

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, December 12, 2022 at 6:12 p.m. at Hillsborough County Library, Riverview,
6 9951 Balm Riverview 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 Jim Ciciora	Board Supervisor, Assistant Secretary
13 Luis Rojas	Board Supervisor, Assistant Secretary
14 Alex Auld	Board Supervisor, Assistant Secretary

15 Also present were:

16 Larry Krause	District Manager, DPFG Management & Consulting
17 Shirley Conley (<i>via phone</i>)	DPFG Management & Consulting
18 Neysa Borkert (<i>via phone</i>)	District Counsel
19 Tonja Stewart (<i>via phone</i>)	District Engineer
20 Angie Lynch	Breeze HOA
21 Paul Almeida	Resident Ponds Liaison
22 9 Audience Members	

23 *The following is a summary of the discussions and actions taken at the December 12, 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 There being none, the next item followed.

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

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

32 Ms. Stewart discussed her findings regarding locations of multiple walls and fences. She stated
33 that a survey would need to be performed to confirm whether the wall on Crossvine and Climbing
34 Fern Ave. had been installed on the property boundary. She informed the Board that a cost
35 estimate in the amount of approximately \$2,000.00 had been received to perform a survey of the
36 wall.

37 Ms. Borkert noted that she had performed a title search on for the property on Green Violet and
38 indicated that she did not find an easement or access to the wall for maintenance. Discussion
39 ensued. Ms. Borkert clarified that this wall belonged to the CDD and stated that a letter would
40 need to be sent to the resident to request access when it came time to repair the wall.

41 An audience member read an encroachment agreement that a homeowner had signed. In response
42 to a question from Mr. Ciciora, Mr. Daux clarified that the District would need to ask every
43 property owner to access to their property and that the property owners would be responsible for

the maintenance of the wall if the CDD was denied access. Mr. Daux directed Ms. Borkert to remove the defaced wall issue at 13172 Green Violet from her list of items and indicated that the Board would seek counsel to proceed with a letter when it came time to maintain the wall.

Ms. Stewart provided clarification on the ownership of the fence along Climbing Fern and Cross Vine. She explained that the fence running north and south was determined to be private property and the fence running east and west appeared to have been installed by Pradera's developers. Mr. Daux relayed that the Freedom Section HOA had inquired about maintenance responsibility for a fence. Ms. Stewart stated that there was an easement maintenance map that showed that the fence was privately owned.

The Board and Staff circled back to the fence on Climbing Fern. Ms. Stewart indicated that the Engineering Budget could be used for the cost of the survey. In response to a question from Mr. Ciciora, Ms. Stewart clarified that the survey would be for one fence. She stated that she would work with the surveying company to determine how many fences needed to be surveyed.

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

1. Exhibit 1: Public Records & Government in the Sunshine Review

Ms. Borkert stated that the presentation on Sunshine Law would be held in January and reminded the Supervisors that they were not permitted to discuss CDD matters with other Supervisors outside of public meetings.

2. Exhibit 2: Update on Cinnamon Fern Dr. Fence Encroachment

Ms. Borkert stated that she had sent a follow-up letter to the homeowner but had not heard back.

3. Update on Cardinal Flower CDD Property Encroachment

Ms. Borkert stated that the trimming and pruning of vegetation was found not to be a violation of what was required in a wetland setback. She stated that this would still be considered trespassing, as the District had not given the homeowner authorization to engage in activities in this area. She noted it had been determined that the homeowner would be responsible for replacing the foliage that had been removed.

An audience member commented that the homeowner was burning stumps and destroying the wetland. The Board and Staff discussed options to address the matter. Ms. Borkert stated that the District could install a fence or press charges against the homeowner for trespassing. She noted that the CDD did not have lien rights on the property. Ms. Lynch was directed to obtain costs to install a fence in this area. Mr. Ciciora expressed that he did not understand why the CDD did not maintain the Conservation Buffer setback area and noted the county had no issues. Mr. Daux clarified this was a nature preserve area. Ms. Borkert informed the Board that the County had mistakenly sent the zoning approval documents for Pradera, rather than the District. She stated that she would make an additional public records request for the correct documents.

Mr. Ciciora commented on fence encroachment on Cinnamon Fern. He stated that the fence had been moved but the pavers remained. Ms. Borkert advised giving the property owner more time to remove the pavers and have the Field Team perform a site review to verify and photograph the area.

4. Discussion on Public Record and Law Enforcement Requests

This item, originally Item A2 under the Fifth Order of Business, Business Matters, was presented out of order.

Mr. Krause asked if the footage filmed by the cameras at the gate would be considered public record. Ms. Borkert explained that the recordings would typically be considered public record unless the recording showed security measures. She noted that live footage would not be considered public record and that recorded footage must be retained under the state retention schedule. She confirmed that any costs in obtaining records for the Sheriff's Office would be absorbed by the CDD.

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

Mr. Krause stated that he had sent a certified letter regarding a fence to Rizzetta.

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

1. Exhibit 3: Discussion on Existing Projects Status

Ms. Lynch stated that Arinton was not responding to outreach efforts but indicated that Vice Painting was willing to empty the water on January 1 to paint the pool at an additional cost.

Mr. Daux stated that Firm Foundations threatened the District for not paying for unsatisfactory sidewalk repairs that had been performed and relayed that Firm Foundations had claimed that the work that was done was considered a warranty item. He suggested paying half of the requested amount. In response to a question from Mr. Ciciora, Mr. Daux clarified that all of the work had been completed, but not to the Board's satisfaction. He estimated that approximately 15% of the work would need to be repaired. The Board and Staff discussed options to address this matter. Following the discussion, the Board reached a consensus to allow Mr. Daux work with Firm Foundations and pay up to 85% of the original amount.

Ms. Lynch informed the Board that the delivery sign for the back gate had been installed and stated that the pool furniture cushions was expected to arrive by the end of January. She indicated that the traffic line of sight improvement, irrigation repairs, and mulching had been completed, with the grapevine removal to occur the following week. Mr. Rojas noted that the holiday lights were being unplugged and requested for the lights to be plugged back in.

2. Exhibit 4: Aquatics Reports – *Sitex Aquatics*

Mr. Almeida noted that a trampoline needed to be removed and spoke on damage caused by hogs. He mentioned that Pond 6 had a slab of concrete that needed to be removed as well.

3. Exhibit 5: Landscape Report – *Brightview*

In response to an audience member question, Ms. Lynch stated that Brightview was currently onsite every other week. Mr. Krause clarified that Brightview was paid on a monthly basis.

An audience member commented on an unpleasant smell of the sidewalk. Mr. Ciciora noted that he could assist with field work and requested to be part of the sprinkler inspection. Mr. Krause indicated that this would not be an issue.

FIFTH ORDER OF BUSINESS – Business Matters

A. New Business

1. Exhibit 6: Adoption of **Resolution 2023-01, Designating Officers**

130 Mr. Rojas stated that he would like to add the new positions of Budget Officer, Staff
131 Liaison, and Chaplain. He stated that he would like to add an opening prayer before the
132 Pledge of Allegiance. Mr. Daux spoke in favor of the Budget Officer position and the
133 opening prayer. He indicated that he felt the Staff Liaison position may be redundant but
134 that he did not have an issue with this position. Mr. Rojas expressed that he would like
135 action items accomplished at a timelier rate. Mr. Daux noted that Field Ops may need more
136 assistance in order to do this.

137 Mr. Rojas made a motion to approve the additional positions of Budget Officer, Staff Liaison, and Chaplain
138 for the Waterleaf Community Development District. However, as there was no second, the motion failed
139 due to a lack of support from the majority of Board Supervisors.

140 Following the motion, Mr. Crespo made a motion to have Mr. Daux remain as Chairman
141 of the Board.

142 On a MOTION by Mr. Crespo, SECONDED by Mr. Ciciora, WITH ALL IN FAVOR, the Board approved
143 the designation of Mr. Daux as Chairman of the Board of Supervisors for the Waterleaf Community
144 Development District.

145 Following the motion, Mr. Ciciora made a motion to create a Budget Liaison to assist with
146 the budget process.

147 On a MOTION by Mr. Ciciora, SECONDED by Mr. Rojas, WITH ALL IN FAVOR, the Board approved
148 the creation of the Budget Liaison position for the Waterleaf Community Development District.

149 Following the motion, Mr. Rojas made a motion to have Mr. Crespo remain as Vice
150 Chairman of the Board.

151 On a MOTION by Mr. Rojas, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board approved the
152 designation of Mr. Crespo as Vice Chairman of the Board of Supervisors for the Waterleaf Community
153 Development District.

154 Following the motion, Mr. Rojas made a motion to designate Mr. Auld as the Budget
155 Liaison.

156 On a MOTION by Mr. Rojas, SECONDED by Mr. Ciciora, with Mr. Rojas, Mr. Ciciora, Mr. Crespo, and
157 Mr. Auld voting "AYE" and Mr. Daux voting "NAY", the Board approved the designation of Mr. Auld as
158 the Budget Liaison for the Waterleaf Community Development District.

159 Following the motion, Mr. Rojas made a motion to create a Staff Liaison position. Mr.
160 Ciciora indicated that he would like for the position to be fleshed out more. Mr. Rojas
161 withdrew this motion and made a motion to create the Chaplain position.

162 On a MOTION by Mr. Rojas, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved
163 the creation of the Chaplain position for the Waterleaf Community Development District.

164 Following the motion, Mr. Crespo made a motion to designate Mr. Rojas as the Chaplain.
165 In response to a question from Ms. Conley, Mr. Rojas clarified that the job duty of the
166 Chaplain was to start the opening prayer.

On a MOTION by Mr. Crespo, SECONDED by Mr. Ciciora, WITH ALL IN FAVOR, the Board approved the designation of Mr. Rojas as the Chaplain for the Waterleaf Community Development District.

Following the motion, Mr. Krause looked for a motion to adopt the Resolution.

On a MOTION by Mr. Crespo, SECONDED by Mr. Ciciora, WITH ALL IN FAVOR, the Board adopted **Resolution 2023-01, Designating Officers**, for the Waterleaf Community Development District.

2. Exhibit 7: Consideration of DC Integrations Proposal to Replace Front Gate Camera Recorder System - \$1,120.00

Mr. Krause indicated that this would most likely be able to be claimed to insurance. Mr. Auld inquired about an invoice for monitoring dated November 1. He was informed that this was for the Amenity Center. Mr. Auld asked about a charge from I-Tech. Mr. Krause stated that he believed this was a subcontractor and indicated that he would look into this to confirm.

Discussion ensued regarding quarterly inspections and monitoring. Mr. Ciciora inquired about the cost to check the equipment. Ms. Lynch was directed to speak with a DC Integrations representative regarding the timing of inspections and the cost to check equipment.

On a MOTION by Mr. Daux, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the DC Integrations Proposal to Replace Front Gate Camera Recorder System, in the amount of \$1,120.00, for the Waterleaf Community Development District.

B. Old Business

1. Exhibit 8: Review of Previous Meeting's Action Items

Mr. Daux stated that he would like to work with Mr. Krause to scrub the list and update the latest version to send out to the Board.

Ms. Lynch provided the Board with updates on the previous meeting's Action Items. She discussed water leaks scheduled for repairs and noted that a quote had been prepared by Red Rhino to repair a leak that had been found in the pool. She informed the Board that the slab for the Uline bench that had been selected was scheduled to be installed that week and noted that an e-blast had gone out at no additional cost.

Ms. Lynch discussed her findings on costs for lights for the parking lot. She stated that the lights would cost \$5,175.00 per light, for a total of \$25,875. Mr. Daux stated that he would prefer to wait for the other proposal from TECO before taking action and asked if TECO had non-wired as an option. Ms. Lynch indicated that she would look into this.

Mr. Daux recalled that the bench had been approved previously but no cost had been assigned.

On a MOTION by Mr. Daux, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the Uline Bench, in the amount of \$750.00, for the Waterleaf Community Development District.

Following the motion, the Board and Staff circled back to the leak in the pool. Mr. Ciciora stated that he would not vote in favor if only 1 quote was received and requested 2 additional quotes to repair the leak. Mr. Auld indicated that he felt residents should have been informed about the water for the Amenity Center being turned off, to which Mr. Daux

expressed agreement. Mr. Daux additionally noted that the pool hours needed to be synchronized with the new hours. Mr. Auld asked Ms. Lynch to reach out to the residents who had rented the Amenity Center to potentially refund their money and apologize.

An audience member spoke on an issue with her fence. The audience member was informed that she would need to speak with the Freedom Home HOA Board about the fence.

SIXTH ORDER OF BUSINESS – Administrative Items

- A. Exhibit 9: Consideration for Approval – The Minutes of the Board of Supervisors Regular Meeting Held November 14, 2022

Mr. Auld provided corrections for Line 71 and 72 of the Meeting Minutes.

On a MOTION by Mr. Ciciora, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board approved the November 14, 2022 Regular Meeting Minutes, as amended, for the Waterleaf Community Development District.

- B. Exhibit 10: Consideration for Acceptance – The October 2022 Unaudited Financial Statement

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

- C. Exhibit 11: Consideration for Acceptance – November 2022 Operations and Maintenance Expenditures

On a MOTION by Mr. Ciciora, SECONDED by Mr. Auld, WITH ALL IN FAVOR, the Board accepted the November Operations and Maintenance Expenditures for the Waterleaf Community Development District.

- D. Exhibit 12: Ratification of Proposals and Invoices

On a MOTION by Mr. Ciciora, SECONDED by Mr. Auld, WITH ALL IN FAVOR, the Board approved the Ratification of Proposals and Invoices 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. Almeida noted that the trees outside Balm Riverview were still crooked. Ms. Lynch indicated that she expected the Brightview proposal to straighten the trees to be revised.

An audience member commented on cars entering through the exit gate at the front gate intersection. He suggested making this a four-way stop and advised addressing foliage in this area to improve visibility. Mr. Daux stated that the Board was looking into installing arms to limit the number of cars going through the gate at a time. The audience member suggested cameras to point outbound and inbound. Other audience members recommended the use of speed bumps. Mr. Auld stated that he would like to do a comprehensive review of what needed to be solved and create an RFP.

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

Mr. Crespo informed the Board that Amazon had offered to install a key fob system for their vehicles. He indicated that he would bring this back to the next meeting.

Mr. Ciciora discussed street ownership and requested for a comprehensive review to be performed.

246 **NINTH ORDER OF BUSINESS – Action Items Summary**

247 *(To Be E-mailed to Supervisors and Staff)*

248 **TENTH ORDER OF BUSINESS – Next Meeting Quorum Check**

249 *Confirmation of Quorum for Next Meeting Scheduled for 6 p.m. on January 9, 2023 at Hillsborough*
250 *County Library, Riverview (9951 Balm Riverview Road, Riverview, FL 33569)*

251 Mr. Krause reminded the Board of the next meeting's date, time, and location.

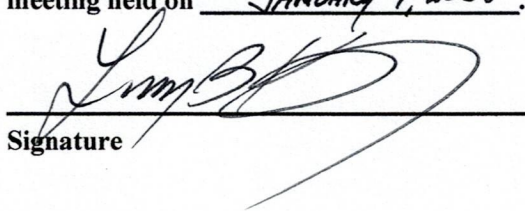
252 **ELEVENTH ORDER OF BUSINESS – Adjournment**

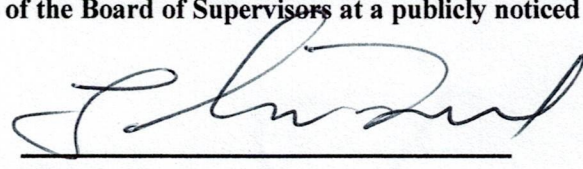
253 Mr. Krause asked for final questions, comments, or corrections before adjourning the meeting.
254 There being none, Mr. Daux made a motion to adjourn the meeting.

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

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

260 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
261 meeting held on JANUARY 9, 2023.

262 
263 _____
Signature



Signature

264

265 Larry B. Krause Jr.
Printed Name

John Daux
Printed Name

266
267 Title: ☒ Secretary ☐ Assistant Secretary

Title: ☒ Chairman ☐ Vice Chairman