

**MINUTES OF MEETING
GRAND HAVEN
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, June 19, 2014 at 9:30 a.m.**, in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting were:

Dr. Stephen Davidson	Chair
Peter Chiodo	Vice Chair
Marie Gaeta	Assistant Secretary
Tom Lawrence	Assistant Secretary
Raymond Smith	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Rick Woodville	Wrathell, Hunt and Associates, LLC
Howard McGaffney	Wrathell, Hunt and Associates, LLC
Scott Clark	District Counsel
Jim Sullivan	District Engineer
Barry Kloptosky	Field Operations Manager
Victoria Kane	CDD Office Staff
Robert Ross	Vesta/AMG
Roy Deary	Vesta/AMG
Rick Staly	Flagler County Undersheriff
Jim Gallo	Resident
Chip Howden	Resident
Vic Natiello	Resident
Bob Olsen	Resident
Sara Lockhart	Resident
David Alfin	Resident
Janet Ward	Resident
Pat Maloney	Resident
Vic Natiello	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the meeting to order at 9:36 a.m., and noted, for the record, that all Supervisors were present, in person.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

PUBLIC COMMENTS *(3-Minute Rule; Non-Agenda Items)*

Mr. Wrathell called Mr. Jim Gallo, a resident, to speak. Mr. Gallo indicated that his matters relate to an agenda item.

Mr. Vic Natiello, a resident, recalled that the District previously spent time determining fair market values for leases related to issuance of gate access devices (GADs) and smart amenity access cards (SAACs). He advised that the data is available for use and, in order to avoid an implication of bias, the District should run reports annually to determine the findings.

Supervisor Davidson indicated that Ms. Kane will present the compiled data later in the meeting.

Mr. Bob Olsen, a resident, referred to Tract K, which is south of the golf club and behind the CDD-owned public parking lot. He stated that the southeast portion of Tract K abuts the condominium driveway, with the far portion entering into the condominium area. Mr. Olson surmised that Tract K was originally part of the golf course property but boundaries were moved, creating a piece of property that has no access points, other than driving through the parking lot. He discussed the plan of Mr. Jim Cullis, of Grand Haven Realty, to access Tract K through the condominium parking lot and asked who has rights, the condominium owners or Mr. Cullis. Mr. Olsen felt that the Board should disallow the easement requested by Mr. Cullis and urge him to “give” the property to the CDD or the golf course.

Mr. Chip Howden, a resident, recalled previous comments regarding the pond bank erosion issue. He stated that he is pursuing this matter because his neighbor received approval from the Architectural Design Committee (ADC) for a project and, after spending a considerable amount of money, was told that their project did not comply with the CC&Rs and the work must be “redone”. Mr. Howden advised that he wants to ensure that everything is adequately documented to protect those that reside along the District’s ponds.

Mr. Howden reported that the bank at Pond 14 is eroding and stated:

“While I’ve tried to follow the rules for the nine years that I have lived on Osprey Lake, the bank is receding, continues to crumble and will likely increase crumbling, thus exacerbating the maintenance burden on the lot owners that abut

the pond. Some of you have seen the results to date and Louise Leister was out there and even commented 'I would plant some more Spartina to stabilize the ground.'

Some experts have addressed specific questions of the ponds functioning properly for stormwater retention, what is the best and undefined planting material for the purpose. Nothing in the study by engineers, horticulturalists, construction contractors, aquatic contractors, CDD Board Members or Operations Manager seems to address the effects of the erosion that I have seen, based on living there for nine years.

I now have another concern. For some reason, the draft seems to want to standardize everything and I see no good reason for this. I am pleased it is being addressed although I think rushed and I fear directed to what someone wants to be the answers. The draft itself recognizes input from another organization, which has no apparent technical background.

As you proceed, please remember you are addressing CDD property; it is not the place of Master Homeowner's Association to be involved in drafting policy, nor approving it."

Mr. Howden recalled mailing a letter to the Board and Mr. Wrathell, on May 16, 2014, addressing three legal questions regarding the situation.

Mr. Howden referred to littoral shelf planting and noted that there "seems to be a general consensus that this will help prevent further erosion and possibly collect some sand to partially rebuild the bank". He asked that the District proceed immediately with this part of the program; however, he noted two concerns with the draft language. Mr. Howden stated that these are District ponds and their maintenance is the District's responsibility; he believes that the District should plant the littoral shelf. Mr. Howden indicated that the planting of the littoral shelf is a matter that concerns CDD property that abuts a lot and "whatever you do, I don't think an adjacent lot owner should be allowed to intervene or have approval rights in anyone's attempt to comply with a properly written and properly approved CDD policy".

Regarding aesthetics and conformity, Mr. Howden voiced his opinion that the District's policy, written in 2008, states that it creates a "Florida-friendly" landscape and recognizes three grasses, other than Spartina, as acceptable; however, the "Florida-friendly" website recognizes four species, in addition to Spartina. He questioned why, if a lot owner is charged with the

maintenance of the area, the District wants to reduce the other recognized species on the list to only one species.

Mr. Kloptosky recalled that he met with the Flagler County Sheriff's Department regarding the lack of activated gate access codes. The sheriff requested that the District reactivate the gate access codes.

Flagler County Undersheriff, Rick Staly, referred to the sheriff's letter requesting reactivation of gate access codes. He noted that use of the "yelp" system and the call boxes to gain access is not working. He encouraged the Board to provide the sheriff's office with an access code.

Supervisor Davidson questioned how often the code should be changed. Supervisor Smith asked if all other emergency responders would be provided with the codes and questioned why the "yelp" system is not working.

Mr. Kloptosky stated that the "yelp" system is checked, regularly; however, vehicles must be a certain distance and positioned a specific way for it to work. He voiced his opinion that a backup system, such as an access code, is necessary, as contacting the guards is not the best system. Mr. Kloptosky recalled that the code was provided to all emergency responders and suggested changing the code quarterly or every six months.

Discussion ensued regarding the sheriff and fire department database systems.

Supervisor Lawrence wondered if some of the "yelp" receivers should be relocated. Mr. Kloptosky reiterated that the receivers seem to work; the issue is when a vehicle hits the siren after pulling past the receiver.

Supervisor Gaeta favored changing the code quarterly.

Mr. Clark advised that this is a policy decision so it is not necessary to approve it, by motion; rather, the Board can direct Staff to provide a code to the Sheriff and other parties.

Mr. Natiello indicated that the issue with the "yelp" system is general. He voiced his opinion that the system should be designed to function, regardless of the circumstances of entering. Mr. Natiello suggested that the District install two microphones to alleviate the problem.

Mr. Howden recommended that Mr. Kloptosky be given authority to change the code more frequently, if necessary.

A. MINUTES

- i. Approval of May 1, 2014 Community Workshop Minutes**
- ii. Approval of May 15, 2014 Regular Meeting Minutes**

B. UNAUDITED FINANCIAL STATEMENTS

- i. Approval of Unaudited Financial Statements as of May 31, 2014**

Mr. Wrathell reported that assessment revenue collections were at 96%.

Mr. Wrathell presented the Consent Agenda Items for the Board’s consideration.

On MOTION by Supervisor Chiodo and seconded by Supervisor Davidson, with all in favor, the Consent Agenda Items, as presented, were approved.

FIFTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer

Mr. Sullivan recalled the Board’s request that he review the Creekside south parking lot expansion project. He reported that the survey was completed and he is in the process of developing conceptual drawings and options for the Board’s review.

Supervisor Chiodo asked if the District Engineer is working on the issues that were raised by SJRWMD, relative to the items that the District and/or developer have not completed. Mr. Sullivan stated that he made no further progress on this matter and voiced his understanding that the Board planned to contact SJRWMD, directly.

Supervisor Davidson advised that he spoke to Ms. Beach regarding the list of items; Ms. Beach and another SJRWMD representative will tour the District to determine what items were completed. Supervisor Davidson prefers to eliminate items from the list prior to addressing the other items.

This item will be added to the District’s “Open Items” list.

Supervisor Lawrence recalled that, at the last meeting, he raised the issue of expanding The Village Center parking lot into the croquet area and asked if information is needed from the District Engineer. Supervisor Smith felt that the District Engineer’s involvement is not necessary, at this time. Mr. Kloptosky stated that he spoke to Ms. Louise Leister, District Horticulturalist, who advised him that she needs a conceptual plan prior to developing landscaping plans.

Supervisor Chiodo recalled previous discussion with regard to obtaining an appraised value for the easement requested by Mr. Cullis for the Grand Living development drainage parcel. Mr. Clark indicated that, when he last spoke to him, Mr. Cullis was to obtain an appraisal for the Board’s review.

B. Amenity Manager

Mr. Ross indicated that tennis fees continue to be collected.

In response to Supervisor Davidson’s question, Mr. Ross confirmed that rental of the Grand Haven Room remains down. Supervisor Davidson asked about the reason. Mr. Ross was unsure of the reason.

Mr. Deary reported that Mr. Ross and his staff continue to have great results with the café; he plans to provide a statement at the August meeting. He indicated that the trend is positive and is expected to continue.

****Mr. Ross and Mr. Deary left the meeting.****

C. Field/Operations Manager

i. Quotes for Shellcracker Fish

Mr. Kloptosky presented proposals from Aquatic Systems Inc. (Aquatic Systems), to stock Ponds 4, 5, 13 and 14 with shellcracker fish. Aquatic Systems proposed \$615 to stock Pond 4 and \$1,587 for Pond 5, simultaneously; if completed separately, the cost to stock Ponds 4 and 5 would be \$700 and \$1,672, respectively. Aquatic Systems proposed \$700 for Pond 13 and \$1,942 for Pond 14; if completed simultaneously, the cost to stock Ponds 13 and 14 would be \$160 less.

Mr. Kloptosky indicated that he discussed the option of “shocking” the ponds and relocating bass fish with Mr. David Cottrell, of Aquatic Systems; however, Mr. Cottrell felt that it would be expensive. Regarding when the fish would become effective, Mr. Kloptosky advised that it takes approximately two years for the shellcracker fish to mature enough to eat the midge larva.

Mr. Kloptosky recalled Supervisor Smith’s suggestion, at the workshop, that the District purchase the fish directly from a fish supplier and install them. He stated that the nearest fish supplier is in Orlando and, while the cost would be less, it would take his staff’s time to install them.

Supervisor Davidson suggested that, since the shellcracker fish solution might take two years to be effective, the District should be proactive next season and schedule spray treatments

prior to the issue arising. He recalled that, to be effective, the spray technique would require the coordination between the District and individual property owners to spray their property. Supervisor Davidson asked that the midge fly situation be included for discussion on the April, 2015 agendas.

On MOTION by Supervisor Gaeta and seconded by Supervisor Smith, with all in favor, the Aquatic Systems, Inc., proposals, totaling \$4,684, for stocking Ponds 4, 5, 13 and 14 with shellcracker fish, were approved.

Supervisor Smith pointed out that the sound system is one microphone short; District Counsel does not have a microphone.

Mr. Kloptosky indicated that seven microphones were ordered; however, one was defective and will be replaced. He stated that the system will accommodate eight microphones; therefore, he plans to order one more. Mr. Kloptosky noted that, upon installation of the sound system, it was discovered that the District already had some of the required wiring, which should result in a credit on the quoted price.

Mr. Kloptosky reported that the Creekside men’s shower project was completed.

Mr. Kloptosky indicated that the Clubhouse Pier project was completed, except for installation of benches and a light fixture, sealing and staining the deck boards and ordering and installing column wraps. In response to Supervisor Davidson’s question, Mr. Kloptosky stated that the deck stain will likely be a color, rather than clear.

Mr. Kloptosky advised that replacement of the Creekside LED pool lights was completed. He hopes to finish replacing the lights at The Village Center during the current fiscal year, using funds in the “Amenity” budget.

Mr. Kloptosky presented photographs of the newly installed Esplanade bench. Supervisor Davidson commented on the unbearable mosquito and bug condition, in the Esplanade area, in the mornings and evenings, and questioned if Mosquito Control can spray the area. Mr. Kloptosky was unsure if Mosquito Control will spray beyond the streets.

Mr. Kloptosky recalled that one-third of The Village Center pool deck drains were previously completed; the contractor recently completed the final two-thirds of the project.

Regarding the Marlin Drive Pump House, Mr. Kloptosky reported that the parts were delivered and work will commence once the permit is received from the City. The contractor

anticipates receipt of the permit within the next few days. Mr. Kloptosky stated that, once the permit is received, he will notify Mr. Clark, who will contact Escalante.

Mr. Kloptosky recalled that he is proceeding with replacing the hanging sign at The Village Center entrance. Mr. Kloptosky stated that he sought quotes to build and hang a new sign, which were expensive; therefore, a less expensive alternative was selected. The sign will be attached to the building. The cost will be approximately \$3,000 to \$3,400.

Mr. Kloptosky indicated that he will proceed with replacement of the four AquaCal heat pumps at Creekside. He was not happy with Duda Pools' \$26,000 proposal so he interviewed two additional pool companies and the work can be completed for approximately \$18,000. Mr. Kloptosky forwarded a contract to the new contractor and anticipated that the work can be completed soon.

Supervisor Davidson inquired about selling the scrap metal from the old pumps. Mr. Kloptosky advised that he was planning to retain the old pumps and store them, for parts; however, if there are no compatible parts, he will sell the scrap metal.

Regarding resurfacing the Creekside croquet court, Mr. Kloptosky recalled that he mailed the contract to Master Turf-Farms and a response is pending. Additionally, Mr. Kloptosky is obtaining quotes to load and haul the old sod and soil off site, as those costs were not included in the Master Turf-Farms quote. He hopes to commence work, once the pump house project is completed.

Mr. Kloptosky reported that the Center Park paver project will proceed; a contract with Pinnacle Pavers was executed. He stated that the materials were ordered; the start date will be determined once the materials arrive.

Mr. Kloptosky recalled that both elliptical machines and one treadmill were recently replaced at Creekside. He reported that the other treadmill at Creekside was replaced. He noted that the exercise bikes are showing signs of age.

Regarding the pickleball court, Mr. Kloptosky stated that he is awaiting a new proposal from Nidy Sports, which includes soil testing, removal of soil materials, permitting, etc.

▪ **Grand Haven Rental Amounts Analysis**

****This item was an addition to the agenda.****

Ms. Kane indicated that the District's rental rates were reviewed on April 29, 2014. The bedroom number and rental rate were compared to the Palm Coast HUD rental rates. She stated that two properties have rental rates that fall below 50% of the HUD rate; both are rented to

family members and do not have GADs or SAACs. Ms. Kane advised that all other known rental properties are well above 50% of the HUD rate. She noted that one rental is 186% of the HUD rental rate for that type of home. Ms. Kane explained that the term “normalized” means that the figure relates to the proper amount, based on the number of bedrooms.

In response to Supervisor Davidson’s question, Ms. Kane confirmed that, for the two below value rental properties, neither the renters nor the owners have GADs or SAACs.

Supervisor Davidson pointed out that the District is in 100% compliance.

Mr. David Alfin, a resident, noted that it was recently publicized that Grand Haven’s “distressed property” figure was one of the lowest in the area. He stated that this is evidence that the “Keeping Grand Haven Grand” program is effective, from a real estate perspective.

*****Ms. Kane left the meeting.*****

D. District Counsel

i. Palm Coast DRI Hearings

Mr. Clark reported that he became aware of the DRI issue after the last meeting. He spoke with Supervisor Chiodo following the June 3, 2014 meeting, in which they were told that the City might proceed with the essentially built out (EBO) agreement. Mr. Clark stated that he reviewed the agreements and associated resolutions; Supervisor Chiodo attended the meeting, along with several residents, to speak on the matter. He provided Supervisor Chiodo with a “position”, which was consistent with the Board’s previous discussions.

Mr. Clark stressed that it would not be “good” for the CDD to become involved in land use policy decisions; it is not in the District’s realm or its enforcement powers. He acknowledged that many residents are very interested in this matter; therefore those residents and the GHMA have a voice regarding Mr. Cullis’ request and are the parties that should be speaking about them.

Mr. Clark explained that what the District can be concerned about is access, public safety and movement of traffic. He felt that the EBO agreement, as proposed, raised concerns. Mr. Clark explained that this type of agreement is, essentially, a device, under the DRI statutes, which allows the City and the developer to declare the DRI complete, that the conditions were met and allow further permits to be issued, even though the DRI expired. Regarding the conditions for entering into this type of agreement, Mr. Clark expressed concern that the City must make a finding that the mitigation requirements and the conditions of the DRI development order were met. He asked Supervisor Chiodo to point out to the City that the District is not sure

that the statement in the agreement is true and that the District has information leading it to believe that it is untrue, such as conversations and documents from SFWMD and Ms. Beach. Mr. Clark discussed a 2008 letter from Ms. Beach regarding concerns about conservation areas and easements that were not created and that obligated mitigation around Ditch 10 was not completed.

Mr. Clark noted that the developer went into bankruptcy and “walked away” from its responsibilities under the DRI order. He stated that, in 2010, as part of the bankruptcy order, the developer entered into an agreement whereby the developer assigned developer status to Mr. Cullis’ company and Mr. Cullis accepted the role and responsibilities of developer, under the DRI order. Mr. Clark voiced his opinion that Mr. Cullis now stands in the developer’s shoes and it is incorrect for the City to agree that Mr. Cullis has fulfilled the requirements and conditions of the DRI order. He explained that this matters to the District because it is the designated “maintenance entity”, in which the District could be asked to become responsible; he does not want the District to sit idly by while the City declares that everything is satisfactory, only to have the City, SFWMD or another agency contend that the District did not “raise its voice” at the time the matter was considered. Mr. Clark recalled that, per Supervisor Chiodo’s request, at the meeting, the City postponed their decision until at least August. He noted rumors that Mr. Cullis might not want to move forward with the agreement.

Mr. Clark indicated that he spoke to the City Attorney and requested items, through a public records request. He advised that the DRI order required that annual progress reports be submitted to the City; however, Mr. Clark understands that no reports have been submitted since 2007. Mr. Clark asked the City to provide those reports, along with any information that relates to compliance with the DRI conditions; the requested items are pending. Once the documents are received, Mr. Clark suggested that he draft an official letter to the City regarding the District’s position. He recommended that the District go on record objecting to any finding of compliance with the conditions of DRI development order and provide evidence of noncompliance. Mr. Clark voiced his opinion that the City is fully aware of the situation. He felt that Mr. Cullis may have placed himself in a position requiring him to address these matters, if he wishes to obtain further development orders.

Noting that he should probably draft the official letter, prior to the next meeting, Mr. Clark asked for the Board’s guidance.

Supervisor Davidson recalled his discussions with Ms. Beach and noted that, in addition to the list of items, it was discovered that the survey and recording of the conservation easement for the area near Chinier was not completed. He pointed out that these issues extend to many areas within Grand Haven. Ms. Beach advised Supervisor Davidson that SJRWMD has known of these matters for a long time and summer interns would research the records. Supervisor Davidson stated that certain items would be the developer's responsibility and some items would be the District's responsibility, depending on how the documents were written. He felt that the District should demand removal of the EBO request from the City of Palm Coast City Council's agenda.

Mr. Wrathell questioned if development of the four units is sufficient leverage to compel Mr. Cullis to comply with the DRI requirements or whether the drainage land that he needs, near the Grand Living facility, would provide the necessary additional leverage. Mr. Clark believed that part of the request involved removing a portion of the Grand Living property from the DRI. Mr. Wrathell wondered if Mr. Cullis might decide that the cost to close the DRI far exceeds the benefit and "walk away" from further development in Grand Haven.

Supervisor Lawrence asked if the District should advise Mr. Cullis of his responsibilities. Mr. Clark acknowledged that this is a consideration; however, he first wants to approach the City. Supervisor Lawrence felt that the District should proceed with notifying Mr. Cullis.

Supervisor Davidson stressed that the District should request that the City remove this item from its August agenda. In response to Supervisor Gaeta's question, Mr. Clark agreed that Mr. Cullis should be copied on the District's letter to the City. Supervisor Lawrence felt that Mr. Cullis should be copied on the letter to the City but that an individual letter should also be sent, as he fears that Mr. Cullis might try to "hide" behind the bankruptcy.

Ms. Janet Ward, a resident, commented that she and other concerned residents met with members of the Planning and Land Development Regulation Board (PLDRB) regarding Tract K. She noted that none of the board members surveyed the property and suspected that they have not actually toured the property; rather, they are relying on visuals provided by Mr. Cullis and LandMar.

In response to Supervisor Lawrence's question, Supervisor Davidson indicated that he will ask Ms. Beach to provide the City with a list of the issues.

Supervisor Gaeta recalled that the August hearing date was set so that Mr. Cullis did not have to renote the hearing. Mr. Clark advised that, if it is removed from the City's August agenda, Mr. Cullis must renote it.

Supervisor Lawrence noted that Mr. Cullis should be copied on the District's letter to the City; a follow up letter should be sent directly to Mr. Cullis.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, directing District Counsel to strongly request that the City withdraw any consideration of the EBO regarding the DRI, pending information regarding significant open and unsolved regulatory issues of the SJRWMD regarding Grand Haven, was approved.

▪ **Proposed Acquisition of the Development Property Next to Clubhouse**

****This item was an addition to the agenda.****

Supervisor Chiodo discussed a list of benefits to the CDD if it acquires the property next to the Clubhouse. He indicated that the property would provide an additional "park like" area for residents to enjoy as an amenity and would eliminate congestion associated with the use of the property for residential homes and potential safety concerns associated with automobile and truck traffic, if a limited access road was provided for additional residential properties.

Regarding the cost, Supervisor Chiodo advised that the purchase price would be negotiated, it would result in a write off of the remaining bonds on the four associated lots, the per property annual assessment would increase approximately 0.21% and the District would incur costs for landscaping and upkeep of the property, including installation of benches.

Supervisor Chiodo identified other factors, such as most residents not being in favor of the developer's plan to build additional residential properties, the District could incorporate CDD property next to the proposed Grand Living development into its negotiations and the possibility of Escalante having an interest in participating with the CDD to provide additional space for golf club purposes.

Supervisor Chiodo voiced his desire for the Board to name a Board Member to negotiate this deal with Mr. Cullis and Escalante.

Supervisor Davidson asked about the process for a public entity to purchase private land. Mr. Clark advised that the District must show that there is a public purpose for purchasing the

land; the purpose could not be simply to stop a developer from developing the land. Mr. Clark explained that the Board must identify the property as useful or that it alleviates a safety concern or something of that nature.

Mr. Clark pointed out that, if the District purchases the property, it must deal with the matter of the four assessable units; the District cannot extinguish the obligation, as it has a covenant with the bondholders to maintain a specific number of assessable units. He noted that there is no place to “move” those units; therefore, the assessments must be paid off.

Supervisor Lawrence felt that it is in the District’s best interest to have the City deny the developer the right to build on that property because, if the District did so, it might be liable for the operation and maintenance (O&M) fees that it collected over the years. Mr. Clark indicated that this matter could be addressed if it is a voluntary transaction. Mr. Clark believed that the District could be more “exposed” if the City takes away the building rights; the District may not be able to negotiate that issue away.

Supervisor Gaeta asked about the fair market value of the property and questioned if a public hearing would be necessary prior to purchase.

Supervisor Smith stated that he would not be concerned about the appraised value, as this is a business deal; therefore, the appraised value does not matter. He felt that the only thing that matters to Mr. Cullis is the value of the property.

Supervisor Gaeta noted the cost factor associated with purchasing the property and stated that the Board must know what it is.

Mr. Wrathell indicated that, in his management experience, when a CDD is purchasing private property, an appraisal process typically occurs.

Mr. Clark advised that, if the District spends money to acquire the property, it must have evidence that it is paying “fair market value”; he wondered if the transaction would involve paying the developer or if it would be a land exchange. He pointed out that the District might still need to consider the value, even in a land exchange. Mr. Clark noted that, in determining the value, the appraiser will ask about the development entitlements; if the City determines that there are no development entitlements, the property becomes less expensive. He concluded that, if the Board wishes to proceed with the possible purchase, it must direct him to contact an appraiser.

Supervisor Smith voiced his support for Supervisor Chiodo’s proposal.

If the District must pay for the property, Supervisor Davidson asked where the money would come from.

Mr. Clark stated that it depends upon the determination of public purpose; the Board must determine what it will use the property for. He explained that, for example, if it will be used for an amenity, the money would come from the "Capital Fund".

Supervisor Gaeta voiced her belief that the property is currently zoned for amenity use and asked whether the District could sell the property in the future, such as in a situation where the golf course might want additional property. Mr. Clark was unable to answer Supervisor Gaeta's question.

Supervisor Lawrence motioned and Supervisor Davidson seconded a motion to approve the proposed acquisition of the development property next to the Clubhouse and appoint Supervisor Chiodo to begin negotiations, on the District's behalf.

Supervisor Chiodo recommended appointing Mr. Smith to negotiate the deal. He noted the timing issue and pointed out the assessable unit issue if the District proceeds after adopting the Fiscal Year 2015 budget.

Mr. Wrathell recalled discussion, at the last meeting, regarding "grossing up" operating assessments in contemplation of losing four units. He stated that the payoff of the debt assessments on the four units is approximately \$2,000 per unit, which could easily be included in the deal.

Mr. Gallo voiced his opinion that the four units and platting them is not what is driving Mr. Cullis' pursuit of the EBO. He recalled comments from a previous meeting that Mr. Cullis might want something else. Mr. Gallo agreed that timing is an issue in this matter; resident interest concerns access but the District does not really know what is driving Mr. Cullis. He commented that, if Mr. Cullis wants property that the District currently owns, the District could possibly realize a net gain, rather than actually paying or exchanging property. Mr. Gallo reiterated his opinion that there is more to this than what has been said.

Mr. Clark noted that the matter also involves an 85,000' commercial allocation and Mr. Cullis might need the EBO in order to proceed with development.

Supervisor Gaeta recommended appointing Supervisor Davidson to negotiate, as he has extensive knowledge of the matter and has communicated with SJRWMD and Ms. Beach, on these matters. Supervisor Davidson thanked Supervisor Gaeta for her confidence but bowed out.

Mr. Wrathell noted that Supervisor Chiodo initiated the process and outlined a proposed deal.

Discussion ensued regarding which Supervisor should be appointed to negotiate, on behalf of the District.

Mr. Natiello stated that he has an issue with the entire matter. He believes that Mr. Cullis is attempting to have the District focus on Tract K. Mr. Natiello is more concerned with the DRI and potential liability to the District. He urged the District to “walk away” from the matter, if Mr. Cullis attempts to place any responsibility on the District. Mr. Natiello stressed that the District should not be so anxious to solve the Tract K problem that it is not willing to “walk away”.

Mr. Wrathell explained that Supervisor Chiodo’s proposal is focused on Tract K and, if funds are needed, they would come from “Infrastructure reinvestment”. The concept is to acquire Tract K for the purpose of enhancing recreational, parking or amenities in the District.

Mr. Howden advised that Mr. Cullis has Tract K listed for sale at \$200,000.

Mr. Wrathell reiterated that, if the District plans to purchase the property, an appraisal must be completed.

Regarding negotiations, Supervisor Smith pointed out that the drainage easement that Mr. Cullis wants is “worth millions”; therefore, the District should start its negotiations from that point.

Supervisor Davidson felt that the Tract K negotiations do not need to proceed now, as the EBO and DRI are the overlying issues, which could potentially cost one of the parties a lot of money. He recommended against tipping the District’s hand in this matter, as it almost acknowledges that it is developable land. Supervisor Davidson wondered if the negotiation aspect is premature and suggested suspending the discussion until the City makes a determination and the status of SJRWMD’s open items is known.

Supervisor Smith contended that these matters are two separate issues and voiced his opinion that it is better to enter negotiations with the subject open and undefined, as it is a “risk factor” for the other entity. He prefers to proceed immediately.

Mr. Wrathell felt that a developer might be inclined to resolve the Tract K issues, singularly, and address the other issues at a future time.

Mr. Olsen saw no harm in entering into negotiations, as he believes that it will provide more knowledge regarding Mr. Cullis’ intended direction.

Mr. Howden asked what happens if the DRI is closed out and Escalante cannot “make a go of the golf course”. He questioned if Escalante could enter into an agreement with Mr. Cullis to develop the golf course land into saleable lots.

Mr. Clark advised that most anything is possible and Mr. Howden’s scenario is occurring throughout Florida. He noted that it would take significant changes to the DRI and PUD to allow for the extra density. Mr. Clark indicated that it could involve a “fight” with the City, especially if 3,000 Grand Haven residents “show up” to oppose it.

Ms. Ward recalled that a resident, who previously worked for the Planning Department, advised that the DRI was allowed to lapse and felt that the proper way to end the EBO issue was to reinstate the DRI; however, the Planning Department does not agree with this assessment.

Ms. Pat Maloney, a resident, felt that opening negotiations might be a good idea; however, she believed that a final decision should not be made until the District determines what it will cost to bring everything into compliance.

On MOTION by Supervisor Lawrence and seconded by Supervisor Davidson, with all in favor, the proposed acquisition of the development property next to the Clubhouse and appointing Supervisor Chiodo to begin negotiations with Mr. Cullis, were approved.

In response to a question, Mr. Clark advised that negotiations can commence prior to obtaining an appraisal.

Supervisor Gaeta asked if a moratorium on building can be declared, once the DRI is closed out. Mr. Clark indicated that moratorium is not the correct word; once the DRI is closed out, the developer no longer has the entitlement to build without going through the entire process.

ii. Pump House Agreements

Mr. Clark indicated that there has been no further correspondence with Escalante regarding the agreement.

Mr. Clark advised that he spoke to Escalante regarding the Waterside Drive quit-claim deed. He recalled that the District gave the City a release of easement and inserted a provision regarding abandoning the pump across Old Kings. Mr. Clark indicated that Escalante disagreed with this provision and refused to execute the agreement. The City Attorney sought Mr. Clark’s

assistance. Mr. Clark stated that he contacted Escalante’s attorney and was advised that Escalante’s issue was that the District was “playing games” and inserting a “gotcha” into the agreement, at the last moment. He explained that Escalante’s attorney stated “stop playing games and drop your demand about the pump and then we will move on; we can talk after that”. Mr. Clark advised Escalante’s attorney that he would not try to talk to him about this matter any further. He asked for the Board’s input regarding whether it wants to drop the added language about abandoning the pump or leave it in and notify the City that it must maintain the strip of Waterside Drive.

Supervisor Lawrence questioned what happens if the District drops its demands about the pump but subsequently abandons it. He believes that Escalante has no “say” in the matter.

Mr. Clark stated that the District’s only concern is that it could be asked to maintain the pump; however, the District could refuse to maintain it, as it does not own the property and there is no agreement requiring the District to maintain it.

Supervisor Smith asked why Escalante was involved in the arrangement with the City. Mr. Clark indicated that the original easement ran to the benefit of the golf course and the CDD; therefore, both parties had to “sign off” on it. Supervisor Smith voiced his opinion that Escalante is negotiating on a secondary issue to try forcing the pump house issue.

On MOTION by Supervisor Smith and seconded by Supervisor Lawrence, with all in favor, authorizing the Chair to exercise the release of easement with the City deleting the language related to abandoning the pump, was approved.

iii. Rule Changes

Mr. Clark recalled that the Board typically addresses its rules during the budget public hearing, each September. He recommended that the Board begin discussions regarding whether it wants to consider rule changes this year.

Supervisor Davidson noted that the District previously made numerous policy changes; however, most current decisions relate to administrative changes. He asked Supervisors and Staff to provide lists of any items that they believe require policy changes.

In response to Supervisor Gaeta’s question, Supervisor Davidson confirmed that the Board previously agreed that guest passes issued at the gate house and the CDD office should be for a period of up to two weeks. He noted that an e-blast was prepared.

*****The meeting recessed at 11:43 a.m.*****

*****The meeting reconvened at 11:58 a.m.*****

E. District Manager

i. Upcoming Regular Meeting/Community Workshop

o COMMUNITY WORKSHOP

▪ July 3, 2014 at 10:00 A.M.

Supervisor Davidson clarified that the District originally scheduled the July workshop for July 10, 2014. He noted previous discussion about holding the workshop on July 3; however, if the date is changed, the District must advertise the new date. Supervisor Davidson pointed out that the adopted meeting schedules have the workshop on July 10 and the meeting on July 17; one week apart.

On MOTION by Supervisor Chiodo and seconded by Supervisor Gaeta, with all in favor, rescheduling the July, 2014 workshop from July 10 to July 3 at 10:00 a.m., at this location, and authorizing Staff to advertise, accordingly, was approved.

o BOARD OF SUPERVISORS MEETING

▪ July 17, 2014 at 9:30 A.M.

Mr. Wrathell indicated that the next meeting is scheduled for July 17, 2014 at 9:30 a.m.

SIXTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Continued Discussion: Fiscal Year 2014/2015 Proposed Budget

Mr. Wrathell recalled that “IT support”, on Page 2, was increased. The “Insurance” line item will remain highlighted until the actual amount is known. Mr. Wrathell stated that the “Amenity cable/internet” line item, on Page 3, was increased from \$6,900 to \$9,092, as a result of increased services. Mr. Kloptosky advised that cable service was added to the South Gate and the CDD office’s internet service was upgraded. Mr. Wrathell noted that the other portion of the increase was reflected on the “Gate communication devices” line item, on Page 4, which increased from \$13,550 to \$15,590.

Mr. Wrathell referred to Page 17 and recalled that the original proposed budget projected a decrease in the “Admin & Field Ops” assessment amount; however, due to the possible loss of four assessable units, this assessment amount was “grossed up”, resulting in an increase of \$4.36 per unit. He stated that the “Infrastructure Reinvestment” assessment amount also increased by approximately \$2, from the originally proposed budget. Mr. Wrathell confirmed that these adjustments account for the possibility of losing four assessable units. He stated that, if the four units are lost, the \$135,446 “Excess/(deficiency) of revenues over/(under) expenditures” amount, on Page 5, would decrease by approximately \$8,000.

In response to Mr. Wrathell’s question regarding lake maintenance, Mr. Kloptosky advised that he spoke to Mr. Cottrell regarding the contract expiring. Mr. Cottrell advised Mr. Kloptosky that all of their contracts have automatic renewal clauses; the contracts automatically renew unless the District chooses not to renew it. Supervisor Lawrence questioned if the automatic renewal includes an increase in the rate. Mr. Kloptosky stated that Mr. Cottrell generally notifies him if the rate increases; he received no notice. Mr. Wrathell advised that Management’s notations showed that the District had the ability to extend the contract for one year, which previously occurred; therefore, he wondered if the contract only renewed for the single year or if it is an annual renewal. Mr. Kloptosky indicated that he was led to believe that the contract automatically renews unless the District notifies them otherwise.

Supervisor Gaeta referred to the “Guardhouse & gate facility maintenance” line item, on Page 4, and questioned why the budgeted amount increased from \$7,500 to \$13,500. Mr. Wrathell stated that this expense category consistently went over budget, over the past three fiscal years; therefore, the amount was increased to reflect a more accurate amount.

Supervisor Lawrence referred to the “excess” of \$135,446 and asked if the figure is so large because the District plans to shift \$72,692 of those funds to the “Road Project” fund. Mr. Wrathell referred to Page 5 and explained that the \$135,446 amount is comprised of the \$72,692 for the “Road Project” and \$64,173 for Escalante’s portion of the Marlin Drive Pump House project. Mr. Wrathell noted that, if Escalante pays during the current fiscal year, the figure will be reduced by whatever they pay. Mr. Wrathell stated that the final component in the \$135,446 figure is the amount that assessments were “grossed up” to account for the potential loss of four assessable units.

Regarding the aquatics contracts, Supervisor Davidson pointed out that they are below the bid threshold and questioned if there should be any concerns with them automatically

renewing. Mr. Clark advised that it is not a statutory concern; however, he prefers not to have renewing contracts. Supervisor Lawrence felt that the contract has a 30-day cancellation clause. Mr. Kloptosky was unsure of the terms of the contracts; he is awaiting information from Mr. Cottrell.

Mr. Wrathell recalled that the proposed budget was presented at the May meeting; however, the budget is not adopted until the public hearing in September. He explained that the Board can adjust the proposed budget, leading up to adoption.

B. Continued Discussion: Capital Plan [TL]

Supervisor Lawrence reviewed his “Expected FY 2015 Capital Needs Based on 10 Year Plan” and noted that the “Unknown” line should be \$163,000. He recalled discussion at the workshop regarding parking and urged the Board to approve expansion of The Village Center parking lot into the croquet court.

Supervisor Davidson pointed out the domino effect of what to do with the small croquet court that would be overtaken. Supervisor Lawrence stated that it was budgeted to build a croquet court on the soccer field at Creekside, which would replace the eliminated half-court. Supervisor Davidson questioned if there would be any place to play soccer. Supervisor Lawrence noted the possibility of expanding the soccer field further into the wooded area.

Supervisor Smith requested specific measurements of the areas related to Supervisor Lawrence’s suggested changes to determine if there is adequate space.

In response to Supervisor Lawrence’s question, Mr. Kloptosky stated that the process to expand The Village Center parking lot should be the same as what is currently being done for the Creekside parking lot expansion, which includes obtaining a survey and conceptual plan. Mr. Kloptosky was unable to estimate the cost to survey the parking lots.

Supervisor Davidson asked which budget line item would pay for surveys. Mr. Kloptosky was unsure but advised that surveys were not included in the S.E. Cline Construction (Cline) budgets. Mr. Kloptosky identified savings in other amenity-related budget line items that could be used to pay for surveys.

On MOTION by Supervisor Lawrence and seconded by Supervisor Smith, with all in favor, authorizing the District Engineer to proceed with obtaining a survey and preparing a conceptual plan for The Village Center parking lot expansion project, was approved.

Discussion ensued regarding whether the Grand Haven Room floor must be replaced or if it could be refinished. Supervisor Lawrence stated that this item could be left in the plan, as a placeholder, until the Board makes its decision.

Mr. Kloptosky recalled issues with the ceiling at the café and noted occurrences of similar issues in other areas. He suggested considering the same type of repairs, when the ceiling is replaced.

C. Continued Discussion: Roberts Rules of Order

Mr. Wrathell recalled previous discussion of this item and noted that District Counsel advised against officially adopting Robert’s Rules of Order. The Board agreed to review Robert’s Rules of Order to determine if some of the procedural items could be incorporated into the District’s meeting process.

Supervisor Lawrence asked Mr. Clark to explain why the District should not adopt Robert’s Rules of Order.

Mr. Clark explained that, if the District adopts Robert’s Rules of Order, there are items within it that the District would not be able to do, as a public body, such as requiring certain motions to be adopted by two-thirds, which conflicts with the “majority” rule of CDD boards. He stated that the provisions regarding abstaining from voting are different than the public officer’s code of ethics. Mr. Clark advised that the public officer code states that, unless there is a voting conflict, one should vote on all matters; one should not abstain without a reason.

Mr. Clark indicated that the concern about adopting Robert’s Rules of Order arises due to the possibility that actions can be challenged, if the specific rules are not followed. He acknowledged that there is no problem with using Robert’s Rules of Order as a guide for conducting meetings, where they do not conflict with other CDD rules or statutes.

Supervisor Davidson asked the Board Members what items they wish to have incorporated into the meeting procedures.

Supervisor Smith felt that some discussions extend longer than necessary; however, under the District’s current procedures, he does not feel empowered to “cut off” those discussions. He stated that the responsibility falls upon the Chair; he was unsure that is “totally fair”. Supervisor Lawrence stated, if all of the Supervisors were empowered by adopting rules, without it being a “negative” to residents or other Supervisors, it would help keep the Board on track.

Mr. Wrathell agreed with the concept of adopting rules that yield the informality such that any Board Member can quell the conversation, when it runs long or off track.

Supervisor Gaeta referred to the handout, "Item #9" and noted a provision which assumes that all meetings occur face-to-face and attendance by teleconference, mail or email must be authorized and defined in the bylaws. She asked for District Counsel's input.

Mr. Clark confirmed that the District does not have bylaws; it must follow statutes. He explained that an unbinding Attorney General opinion found that Board Members can meet via teleconference but those members cannot be counted for quorum purposes; however, they can still participate and vote.

Mr. Alfin asked that the agendas contain more detail in identifying the topics to be discussed and the actions to be taken, such as whether an item is for discussion or up for a vote. He pointed out the "Field/Operations Manager" portion of the agenda, specifically, and noted that it might help the flow and length of the meetings if Mr. Kloptosky's discussion items were listed. Mr. Alfin referred to the Flagler County Commission's agenda format as a blueprint for meetings.

Mr. Wrathell stated that it would probably help if the Board only had one meeting per month, rather than two. He explained that a meeting or workshop is held on Thursday and Staff must begin preparing the next meeting or workshop agenda on the following Monday. Meeting once per month would provide Staff with the time necessary to gather the documents and information for the next meeting. Mr. Wrathell reiterated that meeting every two weeks leaves little turnaround time between meetings.

Supervisor Lawrence advised that flexibility to discuss urgent matters is important.

Mr. Wrathell voiced his opinion that the purpose of the meetings is to accomplish things, not create a structure that is limiting; the Board is trying to be flexible, in order to be productive. He acknowledged that, with flexibility, the agendas might not be as "concrete" as people would like.

Supervisor Chiodo suggested specifically listing "Decision" items on meeting agendas as such; therefore, in order for a decision to be made at the meeting, it should be listed as a "Decision" item, along with identifying the decision to be made.

Supervisor Smith supported identifying "Decision" items when they are known but was against restricting the Board from making decisions on important items that were not included on the agenda. He felt that this type of constraint would further delay items.

Mr. Wrathell pointed out that today's agenda contains many "Discussion" items that the Board took action on and noted that decision items are typically prefaced with the phrase "Consideration of..." Supervisor Smith suggested using the phrase "Decision concerning..." Mr. Wrathell explained that "Consideration of..." means the same thing; it is typical terminology for governmental, city and county meetings. Supervisor Smith contended that most residents would not know that "Consideration of..." means that the Board plans to make a decision. Supervisors Lawrence and Chiodo agreed that most residents would not understand. Supervisor Lawrence recommended "Consideration of or Decision on..."

Mr. Kloptosky stated that he tries to include items on the agenda; however, meetings are held on Thursday and he only has until the following Wednesday to submit his items for inclusion in the agenda. He advised that many items, requiring the Boards attention, arise between that deadline and the actual meeting date. Mr. Kloptosky urged the Board not to restrict its ability to make decisions on items that are not on the agenda. He acknowledged that he generally prepares his report the day before the meeting.

Supervisor Davidson "waived" the requirement for Mr. Kloptosky to provide an itemized list of his discussion items.

Supervisor Lawrence suggested placing the "Business Items" after "Public Comments", since residents are probably more interested in those items.

Supervisor Gaeta recalled that placing the "Consultant Reports" and "Staff Reports" ahead of "Business Items" was to avoid having experts and others, such as the District Engineer and District Counsel, in attendance longer than necessary, which costs the District more money. Supervisor Davidson noted that many "Discussion" or "Decision" items are based on consultant or Staff reports, which must occur before decisions can be made.

Supervisor Lawrence conceded Supervisors Gaeta and Davidson's points regarding the order of the agendas.

Supervisor Gaeta stated that she thoroughly read Robert's Rules of Order and voiced her opinion that the Board already does a "good job" following these rules.

Mr. Wrathell indicated that future agendas will phrase decision items as "Consideration of/Decision on..." Supervisor Gaeta asked about what becomes of a decision item if the Board is unable to make a decision at the meeting. Supervisor Davidson stated that the decision would be postponed. Mr. Wrathell reiterated his opinion that the modified verbiage will not make a big difference and stressed that it is mechanically different from every other District.

D. Continued Discussion: Towing Policy

Mr. Kloptosky indicated that an e-blast must be sent before the signs can be installed. He read the following, which was reviewed by District Counsel:

“Notice to Residents:

Due to the current influx of new residents and increased resident activity at the amenity facilities, Grand Haven is experiencing issues associated with lack of parking at all of the amenity facilities. Some options that Grand Haven CDD Board is looking into to solve these issues include expanding the current parking lots, encouraging residents to carpool for activities at the amenity facilities, increasing the number of bike racks for residents to use and towing illegally parked and unauthorized vehicles “a safety and security issue”.

The District will shortly place four “Tow Away Zone” parking warning signs at entrances to The Village Center and Creekside parking lots. Vehicles parked so as to create a public safety hazard, and unauthorized vehicles parked overnight without Grand Haven CDD permission in the Grand Haven CDD parking lots, will be subject to towing. As a courtesy and during regular CDD office hours, (office hours were listed but not stated by Supervisor Davidson), an attempt will be made by CDD staff, by the vehicle owner’s registered home or cell phone, to call and inform the owner that they are illegally parked vehicle is about to be towed, if not immediately removed. Vehicles may be towed whether the courtesy contact is successful or not. Owners will be required to retrieve their towed vehicles at (name, address and phone number of towing company). The owner of the towed vehicle must pay the \$125 towing fee plus storage fees of \$25 per day. The owner must present a picture ID, key to the vehicle and the vehicle’s Florida registration.

Please don’t let this happen to you! Remember to park safely in designated legal parking areas and, better yet, carpool.”

Supervisor Lawrence questioned the requirement to provide the vehicle’s “Florida” registration, as some residents’ vehicles might be registered elsewhere. Supervisor Davidson agreed that “Florida” should be removed.

In response to Supervisor Davidson’s question, Mr. Clark advised that he is not aware of any requirement to “notify” residents; this appears to be a courtesy notification.

Mr. Kloptosky questioned how this impacts the District's existing towing policy. Supervisor Davidson advised that the District must adopt the existing towing policy, in addition to one regarding overnight parking. He stated that, once the Board adopts these policies, the e-blast can be sent.

On MOTION by Supervisor Lawrence and seconded by Supervisor Chiodo, with all in favor, adoption of the "Towing Policy", in Section D, Section 6, was approved.

Supervisor Davidson confirmed that the e-blast, as amended to remove the term "Florida" was approved by District Counsel and will be sent by Management's office. He agreed that it should also be sent by AMG.

E. Continued Discussion: Issues Regarding Authorization of Overnight Parking in District Lots

Supervisor Davidson presented the following questions and discussion ensued regarding the District's overnight towing policy:

✓ *Who will be allowed to park overnight?*

Supervisor Lawrence suggested that residents and guests of residents be allowed to park overnight.

✓ *Which parking lots and/or spaces will be used for overnight parking?*

Supervisor Davidson recalled discussion about using the golf course parking lot, with the Creekside parking lot as the backup lot. Mr. Kloptosky advised that Mr. Leahy had no issues with oversized vehicles being parked in the golf course parking lot; however, he prefers that they park near the condominiums, while those residents requested otherwise. Mr. Leahy suggested that larger vehicles park in the parallel spaces along the street. Supervisor Smith questioned allowing vehicles to park on the street, as the District generally disapproves of this practice. Mr. Kloptosky clarified that the street parking has lines marked identifying the parking spaces. Supervisor Davidson confirmed that those are designated parking spaces. Supervisor Lawrence recommended leaving it to Mr. Kloptosky's discretion.

✓ *Under what circumstances will residents and/or guests be allowed to park overnight?*

Supervisor Smith suggested allowing it whenever it is requested. Supervisor Lawrence felt that any and all requests should be considered and asked if Mr. Kloptosky will have

standards or criteria to guide his decision or whether it will simply be at Mr. Kloptosky's discretion. Supervisor Davidson stated that this question will be "overlooked" for now.

- ✓ *At what time in the morning must the overnight vehicle be removed from the parking lot?*

Supervisor Lawrence suggested 8:00 a.m. Discussion ensued regarding hours of operation at the golf course and amenity facilities, the purpose of allowing overnight parking, where vehicles should be parked during the day and limiting parking at the facilities during special events, etc.

Mr. Kloptosky felt that this will not be a major issue. His biggest concern is the requests to leave vehicles all day, for extended periods or for multiple nights. Supervisor Smith recommended that decisions be at Mr. Kloptosky's discretion.

The Board agreed that vehicles should be removed by 8:00 a.m.

- ✓ *How many vehicles will be allowed to park overnight in each parking lot?*

This item was left to Mr. Kloptosky's discretion.

Regarding whether the District must adopt these policies into its Rules of Procedure, Mr. Wrathell pointed out that most decisions are being left to Mr. Kloptosky's discretion. Mr. Clark advised against adopting new Rules of Procedure, at this time. Supervisor Davidson surmised that this will remain an administrative function.

F. Update: RFP for Landscape Maintenance Services

- **Published on June 9, 2014**
- **Mandatory Site Visit: June 30, 2014 at 10:00 A.M.**
- **Due: July 24, 2014 at 5:00 P.M.**
- **Proposals Opened: August 7, 2014 During Workshop**

Mr. Wrathell indicated that Management will reach out to additional landscape contractors to broaden interest. He noted that the mandatory site visit will occur on June 30. In response to Supervisor Smith's question, Mr. Wrathell confirmed that firms that fail to attend the mandatory site visit will be automatically disqualified. Supervisor Lawrence preferred to allow contractors, who might miss the mandatory site visit, to schedule a separate site visit with Mr. Kloptosky.

Mr. Wrathell suggested that this approach only be considered if necessary. He felt that a single, mandatory site visit is best because it is essential and beneficial for all parties to participate in the tour at the same time so that everyone receives the same information. Mr.

Wrathell stressed that a single site visit alleviates the possibility of contractors alleging that they received different information; it is a much “cleaner” process.

G. Update: Firewise Mitigation [SD]

Mr. Kloptosky reported that the Firewise crew contacted him yesterday regarding a resident on South Waterview who was concerned about the work being performed and alleged that the crew entered onto their property. Mr. Kloptosky stated that, using information from the property appraiser’s website, he marked off, taped off and flagged the lot lines. He noted the unique layout of the lot in question and confirmed that the Firewise crew had crossed over a small point, which upset the resident. Mr. Kloptosky explained that the resident did not want the crew to perform work in the areas behind her home. He advised her that she cannot interfere with the project, as it is organized by the Florida Forrest Service (FFS) and is on CDD property; the work must be completed. Mr. Kloptosky further explained to the resident that the Firewise crew will not perform work on her property; however, the City could determine that the material remaining on her property is a violation, in which case, she would be required to pay someone to remove it. Upon hearing that, the resident conceded and asked that the Firewise crew clear the area previously in question. Mr. Kloptosky indicated that the crew will not clear it; they only clear CDD property. He noted another neighborhood where residents threatened to “lay down in front of the machine”.

SEVENTH ORDER OF BUSINESS

OPEN ITEMS

Mr. Wrathell advised that the SJRWMD compliance issue will be added to the open items list.

Mr. Wrathell indicated that he was unable to recall what Item A., “Long-Term Easement Policy”, was related to. Supervisor Davidson explained that this item was related to the mitered end repair project; each location was to be reviewed for vegetative growth to ensure that no roots were growing into the storm drains. He explained that residents were to remove growth, as necessary, to avoid compromising the storm drains.

Mr. Wrathell stressed the need to keep easements clear to prevent residents from assuming that they can plant what they want, wherever they want. Supervisor Davidson suggested that field staff tour the community with Ms. Leister. Supervisor Smith questioned whether Ms. Leister’s expertise is necessary for this project. Supervisor Davidson stated that Ms. Leister knows what roots of what plants/shrubs/trees could cause damage. Mr. Wrathell

cautioned that, if the District allows vegetation to remain, more vegetation will “migrate” into the District’s easements; therefore, clear easements and maintaining clear access are important. Supervisor Lawrence voiced his preference to “revisit” this topic after November.

Regarding Item C., “Evaluate Switching Streetlights to LED/CFL”, Mr. Kloptosky noted that this item was initiated by Vesta. He stated that he provided the requested information but heard nothing, although he continually followed up with Vesta. Mr. Kloptosky indicated that he will follow up one more time.

Mr. Wrathell asked if Item D., “Sound/P.A. System” can be removed from the list. Supervisor Davidson noted an audible “hum” from the newly installed system and felt that the item should remain until this issue is resolved.

Regarding Item E., “Esplanade Dock and Pavilion Repair”, Mr. Kloptosky advised that the contract was satisfied; however, additional items, such as staining and wrapping the columns, are being completed. This item will remain on the list until fully completed.

Items F., and G., will remain on the list.

In response to Supervisor Lawrence’s question, Mr. Kloptosky indicated that Ms. Higgins is on vacation; he was unable to determine the amount of advertisements sold. Mr. Kloptosky believed that the amount was approximately \$11,000.

Supervisor Lawrence asked about the status of installing plants in the water, near Egret, to stop erosion. Supervisor Davidson indicated that Ms. Leister communicated with Ms. Beach regarding the proposed littoral shelf plants. Ms. Beach advised Ms. Leister that the proposed plants are acceptable. Supervisor Davidson suggested compiling all information from the District, SJRWMD and GHMA into a single document, as a guide to the ponds; he will begin work on this. Supervisor Lawrence questioned if the guide is necessary prior to the Board making its decision regarding littoral shelf planting. Supervisor Davidson noted that it involves policy; therefore, he felt that the guide should be completed first.

Supervisor Lawrence advised that he will provide an update regarding the status of the total maximum daily loads (TMDL) statute, once he hears from Dr. Mark Clark, who is drafting the statute.

Supervisor Davidson read the following draft e-blast regarding visitor passes:

“Notice to Residents regarding extended visitor passes issued at the Main

Gate:

Extended visitor passes will no longer be issued for a 30-day period. Effective immediately, extended visitor passes issued at the Main Gate will be valid for a maximum of 14-days. Visitors that are requesting an extended visitor pass are asked to please have their identification ready for the guard at the time of request and each time they come through the gate with the extended pass. This will help to prevent excessive wait times for all visitors entering Grand Haven through the Main Gate.

Please display visitor passes on the dashboard of the vehicle for verification by the guard, upon entering.

When to call the Main Gate regarding your visitors:

In an effort to prevent unnecessary calls to the Main Gate guard, please be advised of the following:

- If your visitor is listed on your VIP list with the Grand Haven CDD office, you do not need to call the guard to allow entry. Please have your guests inform the guards that they are on the VIP list. If you have questions regarding who is on your VIP list, you may call*
- Mail carriers, such as UPS and FedEx do not need prior approval to enter the gates. If you are expecting a mail delivery, please do not call. The guard will allow gate access to mail delivery personnel.*
- Utility personnel, such as Bright House, FPL, City of Palm Coast and AT&T, do not need prior approval for entering gates.*
- For visitors entering by way of the Crossings and Wild Oaks Gates, please instruct your visitor to call your house using the directory call box located at the gate, prior to calling the guard. Use of the directory call box at the Crossings and Wild Oaks Gates will help to allow the guards additional time necessary to process visitor traffic entering through the Main Gate.*

Following these guidelines will help to decrease visitor wait time, expedite vehicle entry and help prevent excess back up of vehicles at the Main Gate's visitor entrance.

Thank you for your patience and cooperation. Any questions can be directed to the Grand Haven CDD office, located at 2 North Village Parkway.

Residents can also contact the CDD office directly at.....

Barry Kloptosky”

EIGHTH ORDER OF BUSINESS

SUPERVISORS’ REQUESTS

Supervisor Gaeta advised that she received an email advising that Mr. Cullis is holding an open house this weekend and he has passes for those that register. She questioned how Mr. Cullis obtained the passes. In response to Supervisor Smith’s question, Supervisor Gaeta indicated that the passes are for entry into Wild Oaks and Grand Haven, to tour homes.

Mr. Kloptosky reviewed a copy of the advertisement. He explained that Mr. Cullis is showing homes in Grand Haven. Mr. Kloptosky stated that he contacted Mr. Cullis, as he had not notified the guard house or the CDD office that there would be additional traffic entering the community. Mr. Cullis advised security about the passes. According to Mr. Cullis, the open house is no different than other open house events; he did not anticipate an overload and confirmed that he will notify the guard house in the future. In response to a question, Mr. Kloptosky voiced his understanding that Mr. Cullis will send visitors to the guard house to obtain the passes.

Mr. Alfin stated that the event is a multiple house open house; the District cannot do anything about it, as anyone who wants to enter Grand Haven can do so. He agreed that, as a matter of courtesy, the CDD office and guard house should be alerted. Mr. Alfin recalled that, in the past, realtors had a person stationed at the gates to assist open house visitors.

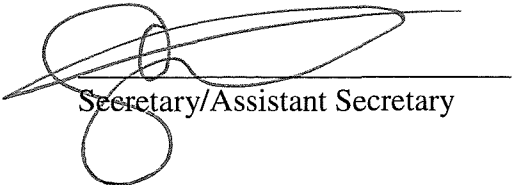
It was noted that, as the developer, Mr. Cullis is the only party that is allowed to place open house signs.

NINTH ORDER OF BUSINESS

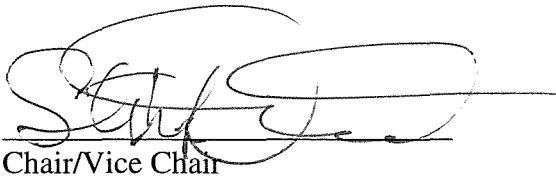
ADJOURNMENT

There being no further business to discuss, the meeting adjourned.

On MOTION by Supervisor Smith and seconded by Supervisor Gaeta, with all in favor, the meeting adjourned at 1:25 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair