

40 at the front entrance. Roadway issues have become litigious and proof of
41 compliance with guidelines must be in place to protect the CDD. Any
42 changes to the original plan would need to be supported by a study in order
43 to be certified. The Board's concern is pedestrian safety when drivers speed
44 through the gate with limited visibility. Board directed staff to close the
45 gates at all times.

46 On a MOTION by Mr. Auld, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board
47 ~~approved staff to obtain a traffic study related to speedbumps at the front gate, pending Chair~~
48 ~~approval, for an amount not to exceed \$7,500.00, authorized the Chair to approve a not to exceed~~
49 ~~of \$7,500 for a traffic study related to speed bumps at the front gate, for the Waterleaf Community~~
50 Development District.

51 Exhibit 13: Discussion on Landscape Maintenance of the Buffer Zones
52 *This item was discussed out of order.*

53 A wetland buffer area around Pond 15 is the only setback area owned by
54 CDD that abuts private property. The remainder of the setback areas are
55 privately owned. Ms. Stewart explained that developers typically plat
56 property to the wetland line itself, incorporating the setback areas to allow
57 maximize the space of the house. This places the majority of wetland buffer
58 zones in the yards of private properties within the District. Neither the CDD
59 nor the HOA have jurisdiction over wetlands or wetland setbacks, they are
60 strictly ruled and regulated by Hillsborough County Natural Resources
61 which includes the Hillsborough County Environmental Protection
62 Commission. The land development code outlines setbacks are to be left in
63 their natural condition, and this is supported by the SWFWMD permit.
64 Consensus was to take no action to maintain the setbacks on CDD-
65 maintained property based on those guidelines.

66 Regarding communication regarding the stabilization of pond berms and
67 best practices, the Board is waiting on a response from Brightview as to
68 what they can do further to inhibit erosion. The vendor did raise the mower
69 decks and along the waterlines they are not weed-whacking as often to allow
70 vegetation to fill out. The Reserve Study recommends inspecting ponds and
71 addressing erosion. It is anticipated that the Board will work closely with
72 Brightview and Sitex to come up with some solutions to address this. Ms.
73 Stewart also noted there appears to have been improvement in some of the
74 seeding and mulching products available. Ms. Lynch and Mr. Daux will
75 discuss existing and future erosion prevention around the ponds with Sitex
76 and Brightview.

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

78 1. Exhibit 1: Update on CDD Property Encroachment at Cinnamon Fern
79 Drive

80 The side easement between the lots are used to convey water from the street
81 to the pond. Fences inhibit the water flow. Homeowners with fences at the

82 rear on CDD property were directed to move the fences off the drainage
83 easement. The CDD doesn't review HOA ARBs. Fences and
84 corresponding landscaping will have to be moved at homeowner's expense,
85 but an extension can be granted. The concern with allowing private
86 property owners to fence off a portion of CDD property with the CDD's
87 knowledge is the potential for a prescriptive easement that could result in
88 some type of divesture of property ownership from the CDD. The concern
89 with the fence in the easement is a drainage easement function concern. If
90 the system is impacted will it cause flooding down the road – that would be
91 an engineering question. This is slightly different from the wall
92 maintenance discussed at previous meetings since there is no easement for
93 the wall, so the CDD maintains one side of the wall while the homeowner
94 is responsible for maintaining the other side. There are a couple of instances
95 of easement agreements between the CDD and private property owners that
96 allow the structure to remain on CDD property. If the Board wishes to allow
97 the fences to remain, then an easement agreement should be in place.

98 Ms. Borkert noted that the letter to the homeowner directs them to contact
99 the District Manager if they wish to request a time extension in order to
100 comply.

101 Mr. Auld opined that the Board should have considered an easement
102 agreement as an option for the homeowners who were previously asked to
103 remove fences that encroached on CDD property.

104 There would be an associated cost with preparing the documents and
105 recording costs.

106 Ms. Borkert noted the responsibility is on the property owner and property
107 owner's contractor to install the fence as per the plans on the private
108 property. There is case law saying that local governments cannot be held
109 liable and are not responsible for those types of planning and inspection
110 actions. She also noted that the previous property owners also had
111 hardscape, landscape, and irrigation that encroached CDD property and
112 were not given an easement agreement option which may prompt them to
113 seek legal recourse.

114 Mr. Daux stated the CDD has been consistent in the past with dealing with
115 CDD property encroachments in the past.

116 On a MOTION by Mr. Rojas, SECONDED by Mr. Auld, with Mr. Daux dissenting, the Board
117 approved District Counsel to draft an easement agreement allowing existing encroachments to
118 remain unchanged on CDD property, and to begin enforcing CDD property encroachments on a
119 go-forward basis, with all related costs being passed to the homeowner, for the Waterleaf
120 Community Development District.

- 121 C. District Manager – *Kyle Darin, Vesta District Services*
- 122 1. Exhibit 2: Update on Removing Field & Amenity Rental Fees
- 123 *This item was addressed under District Counsel’s Report.*
- 124 A footnote in the Field and Amenity Rates allows the Board to waive the
- 125 fees by a motion. The Supervisors stated this was approved at the last
- 126 meeting, recalling that Mr. Rojas had motioned, Mr. Auld had seconded,
- 127 and the motion was approved, with Mr. Daux and Mr. Crespo dissenting.
- 128 2. Discussion on Location for Summer CDD Meetings
- 129 *This item was addressed out of order, after Aquatic Report.*
- 130 If the library is not able to accommodate the CDD meeting due to summer
- 131 programs, staff will work on an alternate location.
- 132 D. Field Operations and Amenity Management – *Angie Lynch, Breeze*
- 133 1. Exhibit 3: Aquatic Report – *Sitex Aquatics*
- 134 Volunteer Pond Liaison, Mr. Almeida, stated pond appearance should
- 135 improve once it starts to rain again. Vendor treatments for nuisance
- 136 vegetation and algae continue.
- 137 Ms. Lynch added a service request to remove a net around the pond was
- 138 passed along to the aquatic team.
- 139 2. Exhibit 4: Landscape Report – *Brightview*
- 140 a. Exhibit 5: Consideration of Frost Aster Dr Shrub Replacement
- 141 Proposal - \$220.00
- 142 On a MOTION by Mr. Daux, SECONDED by Mr. Rojas, WITH ALL IN FAVOR, the Board

143 approved the Brightview proposal for Frost Aster Drive shrub replacement in the amount of

144 \$220.00, for the Waterleaf Community Development District.
- 145 3. Consideration of Volunteer Landscape Liaison Candidates
- 146 a. Paul Almeida
- 147 b. Robert Greaves
- 148 Board consensus was to appoint Paul Almeida as the volunteer
- 149 Landscape Liaison, for the Waterleaf Community Development
- 150 District. Ms. Lynch will forward the landscape scope of work to
- 151 Mr. Almeida.
- 152 4. Exhibit 6: Consideration of Galaxy Pro Paver, Pool Light, Railing and Auto
- 153 Refill Repair Proposal - \$6,245.00
- 154 Ms. Lynch distributed a proposal from USA Brick and Pavers for the pool
- 155 paver repair only.

156 On a MOTION by Mr. Auld, SECONDED by Mr. Daux, WITH ALL IN FAVOR, the Board
157 approved the Galaxy Pro proposal for the pool light, railing and auto refill repair only, in the
158 amount of \$1,245.00, and further approved the USA Brick and Pavers proposal for the paver
159 repairs in the amount of \$4,550.00, for the Waterleaf Community Development District.

160 5. Exhibit 7: Consideration of “No Smoking” Signage for Dog Park
161 Ms. Lynch noted this was in response to a complaint regarding cigarette
162 butts and related trash by the dog park and proposed obtaining two metal
163 sign one to be hung at each gate.

164 On a MOTION by Mr. Auld, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board
165 approved the purchase of “No Smoking” signs for the dog park in an amount not to exceed \$100,
166 for the Waterleaf Community Development District.

167 6. Update on TECO Lighting at Amenity Parking Lot
168 No update has been received from TECO on the request.

169 7. Exhibit 8: Update on Lights and Striping for Crosswalk
170 An initial quote came in at \$25,000, with two solar lights on 14-ft poles
171 accounting for \$9,000 and the balance for an extension of the concrete
172 sidewalk and striping. This item was tabled until the additional quotes are
173 available.

174 8. Update for Pool Monitor Duties Discussion
175 Consensus was that most of the duties for the pool monitors and JMAC
176 overlap. Cleaning and refreshing the restrooms would be added to the pool
177 monitors existing duties. Janitorial supplies would be additional cost to the
178 District.

179 On a MOTION by Mr. Daux, SECONDED by Mr. Crespo, WITH ALL IN FAVOR, the Board
180 approved staff to send the required notice to JMAC Property Service to terminate janitorial service,
181 and update the pool monitor duties to cleaning and refreshing the bathrooms, for the Waterleaf
182 Community Development District.

183 9. Exhibit 9: Review Existing Projects Status
184 Pothole Heroes will address the two potholes on Crossvine are scheduled
185 for Monday and the concrete work is scheduled for a little later.

186 E. Exhibit 10: Review of Outstanding Action Items
187 There being no discussion on this time, the next item followed.

188 **SIXTH ORDER OF BUSINESS – Budget Workshop**

189 A. Exhibit 11: Discussion on Operation & Maintenance Needs for FY 2024
190 The proposed budget did not contemplate a substantial contribution to the Reserve
191 Fund and the Reserve Fund was considered underfunded compared to the

192 recommendation in the 2020 Reserve Study. The Board also discussed the fund
193 allocation recommended in the Reserve Study was out-of-date. A new Reserve
194 Study was discussed along with increasing the proposed budget by \$35,000 for the
195 Capital Reserve Fund allocation. Curbs for the landscape borders were suggested
196 for consideration as a capital improvement.

197 **SEVENTH ORDER OF BUSINESS – Business Items**

198 On a MOTION by Mr. Daux, SECONDED by Mr. Rojas, WITH ALL IN FAVOR, the Board
199 approved staff to obtain an update for the Reserve Study in an amount not to exceed \$3,100, for
200 the Waterleaf Community Development District.

201 A. Update on Holiday Lighting Proposals – Chantilly Gamel-Rivera

202 Proposals have been requested for purchasing and installing CDD-owned lights, for
203 permanent lights, and for light rental and installation. One company that offers
204 year-round lights can provide a quote but will not be able to install until 2024. Most
205 companies will install client-owned products. Trimlight.com installs permanent
206 lights. Ms. Gamel-Rivera requested the dimensions of available storage. Brite
207 Nites and Mr. Christmas Holiday Home Lighting have also been contacted. Mr.
208 Darin suggested Illuminations Holiday Lighting as a possible permanent lighting
209 vendor.

210 B. Exhibit 12: Update for Discussion on Street Parking

211 In the Waterleaf CCRs street parking is permitted but it is not an absolute grant.
212 The HOA can have other restrictions in their design guidelines. The HOA attorney
213 agreed the HOA could accept a transfer of enforcement from the CDD and provided
214 a sample enforcement agreement.

215 Overnight parking passes could be handled by the HOA. Ms. Lynch added that
216 Breeze has implemented this type of policy in another district. The Board discussed
217 concerns regarding multi-car families. Mr. Auld will draft the design guidelines on
218 behalf of the HOA and review them with District Counsel prior to presenting to the
219 Board for consideration. The review will include review of requirements for
220 additional signage.

221 C. Exhibit 13: Discussion on Landscape Maintenance of the Buffer Zones

222 *This item was discussed out of order during District Engineer's Report.*

223 The Board reviewed the SWFWMD guidelines related to wetland and setback
224 maintenance. Consensus was to take no action to maintain the setbacks on CDD-
225 maintained property based on those guidelines.

226 D. Exhibit 14: Consideration and Adoption of Resolution 2023-03, Removing and
227 Appointing Secretary

228 On a MOTION by Mr. Daux, SECONDED by Mr. Rojas, WITH ALL IN FAVOR, the Board
229 adopted Resolution 2023-03, Appointing Mr. Darin as Secretary, for the Waterleaf Community
230 Development District.

- 231 E. Exhibit 15: Consideration and Adoption of Resolution 2023-04, Approving the FY
232 2024 Proposed Budget and Setting Public Hearing
233 The proposed budget was amended during the workshop to allocate \$35,000 to the
234 Capital Reserve Fund and \$3,100.

235 On a MOTION by Mr. Daux, SECONDED by Mr. Auld, WITH ALL IN FAVOR, the Board
236 adopted Resolution 2023-04, Approving the FY 2024 Proposed Budget and Setting the Public
237 Hearing for August 14, 2023, for the Waterleaf Community Development District.

238 **EIGHTH ORDER OF BUSINESS – Consent Agenda**

- 239 A. Exhibit 16: Consideration and Approval of the Minutes of the Board of Supervisors
240 Regular Meeting Held April 10, 2023
241 B. Exhibit 17: Consideration and Acceptance of the March 2023 Unaudited Financial
242 Report
243 C. Exhibit 18: Consideration and Acceptance of the April 2023 Operations and
244 Maintenance Expenditures
245 D. Exhibit 19: Consideration and Acceptance of Hillsborough County Supervisor of
246 Election’s Voter Count – 1,303

247 On a MOTION by Mr. Crespo, SECONDED by Mr. Rojas, WITH ALL IN FAVOR, the Board
248 approved the Consent Agenda as presented, for the Waterleaf Community Development District.

249 **EIGHTH ORDER OF BUSINESS – Audience Comments - New Business**

250 *(Limited to 3 minutes per individual for non-agenda items)*

251 Mr. Almeida asked about whether any funds were in a money market or similar savings
252 account.

253 Mr. McNellis asked for an update on the pond 5 erosion. Mr. Auld stated rain was needed
254 for the engineer to better evaluate the source. Brightview was directed to mow higher. Mr.
255 Daux will review that pond.

256 A resident noted people are releasing fish into the ponds, including Plecostomus which are
257 damaging the banks. Ms. Lynch was directed to touch base with Sitex regarding these fish.

258 A resident asked about how pool monitors are to be held accountable. Ms. Ciciora added
259 that the pool monitors appear to just be hanging out rather than fulfilling their duties. Mr.
260 Daux stated the company that manages them will be notified and requested to address it.
261 He also stated that if the Board is not satisfied they can request new pool monitors or solicit
262 a new vendor to provide that service.

263 Ms. Hawkins commented about the broken depth markers and enforcement of pool rules
264 by the pool monitors.

265 **NINTH ORDER OF BUSINESS – Supervisors Requests**

266 Mr. Daux requested Ms. Lynch inspect the playground shade sail.

267 Mr. Rojas requested staff report back to the Board regarding a Hillsborough County traffic
268 enforcement agreement.

269 **TENTH ORDER OF BUSINESS – Action Item Summary**

270 Following is a summary of the action items:

271 Auld

- 272 • Work on draft policy, then share with Borkert prior to presenting to CDD
- 273 BOS

274 Darin

- 275 • Communicate with homeowners encroaching on easement regarding
- 276 extension to correct
- 277 • Deliver 30 day notice to JMAC janitorial
- 278 • w/Borkert to look into HCSO Traffic Enforcement Agreement

279 Lynch

- 280 • Close gates during busy morning and evening times
- 281 • Conduct call with Sitex, Brightview and Chair to discuss mowing around
- 282 ponds
- 283 • w/Borkert – Communicate with homeowners encroaching on easement
- 284 regarding extension to correct
- 285 • Obtain proposals for crosswalk and curbing work in front of clubhouse

286 **ELEVENTH ORDER OF BUSINESS – Next Meeting Quorum Check**


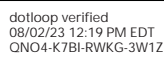
287 *Confirmation of Quorum for Next Meeting Scheduled for 5:30 p.m. on June 12, 2023, at the*
288 *Hillsborough County Library, Riverview (9951 Balm Riverview Road, Riverview, Florida)*

289 **TWELFTH ORDER OF BUSINESS – Adjournment**

290 On a MOTION by Mr. Crespo, SECONDED by Mr. Auld, WITH ALL IN FAVOR, the Board
291 adjourned the meeting at 8:11 p.m., for the Waterleaf Community Development District.

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

295 **Corrected meeting minutes were approved at a meeting by vote of the Board of Supervisors at**
296 **a publicly noticed meeting held on July 10, 2023**

297  

298 **Signature**

John Daux

Printed Name

299 **Title:** Chairman Vice Chairman



Signature

Kyle Darin

Printed Name

Title: Secretary Assistant Secretary