

**MINUTES OF MEETING  
AMELIA WALK COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Amelia Walk Community Development District was held Tuesday, May 21, 2019 at 2:00 p.m. at the offices of Compass Group, Inc., 961687 Gateway Boulevard, Suite 201K, Amelia Island, Florida 32034.

Present and constituting a quorum were:

Mike Taylor	Chairman
Gregg Kern	Vice Chairman
Rose Bock	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jennifer Erickson	Evergreen Lifestyles Management (by phone)
Jason Walters	District Counsel (by phone)
Dan McCranie	District Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Laughlin called the meeting to order at 2:09 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Buddy Price, 85037, Cherry Creek Drive, stated the budget for 2020 was not included in the agenda package or posted on the website so we haven't had a chance to review it. You need to make sure that gets out as quick as possible ahead of time. We do have a place for audience comments at the end of the meeting after all of the votes have taken place. Would it be possible to include with each voting item a short period of audience comments in the agenda?

Mr. Laughlin stated that's up the board. The audience comments section at the end of the agenda is a requirement in order to have a public meeting but it's always possible, time permitting, to have comments after certain sections.

Mr. Price stated just as long as we get a chance to speak before any vote takes place.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes**

**A. April 16, 2019 Meeting**

There were no comments on the minutes.

On MOTION by Ms. Bock seconded by Mr. Taylor with all in favor the Minutes of the April 16, 2019 meeting were approved.

**B. April 29, 2019 Continued Meeting**

There were no comments on the minutes.

On MOTION by Ms. Bock seconded by Mr. Kern with all in favor the Minutes of the April 29, 2019 continued meeting were approved.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-10,  
Approving the Proposed Budget for Fiscal  
Year 2020 and Setting a Public Hearing  
Date for Adoption**

Mr. Laughlin stated I made some changes recently after discussing the budget with board and staff. Right now the capital reserves are still at \$100,000. If we lower it too much more it's going to drop the assessments a lot and I don't feel comfortable lowering it too much because we might need those funds again in the future. We can bring those down to about \$74,000 and that would hold assessments to where they are currently.

Mr. Taylor asked so we're keeping the capital reserves intact and that can be used for capital projects and ongoing maintenance?

Mr. Laughlin stated correct. Currently we are proposing an annual increase of \$36. We could lower reserves if we're trying to keep assessments level.

Mr. Taylor stated I don't think we should lower reserves.

Ms. Bock stated I don't either.

Mr. Kern asked could you identify the other areas with increases?

Mr. Laughlin stated we had an increase in trustee fees due to the new bond issuances. We had a slight increase in attorney fees. A lot of these are projections of things that are going to be coming down the road. Printing and binding, we've had a lot recently due to the big packets we've had so that's a projection. These numbers can be moved around. What we're approving is the overall budget.

Mr. Kern stated so we want to set a higher number theoretically because once we set that we can't increase that any further but we can come down?

Mr. Laughlin stated correct, when we go to adopt we can lower what was approved but we cannot increase it.

Mr. Kern asked the landscaping budget number decreased?

Mr. Laughlin stated yes that's what we're projecting with the new contractor. I might potentially increase lake maintenance slightly and we can move funds from another item. Then we also have a little bit of refuse for new phases and the same with street lighting and electric. There's also an increase in irrigation repairs and we added extra landscaping for flowers and mulch.

Mr. Taylor asked the water and wastewater has gone down?

Mr. Laughlin stated yes that's what we've been trending. We could keep it level but you see what we're projecting for the end of the fiscal year. We're projecting \$54,000.

Mr. Taylor asked why has that gone down? We just had a conservative budget?

Mr. Laughlin stated yes that's a hard one to nail down; same with repairs and replacements. I guess we've just been water conscious recently.

Ms. Erickson stated plus we don't have that ongoing lake that we did in the 2017/2018 budget.

Mr. Taylor asked are you okay with the holiday budget of \$1,000, Jen?

Ms. Erickson stated yes. My only concern with the holiday budget is a lot of residents want a higher end company to come in and do a formal design but those cost at least \$4,000 to have those. If we do \$1,000 that gives us just enough to put what we already have up and keep it where it is.

Mr. Laughlin stated we could move a few thousand from the capital reserves to that line if you would like.

Ms. Bock asked what's the lease?

Mr. Laughlin stated the lease is for the new gym equipment.

Mr. Kern asked should we identify that as fitness lease?

Mr. Laughlin stated yes those descriptions are easy to change.

Mr. Kern stated on the reserves we have two categories listed: road maintenance reserves and capital reserves. Is there a reason we need to have them separate and identified?

Mr. Laughlin stated no we can remove that road maintenance portion. That was really just to keep easier track because we had talked about that last year. We can keep it all in capital.

Mr. Kern stated yes we'd like to have the ability to utilize those capital reserves on roads or the facility. Once we get through this facility project I don't foresee a lot of other reserve needs so the main one will probably be the roads.

Mr. Taylor stated so it looks like on roll net assessments are \$248,000 and off roll are \$400,000.

Mr. Laughlin stated and this will change the off roll.

Mr. Kern stated maybe it would be helpful for us and for residents that are here today to explain the on roll versus off roll.

Mr. Laughlin stated you have a total of 749 units so essentially once we find our total revenues and expenses the expenses are split between the 749 units. What is on roll are the residents that live there and that goes through the county to be collected and they charge a 7% fee for doing this. The off roll this is what we call a direct bill and we're essentially billing the developer directly and this includes lands that have not been developed yet, future platted lands. By doing it off roll as opposed to on roll it saves that money that would be going to the county.

Mr. Kern stated so it would be fair to say the resident contribution is \$250,000 and the developer's contribution on the undeveloped land is \$400,000.

Mr. Laughlin stated correct. Once the entire development is built out and the neighborhood is full of residents that number is going to be just the on roll.

Mr. Kern asked with the new phases and future phases are those roads a full lift?

Mr. McCranie stated they are all 1.5 inches.

Mr. Kern stated okay so we won't have a second lift then, we will just do reserves for the 20-year lifespan or whatever it is.

Mr. Taylor stated for the residents in the room we had a larger increase from 2018-2019 and this year it looks like it's only a 4% increase over last year's budget.

Mr. Kern asked how does that compare to some other districts you're familiar with?

Mr. Laughlin stated \$36 a year is a very low increase. Already sitting at \$930 is on the lower end of other districts I deal with so it's pretty normal. Hopefully with building a healthy reserves we can keep it level for a couple of years.

Mr. Taylor stated from here we approved the budget, it will go through a series of meetings going forward, it can't go up, it can only go down if we choose to do so.

Mr. Laughlin stated currently I have our August 20<sup>th</sup> meeting as the suggested adoption date. It has to be done before September 15<sup>th</sup> but we do have to wait 60 days between approval and adoption.

Mr. Kern stated I think our new landscape contract anticipated having phase three online.

Ms. Erickson stated yes that is correct.

Mr. Laughlin stated we also have these landscape extras included too so it will be nice to catch anything there.

Mr. Taylor stated we have irrigation repairs at \$6,000. Do you think that's adequate, Jen?

Ms. Erickson stated we might need to add just a little bit to it just because some of the stuff is getting older. We're redoing the clock now but there are some other things that could go wrong this year so I would bump it up just a little bit, even if it were only \$500 just to give it a little bit more space.

Mr. Kern asked what happens if we're over budget?

Mr. Laughlin stated the individual line items could go over because at the end of the year we could do a budget amendment to move money from one line item to another.

Mr. Kern stated until there's nowhere else to move it from.

Mr. Laughlin stated correct. If it gets to where the full collected amount is insufficient there is a deficit agreement with the developer so the developer would then pay for whatever we've gone over.

Mr. Taylor asked so if the board chooses to increase some line items here is that feasible?

Mr. Laughlin stated yes the main thing we want to set now is the overall per unit net collected assessment. It's not as important that we get each single line item right. We can move

from one to the other after we do this approval, we just can't increase that overall number after today. Going forward we can move money between the line items.

Mr. Taylor stated I think we need to increase the irrigation repairs and we also need to increase the holiday decorations because we will have a new clubhouse and I assume the residents would like that to look nice throughout the year. I would say \$7,500 on the irrigation repairs and probably \$3,000 on the decorations.

Mr. Kern asked does the HOA participate in the decorations at all?

Ms. Erickson stated there are no events for the HOA but there is a contingency of up to \$1,000 and we have used that the last two years to help out with the Christmas decorations.

Mr. Taylor asked could we combine holiday decorations and special events? It's one in the same, right?

Mr. Laughlin stated some districts don't even have a decorations line item and it will usually come out of special events if that's the case.

Mr. Taylor stated then I think we combine those two items and make it an even \$10,000. Does that irrigation thing seem right to you, Gregg?

Mr. Kern stated it's hard to say. Jen just brought to my attention this week an issue with the irrigation controller, the clock itself that controls from Cherry Creek all the way to the amenity center so I think it's critical and we need to replace that but that's a cost you're going to take in this fiscal year, not next year. I don't know how to anticipate what our irrigation repairs are going to be. Presumably if you have new clocks repairs are more people running over heads and such.

Mr. Laughlin stated with the new numbers the increase would go from 4% to 5% at \$44 annually.

Mr. Taylor stated for the residents behind me, we're going to make a motion to approve this budget so I'll open the floor at three minutes per person for questions and comments.

Mr. Buddy Price, 85037 Cherry Creek Drive, stated I noticed the trustee fees went up 33%, the attorney fees went up 22% and the legal advertising at about 45%. I'd like to know what trustee fees are and why we expect them to go up 33%. Also why do we expect legal advertising to go up 45%?

Mr. Laughlin stated that's due to the bond issuance. The trustee handles all of the bond money and accounts. Since there have been new bonds issued that is the increase. That also

translates to the increase in the attorney fees with them doing more work with that, and the legal advertisements are very large ads for public hearings.

Mr. Price asked so it has to do with the bonds primarily?

Mr. Laughlin state yes.

Mr. Price stated I did notice that we have a budget of \$35,280 for the amenity attendant. What is that?

Mr. Laughlin stated that would be the onsite staff.

Mr. Erickson stated correct. Other than during the renovations we have someone onsite and that includes someone to look after the pool or whatever needs to be done during business hours.

Mr. Laughlin asked is that you primarily, Jen?

Ms. Erickson stated yes.

Mr. Kern stated yes it's been defined as amenity attendant that the district has contracted with Evergreen Lifestyle Management who will provide someone to monitor the facility and I guess that includes the maintenance of it.

Mr. Laughlin stated yes they will typically do things like pick up trash and such.

Mr. Price asked could we possibly get the hours posted of when they're going to be there?

Mr. Laughlin stated yes I'll get with Jen on that.

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor resolution 2019-10, approving the proposed budget for fiscal year 2020 and setting the public hearing date for adoption as August 20, 2019 at 2:00 p.m. was approved.

## **FIFTH ORDER OF BUSINESS**

### **Consideration of Resolution 2019-11, Authorizing the HOA to Enforce Parking Restrictions**

Mr. Walters stated we've had some discussions regarding parking enforcement and you've seen the outline of restricted areas and what we would consider no parking zones. With discussions with the HOA they have some more leeway in authority and enforcing some of the parking throughout the community and in order to do so they are seeking from us a resolution authorizing them to do so on District-owned streets so that is the purpose of the resolution is to

authorize the HOA to begin those enforcement proceedings in conformance with their covenants and restrictions and to formally adopt and provide them with that no parking area description and depiction for their use.

Mr. Taylor stated I don't see it in the packet. Did you have the resolution drafted, Jason?

Mr. Walters stated I did and I distributed it. I was hoping it would be brought to the meeting.

Mr. Laughlin stated I do not see it.

Mr. Walters stated if you'd like to authorize the chair in final review of that resolution I'll make sure it's circulated to him and any other board members but if you could authorize the chair to sign that resolution and convey it to the HOA we will get that ready.

A resident asked is it on the website?

Mr. Kern stated the map is right here. The resolution is as Jason just explained. The critical part is the map if we're all in agreement. If you recall at previous meetings we asked the district engineer to prepare the map and we've gone through a round of comments so this map addresses any area in front of a fire hydrant, 15 feet before and after the fire hydrants, 60 feet after and intersection and 85 feet before an intersection. I think it's a pretty comprehensive map based on the resident's request and the comments we had.

Mr. McCranie stated it's also based specifically on FDOT's standards for parking requirements and then NFPA, National Fire Protection Association for parking around fire hydrants.

A resident stated if you live in the neighborhood either park in your driveway or garage, not on the street. What can you do to enforce that?

Mr. Taylor stated that's what this resolution will provide. It's going to authorize the HOA to enforce the restrictions that are in the covenants and restrictions as well as this new map.

A resident asked how will they enforce it? Say no you can't and then they still do it?

Mr. Kern stated the resolution sets forth the ability to fine initially and it's a little bit more strenuous when you get into the ability to tow. I worked with the HOA and district counsel and the quickest action to take was to go ahead and give the authority to fine for violating the parking restrictions per the guidelines and now this potentially adopted map.



Mr. Walters stated it would be similar to any other violation of covenants. If you were to not maintain the yard they could levy fines against that property owner and it's the same concepts for illegal parking. Unfortunately the district does not have that authority; our authority starts with the towing, although we have the option to move in that direction if this isn't successful in curbing the parking problem. The HOA will have that ability to both fine and lien the property if those fines are unpaid, which should be a pretty strong enforcement arm.

A resident asked what about the 85 feet rule? Is that enforced now?

Mr. Kern stated only if this is adopted.

Mr. Taylor stated we had to have the district engineer prepare a study and map that the HOA will enforce.

A resident asked how much is the fine?

Mr. Taylor stated I don't have that off the top of my head.

A resident asked and there is a lien after a fine?

Mr. Taylor stated it goes through state statute of how you can impose a lien, yes.

Mr. Kern stated I believe the HOA has a fining committee so that's where, as Jason mentioned, the district doesn't have the ability to do that but the HOA does so there's a process where as mentioned if you don't mow the yard you get a notice and then a fine. Jen can probably speak to the process better than any of us.

A resident stated evidently that hasn't happened in the past because the same people parking the street day in and day out.

Mr. Kern stated because we don't have the map adopted yet with the new restricted areas. Based on resident feedback we looked to create a restricted parking map and that's what we've done and now the HOA will be able to enforce that map.

A resident asked how long should that take?

Mr. Kern stated I think as soon as we adopt this resolution, if we do, it becomes enforceable and the HOA can then start enforcing this.

Mr. Walters stated that's correct. It's up to them to being the enforcement procedures and the outline of how they go about doing that but they wanted this resolution authorizing them to do so.

A resident asked who is the enforcer?

Mr. Kern stated the HOA, Evergreen Lifestyles Management.

A resident asked is someone riding around looking for people parking like that?

Mr. Kern stated or upon notice from a homeowner.

Mr. Taylor stated part of Evergreen, which is the property manager of record for Amelia Walk is serving the residents of the community. Jen is the representative of Evergreen. We are the CDD board so there are two boards within Amelia Walk. If there is an issue related to parking, trash, non-compliance issues with landscaping it all goes to Evergreen and then it goes back to the HOA board for enforcement and they meet monthly or as needed.

Ms. Laura Taylor, 85044 Babcock Court, asked is the parking an overnight situation or just in general? Is parking going to be enforced all day long?

Mr. Taylor stated this map shows restricted areas, which you cannot park in.

A resident stated there are some very specific distances set in this of 15, 65 and 85 feet. I don't know what the plan to mark those points is. Certainly I don't want more signs planted in front of people's houses. I don't know if there is intent to paint the streets or curbs or some mechanism to let people know where these points are so they don't inadvertently offend anybody so that needs to be resolved by whoever is enforcing this.

Mr. Kern stated I think it's a worthwhile discussion that there is going to be a cost there so I think as a district we need to understand what our willingness to participate in that is and frankly where that's funded from. If we have to paint all of these restricted areas on the curbs I don't know that the HOA is going to have the ability to perform that work and maintain it so there is some initial cost and some operating costs. We may be somewhat required to post signage.

Ms. Bock asked won't the HOA meet before we meet again? If we could be sure they would meet and talk about this and if they've got any issues that they feel they can't support like buying the paint or paying for the curbs to be painted then we need to talk about it next month so we keep this rolling.

Mr. Taylor stated okay sounds good.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor authorizing the chair to work with staff and execute resolution 2019-11 approved.
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Mr. Laughlin stated before we go into staff reports I wanted to add something that counsel caught. We wanted to discuss the authorization of phase V RFP. We have to have the board authorize it to even start the process.

Mr. Walters stated we've gone through this several times in the past but if you recall we did issue the bonds for the funding of the project so all of that has already been approved and the funding is in place. My understanding is that all of the engineering and permitting is complete as well so this is just the kick off point and we will be back to the board on this but this is just so we can put the notice out there and start the process, which we will generate in the next 60-90 days. We will advertise for the project and competitively solicit that project as we've done in the past. At this point you're just authorizing staff to issue that RFP and the second page is scoring and this is in conformance with what we've used in the past. We send that out to perspective bidders.

Mr. McCranie stated I read the RFP and I'd like you to ask for it to be done in substantial form because there are small changes that need to be made, such as my address, how many sets I want to ask for from each bidder and where we are going to find the plans that I want to be able to modify.

Mr. Walters stated the RFP notice is in substantial form.

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor the evaluation criteria to be used in an RFP for Phase V was approved with staff authorized to issue the RFP.

## **SIXTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. District Counsel**

There being none, the next item followed.

#### **B. District Engineer**

Mr. McCranie stated you have requisition numbers 38 and 39 that have already been submitted to the trustee. Number 38 was to Onsite Industries for \$6,348.42 for mailboxes and number 39 was for Micamy Design for \$69,348.87 for furniture for the amenity center. We got those approved and paid so that they could order the furniture to avoid any potential delays. We would like those two to be ratified.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor requisition numbers 38 and 39 were ratified.

Mr. McCranie stated then we have requisition number 40 and the companion requisition is number 11. That is for the phase four construction, the Earthworks draw numbers 7 and 8. Number 40 is for \$299,453.41 and requisition number 11 is \$125,906.55, which represents 70.4% and 29.6% of their overall draws.

Mr. Taylor asked what percent do you think they are complete right now?

Mr. McCranie stated it's hard to say overall. Earthwork-wise they are 90% or more done. Water and sewer they are at 20-30% overall. It looks to be on schedule. We have a meeting coming up on Thursday and I can get a better sense.

Mr. Taylor asked and we're holding back retainage?

Mr. McCranie stated yes we have a 10% retainage.

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor requisition numbers 40 and 11 were approved.

Mr. McCranie stated I have requisition number 12 for Hopping, Green & Sams for \$920 and that is legal services specific to phases 4B and 5, which is assessment area 3B.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor requisition number 12 as approved.

Mr. McCranie stated I have a final request, which is brand new. Marand Builders has submitted an invoice for their deposit. They are the ones doing the renovation. It is for \$6,520 and it will be requisition number 41. I'd like to be able to process it, have Daniel sign it and get it ratified at the next meeting or it can be approved here. I don't want to wait and pay them a month and a half from now. It's a deposit invoice.

On MOTION by Mr. Kern seconded by Ms. Bock with all in favor requisition number 41 was approved.

**C. District Manager - Report on the Number of Registered Voters (476)**

Mr. Laughlin stated there are currently 476 voters within the district.

A resident asked why was that requested?

Mr. Laughlin stated it's required.

**D. Community Manager - Report**

Ms. Erickson stated the fountains have been reprogrammed because the timers were off, locks were installed for the renovation and the irrigation clock has been ordered and until it comes in we have the landscape company doing manual watering. We have some monument repairs, for which you should have proposals before you. The first is from H.D. Handyman Services. To do the pressure washing, painting and labor for the monument it's going to be a total of \$1,600. My concern is they don't have the high value insurance. You also have a proposal from La Mancha for pressure washing, they are going to do the repairs to the few boards that need to be replaced because they're dry-rotted and the painting for a total of \$7,600. That's to bring them up to looking like they're new again. La Mancha also did several other proposals for other things that they say need to be painted and cleaned within the community, including the pergolas at the twin ponds, the garbage area and the front light house. That would include all of the pressure washing of the brick and repaint anything that's needed to bring it up to looking like they're new as well.

Mr. Taylor asked do we have a different color on the exterior of the clubhouse building coming?

Mr. Kern stated yes. The designer selected new colors given that the building is going to be completely repainted.

Mr. Taylor stated so our current scheme of the entry monument is similar to our clubhouse today, right?

Mr. Kern stated I think it's pretty neutral.

Ms. Erickson stated it's beige/yellow.

Mr. Taylor stated so we could update the clubhouse and continue the same color on the monument.

Mr. Kern stated if you wanted to yeah. I'm assuming it doesn't matter what color you select, this is just a proposal for the labor. Personally I think there's a need for a lot of the repairs listed here above and beyond just pressure washing and painting. There are going to be some trim boards that need to be replaced and stuff like that so the La Mancha one seems a

little more comprehensive, although it is significantly more it seems to capture more scope of work too.

Mr. Taylor asked have you worked with them before?

Ms. Erickson stated yes. The reason their's is more expensive is because they're going to replace any dry rotted boards and any trim that needs to be replaced. H.D. Handyman Services said that would be something they would have to bill after they started the work because they'd have to pull any boards that were rotten and he said it could be upwards of \$600-700 in addition to replace any boards that need to be done.

Mr. Kern stated that one just states six monuments, this other one states nine monuments, two pergolas, two signs at the back, a garage container and then the lighthouse at the front.

Mr. Taylor asked did La Mancha give you a timeframe to be completed?

Ms. Erickson stated I need to give him seven days notice and he could have everything done within 30 days of that notice.

Mr. Taylor asked how are we going to pay for it?

Mr. Laughlin stated if everything goes well with the pool there should be a little left in the capital reserves so we could use that. The pool resurfacing was \$85,000 or so and that leaves us with \$15,000 as long as nothing goes wrong with the pool.

Mr. Taylor stated I'd like to coordiante with staff on the colors because if we're updating the clubhouse it might make sense to do a cohesive color scheme but if it's neutral and we don't think it's needed we can do the clubhouse one color and leave the monuments the same color as they are now.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor La Mancha's proposal for pressure washing, repairs and painting of various items throughout the community was approved at an amount not to exceed \$7,600 with Mr. Kern authorized to work with staff on coordinating a color scheme.

Ms. Erickson stated the easement project that I've been working on I've contacted all of the residents who live on easements and I've only gotten one agreement to do so with a request that the land was cleared, releveled, filled in with dirt, and they would irrigate it. I've gotten six definitive nos, one maybe and the others have not gotten back to me.

Mr. Taylor stated to be clear for everybody in the room we asked staff to go back to each of the residents that have an easement between the adjoining parties that have no grass and I think the board recommended we would install sod if the residents on each side of the property line would irrigate and she's saying only one has agreed to do that. My recommendation is if they're not going to irrigate it there's no sense in putting grass there.

Mr. Kern stated at least no sense in putting grass that needs irrigation.

Ms. Erickson stated right, I would suggest bahia.

Mr. Taylor stated if we go bahia we have to get the residents to recognize that the grass will grow into their yard and we have no responsibility for that to happen.

Ms. Erickson stated my only concern is right now it's dirt and weeds and we're paying the landscape company to tend to those and basically all they're doing is distributing dirt when they're mowing.

Mr. Taylor asked are we putting any bahia back in the next phase's ponds?

Mr. Kern stated yes we will be sodding pond banks and stabilizing the right of ways.

Mr. McCranie stated I will have to look back at what grass they're using.

Mr. Kern stated they will roll it out with bahia. I think it's probably just as well if we want to go that direction we just ask our landscape contractor to give us a proposal to install bahia in those tracts.

Mr. Taylor stated okay I recommend getting a proposal for that.

Ms. Bock asked and then would you have Jen go back to those homeowners?

Mr. Taylor stated yes and have them sign something that says this grass is not going to be irrigated.

Ms. Bock stated I wonder what they think is going to happen next. We certainly can't water it.

Mr. Taylor stated no we can't.

Mr. Kern stated I know there's at least one resident on Majestic Walk where the homebuilder sodded the tract and they irrigate it.

Ms. Bock stated in my neighborhood, which is a CDD, we have all kinds of easements and I'm not even sure people recognize what it is because they got grass at the same time. They just think it's a bigger yard.

Mr. Taylor stated we will direct staff to get a proposal for bahia sod with no irrigation and the board will make a decision at the next meeting.

**SEVENTH ORDER OF BUSINESS****Supervisors' Requests and Audience Comments****Supervisor's Requests**

Mr. Kern stated today I received an update from our pool contractor. They've chipped the pool, put a new surface on the top, not the final surface but a new surface, chipped all the tile and all of the new tile is installed now. I think he's on the schedule this week to spray it but what they identified in the process was that three out of our six lights are burnt out and full of water so he gave me a proposal to one, replace the three lights, or two, replace all six lights with LED fixtures. They're currently incandescent bulbs so it's \$2,500 for three incandescent fixtures just to fix the broken ones, or it's \$5,200 to do all six in LEDs. I don't have it with me today but given the timeframe they need to do that before they do the final coat so I wanted to pitch it to the board and get approval to move forward with that.

Mr. Taylor stated I think you should do all six.

Ms. Bock stated yes.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor replacing all six pool lights with LED fixtures was approved in an amount not to exceed \$6,000.

**Audience Comments**

Mr. Paul Geiger, 85493 Berryessa Way, stated last October I came to the CDD meeting and stated that the curb in front of my driveway had been broken up and at the Calumet/Berryessa intersection we had a depression. That depression has now gone down another two inches and the asphalt is cracking all the way around that. Dan came out and talked to the contractor and he told them sometime in phase four they were to come out and redo that but it's sinking rapidly. The other thing is Dan had them repair the cracks on the curb and I've sent you pictures, Mike. That repair has broken and cracked and it needs more of a permanent fix but the main thing is I don't know whether the sewer problem that we had earlier is adding to the sinking of the road but it's getting worse since October.



Mr. McCranie stated we are about to go and ask for the change order for Earthworks to do it now so we are in that process. We anticipated that we were going to do that as part of phase three but we didn't get it done so now we're making sure it's part of phase four when they come and pave.

Mr. Geiger asked and the curb?

Mr. McCranie stated I'll have to look at yours and then I'll come back to the board with my findings on your driveway.

Mr. Kern stated the work at least included the broken inlets. We will look at the detail and if we need to include something additional to address that but I think it did include a lot of the damaged curb in that intersection.

Mr. McCranie stated these pictures right here depict his actual driveway away from the intersection. I will go out there, look at it and verify it and I think we can come up with a better solution.

Mr. Taylor asked are trucks turning around in your driveway?

Mr. Geiger stated they aren't now since they stopped phase three. The concrete dump they pretty much moved everything down a ways. The day before yesterday we did have one concrete truck dump in there and they still haven't cleaned it all the way out but we don't have all of the concrete trucks now and they moved the other stuff so thank you very much for doing that.

Mr. Richard Phillip, 85032 Williston Court, stated I heard a couple of comments today about the maintenance on the lawn service here. One from the chairman was said about grass growing into another yard. Just today this happened; there's a mower that goes around and cuts the common grass, it's one of these zero turn mowers and he's not keeping his cover over his shoot and he's throwing debris up on our patio and I'm afraid he's going to throw a rock through one of our windows one time, plus there are kids in the back yard and he comes by faster than most cars are driving on the street so is there any way something could be said to these people?

Mr. Taylor asked Jen, can you check with the mowing people and make sure they're not dispersing trash and debris when they cut?

Ms. Erickson stated absolutely.

Mr. Buddy Price, 85037 Cherry Creek Drive, stated I have pondered the substantial increases in attorney and trustee fees and all and the answer was because of the new bonds for phase four and the upcoming phase five so the question is why are current residents paying for all of the bond issue for all of this future stuff? We paid for our bond issues way back in. Why is that not coming out of the bond money? It seems like we're subsidizing the developer here. I did notice on the website that seat four is vacant now and that was one of the resident board members. What are the plans by the board to fill that?

Mr. Taylor stated yes we had one board member that was elected, he came to one meeting and then resigned just recently so we are going to fill that seat again.

Mr. Laughlin stated I will have Jen notify the residents of the opening.

Mr. Price stated there are a lot of new residents that might be interested in that position so I would suggest republishing and getting additional resumes.

Mr. Taylor stated that was the intent when I heard he resigned. I wanted to get additional resumes before we made a recommendation.

Ms. Connie Phillip, 85032 Williston Court, stated our circle is just about done with construction and the house that is just getting done is getting their driveway done by pavers. It's not ready yet but we have a cockeyed pole. I don't know if it's better to fix that before his driveway gets put in or if that's something we can do later.

Mr. Laughlin asked is that a streetlight?

Ms. Phillips stated yes.

Mr. Laughlin stated that would be FPL.

Mr. Red Jentz, 85051 Bistineau Court, stated the other week my wife and I were walking down Champlain towards the new section right past Williston and on the right hand side there is a huge hole between where the curb is and she sprained her ankle and hurt herself. Who do we bring that to?

Mr. Taylor stated I think the first line of notice would be to Jen, she's the resident manager for the community. She was out last week on a personal matter but she's back.

Mr. Jentz stated we will get a picture and an email to you.

Mr. Taylor stated right and she will route it to the right person within either the CDD or the HOA.

Ms. Erickson stated just to let you know, that's on schedule to be repaired Friday.

Mr. Jentz stated the second thing has to do with keeping things on track. Dan the engineer did a great job but I'm just thinking there's got to be a better way to approve these checks. If it's in budget and the budget has been approved and he's the project manager why is he having to get a check approved for Marand to keep things on track?

Mr. Laughlin stated this is for bond money. What we just approved was the budget for the operations and maintenance; that has nothing to do with the projects that are happening. That's coming out of the bond issuance money.

Mr. Taylor stated capital improvements have to be approved.

Mr. Jentz asked so it's because it's the funding source?

Mr. Laughlin stated yes I believe the trustee requires certain steps be taken.

Mr. Jentz asked how do we change that? Is that federal or state? I work in private business and even if it was over 10% in order to keep the project on track we'd say the project manager or whoever was doing the purchasing could make that decision.

Mr. Laughlin stated we can actually ratify as opposed to approving, which we did today, so if it is an urgent matter Dan can write up the requisition and we can essentially get it approved and then it will come to the board to ratify it.

Mr. McCranie stated I typically don't have an issue and that's why were able to ratify those two because either I'm told they're critical or I can check and see that they are critical. Otherwise we are on a schedule and I have the contractors give it to me on a specific timeframe so I can back to here and they know it's a 30-day process for them to get paid. It's a process and we don't mind it. We know the game.

Ms. Bock stated it's all public record because everything has to be out in the open so it's in the minutes and it's on your website as soon as we approve the minutes. It seems like we're dragging a bunch of stuff but it's just the way it is.

Mr. Jentz stated I'm not saying that I'm just saying if I was the contractor I'd want to get paid and if we want to keep things on track they have the prerogative to stop working if they're not paid.

Mr. Kern stated that's why Dan and I coordinated on that Marand one to make sure we're making our payments so we don't run into that. We try and proactively account for those things and do them ahead of time.

Ms. Bock stated any time you see something that would make us better that we can control, please bring it up.

Mr. Jentz stated I think you could probably change that somehow. On the pool again, sore subject and all, but the last time we talked about having a schedule published. Is something like that going to happen that shows us what the critical path items are and when they're going to get done?

Mr. Laughlin stated I believe the amenity clubhouse schedule is on the website. I had Mr. Lewis reach out to me.

Mr. Kern stated yes I provided the schedule to staff for the amenity project. The pool itself we didn't have a detailed schedule provided it was really just a duration that was stated.

Mr. Jentz stated I think we ought to have a critical path schedule.

Mr. Kern stated the amenity center does have that.

Mr. Jentz asked did the trusses get ordered and delivered and all that?

Mr. Kern stated they were ordered. We're waiting on them. They're still a critical path item.

Mr. Jentz asked when are we looking at being able to use the facilities?

Mr. Kern stated we're in the beginning but we're still on schedule now.

Mr. Jentz asked for July?

Mr. Kern stated I don't feel comfortable stating an exact date but the schedule is available on the website. The pool is on or ahead of schedule given where they're at today. I looked at it today and there is currently still portions of the facility that are available like the tennis courts and playgrounds and we will continue to maintain as much as we can and I think if the pool finishes early there might be an opportunity to isolate the pool and bathrooms and everything we need for the Department of Health to open the pool but we're just going to have to monitor that and look at it when we get there.

Mr. Frank Santorelli, 85051 Williston Court, stated I had sent pictures to Jen regarding puddling of water in front of my house. She said the engineer would come over and look. Did you get a chance to?

Mr. McCranie stated I saw the pictures but I haven't been able to go. I want to wait for another rain. I can tell you from the pictures all of that is within tolerance because while it's

water the gutter grades in that gutter is going to be a .3% so it's nearly flat and it will slowly flow.

Mr. Santorelli asked is that comparative to the other gutters not the case? Mine is puddled and theirs is not so the grade tolerance or whatever it might be needs to be corrected.

Mr. McCranie stated I don't see us doing that but I will look again. I can bring back to the board what it would cost but in order to make that type of repair you'd have to rip up all of the curbing, rip up the road, repave the road, redo the curbing with different grades and it would be a massive project to try to change what's there now.

Mr. Kern stated in the past I've been successful with small issues where it's not a valley with either building up or grinding down. Maybe there's just a random high spot that can come down.

Mr. McCranie stated I can certainly look at those options but it appeared as if there were smaller areas of two and three feet that would hold water.

Mr. Kern stated and maybe downstream there's a gutter buddy.

Mr. McCranie stated I will certainly have a report because I will be going out there to check Mr. Geiger's driveway as well so I will have a report back to you at the last meeting.

Mr. Dale Lewis, 85584 Berryessa Way, stated the cul-de-sac on Calumet we've brought this up maybe a month ago has got to be cleaned up.

Mr. Taylor asked are you talking about where the sidewalk issue is?

Mr. Lewis stated the side where the sidewalk isn't. It would be nice to have the sidewalk continue all the way around. The grass doesn't get cut in there, there are trees that have been growing over so they should be trimmed back, it should just be tidied up.

Mr. Taylor stated I think the board authorized a sidewalk to be done and I think we're coordinating it to be efficiently priced out.

Mr. Lewis stated I don't think Trim All gets over in that area.

Mr. Taylor stated that's the first I've heard of the landscape. Can you look at that, Jen?

Ms. Erickson stated yes.

Mr. Kern stated Dan, I think you did a detail for that sidewalk with the grades and everything so just an update on that, I asked the contractor for the amenity facility because he's got a little bit of concrete work and hardscape stuff to price that for me. The other alternative

would be to have our site contractor for phase four so whoever can do it at a competitive price and the fastest we will have them do it.

A resident asked is the sidewalk going to continue all the way around?

Mr. Taylor stated we previously approved it to go all the way around.

**EIGHTH ORDER OF BUSINESS**

**Financial Reports**

**A. Balance Sheet & Income Statement**

**B. Assessment Receipts Schedule**

**C. Approval of Check Registers**

Mr. Laughlin stated the check register is for \$63,970.70 and that includes the 50% payment for the pool resurfacing.

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor the check register was approved.

**NINTH ORDER OF BUSINESS**

**Next Scheduled Meeting**

Mr. Laughlin stated are next meeting is scheduled for June 18<sup>th</sup> at 2:00 here at the offices of Compass Group.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Kern seconded by Ms. Bock with all in favor the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman