporation Notice of Intent to Cancel invoice, for the Waterleaf Community Development District.

Following the motion, Mr. Krause stated that he would investigate the late fee. Mr. Neal suggested that DPFG should be responsible for the late fee, as the money was in the account to be paid on time.

EIGHTH ORDER OF BUSINESS – Audience Comments - New Business

Ms. Davies stated that she contacted Mr. Krause about parking overnight. She was advised to contact the Field Team to have it removed. Mr. Krause stated that tow service waits 24 hours after a sticker warning is placed on the car before proceeding with towing.

An audience member mentioned trees that need to be mulched or pine strawed. Mr. Neal directed Mr. Stafford to look into this. Mr. Stafford additionally asked about the cutoff for adding items to the agenda. Mr. Krause explained that the draft agenda had to be published a week before the meeting, but that items could be added after.

NINTH ORDER OF BUSINESS – Supervisor Requests

Ms. Smith inquired as to who manages the streetlights. Mr. Neal replied that TECO was responsible for this. Mr. Crespo requested a quote to add lights to the Kiosk. Mr. Stafford will look into this. Mr. Neal made a number of comments on previous discussion items, including initiating a sidewalk assessment for surface cracks, proposals for interior and exterior painting of the clubhouse, replacement of playground canvas, mailstation trim painting or pressure washing, requirements for a surety rider, a boilerplate contract for holiday lighting, and acquiring a message board for public meeting announcements (with a potential cost-share with the HOA). Mr. Stafford responded to multiple comments, stating that the sidewalk assessment was on his to-do list, that he was going to update the signs with hours, and that he would look into quotes for the message board.

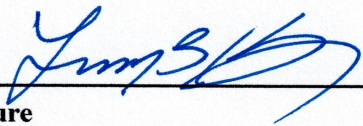
TENTH ORDER OF BUSINESS – Adjournment

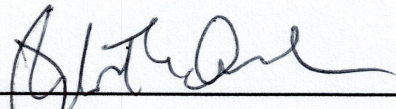
Mr. Krause asked for final questions, comments, or corrections before adjourning the meeting.
There being none, Mr. Neal made a motion to adjourn the meeting.

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 Nov. 22, 2021.


Signature


Signature

Larry B. Krause Jr
Printed Name

ROBERT NEAL
Printed Name

Title: ☒ Secretary ☐ Assistant Secretary

Title: ☒ Chairman ☐ Vice Chairman