

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, October 18, 2022 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 John Daux	Board Supervisor, Vice Chairman
11 Bob Crespo	Board Supervisor, Vice Chairman
12 Bob Bernardo	Board Supervisor, Assistant Secretary
13 Luis Rojas	Board Supervisor, Assistant Secretary
14 Patrick Sacripanti	Board Supervisor, Assistant Secretary

15 Also present were:

16 Larry Krause	District Manager, DPFG Management & Consulting
17 Neysa Borkert <i>(via phone)</i>	District Counsel
18 Tonja Stewart <i>(via phone)</i>	District Engineer
19 Angie Lynch	Breeze HOA
20 Paul Almeida	Sitex
21 Jim Ciciora	Resident
22 Cindi Ciciora	Resident

23 *The following is a summary of the discussions and actions taken at the October 18, 2022 Waterleaf CDD*
24 *Board of Supervisors Regular Meeting. Audio for this meeting is available upon public records request.*

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

26 The Pledge of Allegiance was recited.

27 **THIRD ORDER OF BUSINESS – Audience Comments –** *(Limited to 3 minutes per individual for*
28 *agenda items)*

29 Mr. Almeida inquired about the survey for Ponds 22 and 23. Mr. Daux stated that this would be
30 covered during the District Engineer's presentation.

31 **FOURTH ORDER OF BUSINESS – Staff Reports**

32 A. District Engineer – *Tonja Stewart, Stantec*

33 1. Exhibit 1: Maintenance Map

34 Mr. Daux stated that the District was attempting to identify cutoff points for Pond 22 and
35 23 and asked if Brightview had been contracted to maintain these areas. Ms. Stewart
36 stated that Pond 23 may need to be added to the maintenance map. She recommended
37 continuing to maintain this area after it had been deemed successful in order to keep
38 away invasive vegetation. In response to a question from Mr. Daux, Ms. Stewart clarified
39 that Pond 23 was not actually considered a pond and should not be treated as a
40 stormwater pond. She stated that this would be converted into a wetland after it had been
41 deemed successful. Mr. Daux asked Mr. Krause to obtain a cost from Sitex to treat Pond
42 23 and to determine if this should be removed from the contract.

43 2. Fence Ownership

Ms. Stewart explained that it could not be determined who owned the fence, as it was on the property line and was not on a CDD easement. She stated that the CDD would typically need to maintain the outside of the fence, with the property owner to maintain the inside. Mr. Rojas and Mr. Sacripanti asked who would be responsible for power washing and addressing hurricane damage to fences. Ms. Stewart requested photos regarding the specific fences that had been damaged and were in need of pressure washing. Ms. Borkert stated that the CDD could decide whether or not to maintain the fence. Mr. Rojas suggested asking Pradera to split the cost. Ms. Lynch indicated that she would reach out to Pradera. Ms. Stewart noted that she would ask Pradera who had installed the fence.

Ms. Stewart proceeded to briefly discuss the District Engineering Budget. She stated that the fees were higher this year due to mapping and the Stormwater Needs Analysis.

B. District Counsel – *Neysa Borkert, Garganese, Weiss, D’Agresta & Salzman, P.A.*

1. Conveyance of Outlier Parcel

Ms. Borkert stated that she had worked with the surveyors of Waterleaf LLC to obtain a new ownership report and an executed deed. She indicated that the documents would be provided at the next meeting. In response to a question from Mr. Daux, Ms. Borkert stated that there should not be any continuing maintenance responsibility for this area.

2. Exhibit 2: CDD Property Encroachment at Cinnamon Fern

Ms. Borkert indicated that the fence at 11958 and 11964 Cinnamon Fern had been moved. She stated that no response had been received from the homeowner at 11970 Cinnamon Fern but noted that the HOA would be speaking with the homeowner. She stated that the property owner at 11972 had approved moving the fence but that she did not have a status on this at this time. Mr. Daux stated that he had reached out to a representative of the HOA in the audience to speak with the resident. The resident stated that he would reach out to the resident that month. Mr. Daux asked if the District had followed up with the homeowner who had not complied. Ms. Borkert stated that she would send another email to the homeowner at 11972 Cinnamon Fern.

3. Exhibit 3: CDD Property Encroachment at Cardinal Flower

Ms. Borkert stated that she had sent another certified letter to the property owner on September 26 but had not received it back as of yet. She stated that the next step after the sign would be to install fencing to prevent the property owner from removing and cutting vegetation from the wetland buffer area. In response to a question from Mr. Krause, Ms. Borkert explained that the District could bill the resident for the fence but that they would not have the authority to force payment. She noted that this matter could be taken to small claims court. Mr. Daux stated that he would like to put up the sign before considering the installation of a fence. Ms. Borkert mentioned that she had reported this matter to Hillsborough County but that nothing had been pursued, as this was in a buffer area.

Ms. Borkert stated that she had sent a letter on September 27 advising the homeowner at 11881 Frost Astor against removing any further vegetation from the pond.

In response to a question from Ms. Borkert, Ms. Lynch indicated that she was unable to see over the fence at 13172 Green Violet to verify if the wall had been repainted. Mr. Krause stated that he would reach out to the homeowner and suggested that Ms. Borkert send a letter if a response was not received.

Ms. Borkert informed the Board that some of the mailbox areas would need to be blurred or not recorded if they were to film the basketball court. Mr. Daux stated that he would suggest lighting over a camera. Following discussion, the Board agreed to have Ms. Lynch compare solar and electric lighting.

An audience member asked if the CDD was permitted to inspect resident properties. Mr. Daux explained the CDD had to request permission from residents in order to do so in the cases of the fences or the wall.

C. District Manager – Larry Krause, *DPFG/Vesta Property Services*

The Board and Staff discussed future meeting dates, times, and location.

On a MOTION by Mr. Daux, SECONDED by Mr. Sacripanti, WITH ALL IN FAVOR, the Board approved holding future meetings on the second Monday of the month at the current location at 6 p.m. or the first Monday of the month at the Riverview Library at 6 p.m., pending the confirmation of availability and effective November, for the Waterleaf Community Development District.

Following the motion, Ms. Borkert provided clarification on the November election regarding a potential seat exchange with a current Board member and resident. She noted that the oath would need to be taken when the election results were certified and indicated that the swearing in would occur at the December meeting.

Mr. Rojas requested a status update regarding the insurance company of a homeowner who had damaged the gate to the community in June. Mr. Krause indicated that he did not have an update on this matter at this time.

D. Field Operations and Amenity Management – *Angie Lynch, Breeze*

1. Exhibit 4: Discussion on Existing Project Status

a. Arinton

i. Pool Repair

Ms. Lynch indicated that a motor needed to be repaired. Mr. Daux directed for this repair to be put on hold at this time.

ii. Fountain Repair

Ms. Lynch indicated that she had not heard back from Arinton on the fountain repair.

b. Vice Painting Fountain Sign Painting

Ms. Lynch recalled that this had already been discussed previously and stated that the rest of the fountain sign would be painted in the winter.

c. Firm Foundations Sidewalk Repair

Ms. Lynch stated that several issues had been found that needed to be addressed, including sidewalk on Sand Myrtle.

d. Sign Solutions

i. Bent Sign Repairs

Ms. Lynch stated that this had been repaired.

Mr. Sacripanti clarified that the bent sign had not been caused by the recent storm. He asked if there was storm money set aside for hurricanes and

asked if any downed signs or other damage should be reported for FEMA relief. Mr. Krause indicated that he would look into this.

ii. CDD Wetland Sign – 12019 Cardinal Flower

Ms. Lynch indicated that this sign should be up within 2 weeks, if not sooner.

iii. All Deliveries Gate Sign

Ms. Lynch stated that this would arrive in 2 weeks.

iv. Waterleaf Garden Sign Straightening

Ms. Lynch indicated that the sign had been straightened.

e. Brightview

i. Traffic Line of Sight Improvement at Bee Blossom Amenity Entrance and Frost Aster Front Entrance

Ms. Lynch stated that she did not see a line-of-sight issue. Mr. Daux indicated that he would review and let Ms. Lynch know if further cut backs were needed.

ii. Irrigation Repair (Decoder and Solenoid Replacements in Zones 2-4 and 7)

Ms. Lynch indicated that the bids were in the packet. Mr. Daux recalled that these had already been approved. In response to a Supervisor question, Mr. Daux clarified that the repairs were needed due to age.

iii. Mainline Irrigation Repair at Front Exit

iv. Irrigation Repair (Zones 55-56 Decoders)

v. Grapevine Removal from Pine Trees Along Waterleaf Vista Blvd. (Revised 9/12022)

vi. Playground Mulch

Ms. Lynch stated that this had begun but had not been completed due to the storm.

f. Janus et Cie Pool Furniture Refurbishment

Ms. Lynch stated that the cushions had been ordered.

g. Galaxy Pro Pools Chain, Drum and Skimmer Repair

Ms. Lynch indicated that these repairs had been completed.

A resident asked if Arinton had been paid to reset the handrail anchors and replace the depth markers, noting that this work had not been done. Mr. Krause stated that an invoice from Arinton had been received but had not yet been paid.

h. Exhibit 13: Consideration of Gate Pros Barrier Arm Proposal - \$57,550.00

This item, originally Item A5 under the Fifth Order of Business, Business Matters, was presented out of order.

The Board and Staff discussed the proposal. Mr. Crespo indicated that he would like for the community to vote on this item. Mr. Daux noted that this could be paid for

with the Reserve Fund and inquired about a tool to poll the community. Mr. Krause suggested putting a poll on the CDD website. A resident expressed concerns regarding the arm gate potentially being hit and causing more costs to the District. Mr. Crespo indicated that he agreed with the resident but explained that there had been many requests for a gate arm. Mr. Sacripanti noted that multiple estimates for the arm gate would need to be obtained.

Ms. Borkert addressed resident questions regarding the difference between private and public roads and clarified that the CDD roads were considered public roads. A resident expressed confusion regarding signs within the community that read "Private Roads." Ms. Borkert stated that the CDD roads were legally not considered private.

Mr. Daux directed Ms. Lynch to obtain more information on the costs of the gates and maintenance to discuss at the next meeting.

The Board briefly circled back to the Janus et Cie Pool Furniture Replacement. Ms. Lynch advised that the Board consider lounge chairs.

2. Exhibit 5: Update on Defaced Wall Behind 13172 Green Violet

This was discussed under Exhibit 3.

3. Exhibit 6: Aquatic Management Report – *Sitex*

Mr. Almeida stated that the ponds were the process of being treated. A resident commented on weeds and grass being blown into the pond. Mr. Daux indicated that this would be addressed. Another resident commented that the ponds had not been dug deep enough. Mr. Almeida reminded homeowners to contact Breeze, not Sitex, about pond issues. Mr. Daux commented positively on the improved state of the ponds.

4. Exhibit 7: Landscape Management Report – Brightview

Mr. Daux stated that Ms. Lynch was working with Brightview. He requested to have trash cleaned from the front entrance. Ms. Lynch stated that she would speak with Brightview regarding the details of trash pickup. A resident noted that maintenance was needed for the vegetation around the pool.

5. Exhibit 8: Pest Control Report – NaturZone

A resident commented that areas around the pool and mailboxes had not been treated for ants. Ms. Lynch noted that Brightview had dusted the mailbox area for ants. Mr. Daux requested to have the NaturZone contract emailed to him.

6. Discussion on Back Gate Call Box Elimination and Signage Revision

Ms. Lynch stated that the signs would be put up within the next 2 weeks. Mr. Krause explained that the back gate call box was being eliminated due to the lack of a camera in this area. In response to a question from Mr. Daux, Mr. Krause clarified that homeowners would still be able to enter through the back gate.

FIFTH ORDER OF BUSINESS – Business Matters

A. New Business

1. Exhibit 9: Consideration of Brightview Tree Straightening Along Balm Riverview Drive Proposal - \$5,335.00

Mr. Krause indicated that he would research to check if FEMA or insurance could recoup this cost. Mr. Sacripanti suggested adding clarity to the proposal. Mr. Daux noted that the

211 County may require the trees to be replaced. Mr. Daux requested that Ms. Lynch confirm
212 if the trees needed to be removed and replaced. This item was tabled.

213 2. Exhibit 10: Consideration of Brightview Irrigation Repair Proposal – Zone 21-23, 55-56
214 Decoder and Solenoid Replacements - \$1,230.00

215 On a MOTION by Mr. Daux, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved
216 the Brightview Irrigation Repair Proposal, in the amount of \$1,230.00, for the Waterleaf Community
217 Development District.

218 3. Exhibit 11: Consideration of Brightview Tree Pruning at 13353 Waterleaf Garden Circle
219 Proposal - \$390.00

220 Mr. Daux stated that this would be the resident's responsibility. This proposal was rejected
221 by the Board.

222 4. Exhibit 12: Consideration of Galaxy Pro Pools Motor Replacement Proposal - \$6,450.00
223 This item was discussed under Exhibit 4.

224 5. Exhibit 14: Review of Community Street Parking

225 Mr. Rojas stated that the Meeting Minutes were somewhat misleading and clarified that
226 law enforcement would not help the District with parking matters. He explained that the
227 ARB and CCR documents conflicted with each other and indicated that the HOA may
228 make a change to the rules and update the verbiage. He stated that if the CCR could not be
229 changed, the ARB could not be enforced. He informed the Board that the CDD could vote
230 to give the HOA recommendation and permission to enforce Florida parking laws.

231 Ms. Borkert advised the CDD and HOA to look at the intent of free parking and relax other
232 parking violations. She stated that the CDD may be required to allow for street parking and
233 indicated that she would look into this to confirm.

234 6. Discussion of Food Trucks

235 This item was tabled to the next meeting, as the individual involved was not present.

236 7. Discussion on Gate Monitoring

237 Ms. Lynch noted that the cameras would cost \$55.00 per month. She stated that the gate
238 had been left open before the storm for the Knox box and had needed to be reset by the
239 Fire Department. Mr. Daux recalled that gate monitoring had been denied previously, as
240 the Board had felt it was an unnecessary expense. He stated that the Knox box needed to
241 be checked by a Supervisor before calling for gate maintenance. Ms. Lynch clarified that
242 the issue could only be corrected by the Fire Department. Mr. Daux stated that he would
243 like to hold off on gate monitoring and requested that Ms. Lynch send an email to Mr.
244 Krause of the Knox box.

245 B. Old Business

246 1. Update on Adding a Pet Waste Station Along Climbing Fern Avenue

247 Mr. Daux stated that the pet waste station had been knocked over during the storm, as it
248 had not been installed properly. In response to a comment from Ms. Lynch, Mr. Daux
249 clarified that the station had not been secured by concrete.

250 2. Update on Adding a Bench Along Climbing Fern Avenue

Mr. Daux noted that a quote for a concrete pad was still needed. He requested a timelier turnaround time on projects.

3. Discussion of Repair Options for Washed-out Footer on Pedestrian Bridge

Mr. Daux stated that he had walked the bridges with Ms. Lynch and that they had determined that nothing was in need of immediate attention. Mr. Krause indicated that this would be removed from the agenda.

4. Discussion on Clicker Database Update

Mr. Daux stated that this could be removed from the agenda, as they were only waiting on the estoppel process that had been discussed at the previous meeting. In response to a question from Mr. Bernardo, Mr. Daux confirmed that the database had been scrubbed and cleaned. Discussion ensued regarding the fob registration process. Ms. Lynch indicated that she would send the process to Mr. Krause via email.

(Mr. Bernardo left the meeting at 8:28 p.m.)

On a MOTION by Mr. Bernardo, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved the Brightview Grapevine Removal Proposal, in the amount of \$1,048.13, for the Waterleaf Community Development District.

SEVENTH ORDER OF BUSINESS – Administrative Items

A. Exhibit 15: Consideration for Approval – The Minutes of the Board of Supervisors Regular Meeting Held September 12, 2022

On a MOTION by Mr. Bernardo, SECONDED by Mr. Rojas, WITH ALL IN FAVOR, the Board approved the September 12, 2022 Regular Meeting Minutes for the Waterleaf Community Development District.

B. Exhibit 16: Consideration for Acceptance – The August 2022 Unaudited Financial Statement

Mr. Daux recalled a discussion regarding putting the reserve funds in an interest-bearing account or bond. Mr. Krause clarified that it was a money market account that was discussed and indicated that he would check with Mr. McGaffney on this matter.

(Mr. Bernardo rejoined the meeting at 8:32 p.m.)

On a MOTION by Mr. Daux, SECONDED by Mr. Sacripanti, WITH ALL IN FAVOR, the Board accepted the August 2022 Unaudited Financial Statement for the Waterleaf Community Development District.

C. Exhibit 34: Consideration for Acceptance – September 2022 Operations and Maintenance Expenditures

Mr. Rojas asked if Arinton had been paid twice for the same service. Mr. Krause indicated that he would look into this. Mr. Daux requested that Ms. Lynch check on the signs for the pool and what changes had to be made. This item was tabled to the next meeting.

D. Exhibit 18: Ratification of Proposals and Invoices

Mr. Daux stated that he would like to hold off on the walking trails, as a follow-up was still needed. Mr. Krause pointed out that this had already been approved.

1. Brightview Walking Trails Storm Clean Up Proposal - \$1,572.19
2. Brightview Pool Area Tree Straightening or Removal - \$284.90

On a MOTION by Mr. Daux, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the Ratification of Items D1 and D2 of the Consent Agenda, for the Waterleaf Community Development District.

SEVENTH ORDER OF BUSINESS – Audience Comments – Non-Agenda Items / New Business
(Limited to 3 minutes per individual for non-agenda items)

Mr. Ciciora requested for the sprinklers on the back gate to be checked.

Ms. Ciciora asked if older invoices were included in the expenditures. Mr. Daux confirmed this was the case.

EIGHTH ORDER OF BUSINESS – Supervisor Requests *(Includes Next Meeting Agenda Item Requests)*

Mr. Rojas stated that he had requested a quote for signs to announce the CDD meetings, similar to the HOA meeting signs. Ms. Lynch stated that the signs would cost \$100.00 per sign. In response to a question from Ms. Lynch, Mr. Rojas indicated that posting the signs 48 hours in advance of the meetings would be sufficient. He noted that he would be willing to volunteer to pull out the signs.

On a MOTION by Mr. Rojas, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved 2 CDD meeting announcement signs, in the total amount of \$200.00, for the Waterleaf Community Development District.

Following the motion, Mr. Rojas suggested sending an email to all homeowners through Breeze to announce the CDD meetings. Mr. Daux asked if there would be a cost associated with this. Mr. Rojas stated that this would be tabled to the next meeting to determine if there would be a cost involved.

Mr. Rojas recommended that the Board look into Spectrum Channel for announcements in the community. He noted that he may need to work with the HOA on this matter, as the contract with Spectrum was with the HOA. Mr. Daux indicated that he would not be opposed to Mr. Rojas looking into this option.

Mr. Rojas additionally suggested working with in-house talent to reduce costs. Mr. Daux recalled that there may be a list for preferred vendors for the community. Mr. Krause indicated that he would check into this.

Mr. Crespo commented on a pothole near a manhole on Crossvine and Climbing Fern. Mr. Daux indicated that this should be reported to Breeze. Mr. Crespo additionally brought up a leaning tree on CDD property that was a potential hazard and requested for this to be reviewed.

Mr. Daux requested for the Action Items to be included on the agenda moving forward. In response to a question from Mr. Krause, Mr. Daux confirmed that including the Action Items as an exhibit would be sufficient.

Mr. Sacripanti requested to add a disaster line item to the budget. Mr. Daux stated that he did not know if this was necessary but indicated that this could be done.

NINTH ORDER OF BUSINESS – Action Items Summary

(To Be E-mailed to Supervisors and Staff)

TENTH ORDER OF BUSINESS – Next Meeting Quorum Check

Confirmation of Quorum for Next Meeting Scheduled for 6 p.m. on November 15, 2022 at the Alley at South Branch (10221 Big Bend Road, Riverview, FL 33569)

The Board agreed to hold the next meeting at 6 p.m. on Monday, November 14, pending access to the Riverview Library. The order of meeting preference was as follows: 2nd Monday, 1st Monday, 3rd Monday at the Library, then the 2nd Monday at the Alley.

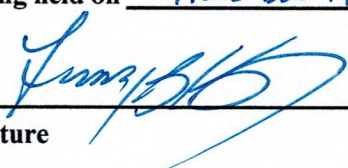
ELEVENTH ORDER OF BUSINESS – Adjournment

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

On a MOTION by Mr. Crespo, SECONDED by Mr. Bernardo, WITH ALL IN FAVOR, the Board adjourned the meeting at 9:02 p.m. 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 NOVEMBER 14, 2022.


Signature


Signature

Larry B. Krause Jr.
Printed Name

John Daux
Printed Name

Title: ☒ Secretary ☐ Assistant Secretary

Title: ☒ Chairman ☐ Vice Chairman

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Signature

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Printed Name

Printed Name

Title: ☐ Secretary ☐ Assistant Secretary

Title: ☐ Chairman ☐ Vice Chairman