

**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 18, 2015** in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137** at **10:00 a.m.**

Present at the meeting were:

Marie Gaeta	Assistant Secretary
Tom Lawrence	Assistant Secretary
Ray Smith	Assistant Secretary

Also present were:

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
Robert Ross	Vesta/AMG
Roy Deary	Vesta/AMG
Joe Montagna (<i>via telephone</i>)	Vesta/AMG
Ashley Higgins	Grand Haven CDD Office
Mark Rohrbeck	Celera IT Services, Inc.
George Suhaj	Resident
Valerie Wright	Resident
Rob Carlton	Resident
Ron Merlo	Resident
Don Plunkett	Resident
Wilfred Hessert	Resident
Jim Gallo	Resident
Lisa Mrakovcic	Resident
David Alfin	Resident
Bob Hopkins	Resident
Steve Reisman	Resident
Bob Clarke	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Woodville called the meeting to order at 10:03 a.m., and noted, for the record, that Supervisors Gaeta, Lawrence and Smith were present, in person. Supervisors Davidson and Chiodo were not present.

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. Wilfred Hessert, a resident, referred to a survey published by the National Judiciary Review regarding gated communities, which concluded that crime was down in gated communities. He felt that the District does a “pretty good job” with vehicle access but, with five entrances, access can be “wide open”. Mr. Hessert suggested that the District implement a two-step process, including considering an economic way to close walkway access into the community. He felt that “poly-type” gates with access pads could be installed. Mr. Hessert advised that the District has a tailgating issue at the gates.

The second step would be to install cameras at the walkway access points, to identify who enters. He voiced his opinion that the District has an issue with contractor security and alleged that, last year, he observed painters at a home unloading methamphetamine equipment from a truck. Mr. Hessert stated that he interacted with one of the painters and instructed him to “get out of here”. Upon further research, Mr. Hessert discovered that the painter at his home was released from state prison six months before, after serving five years for armed robbery and methamphetamine production. He notified the contractor and was told that the contractor did not screen the subcontractors. Mr. Hessert expressed his opinion that the main security threat is internal, with people who are inside but the District does not know who they are.

Supervisor Lawrence questioned if Mr. Hessert understood that the CDD roads are public roads and facilities and the District must allow access. Mr. Hessert stated that public access is not the issue; the issue is the perception of security. Mr. Hessert wanted to know who enters the community through the gates.

Mr. George Suhaj, a resident, recalled a prior discussion about installation of fences in Wild Oaks. He felt that the Board must understand the difference between prevention and

deterrents. Mr. Suhaj discussed his work-related experience. He stated that prevention would be impossible but the District could install deterrents. Mr. Suhaj believed that the District should restrict pedestrian access into the community and suggested fences, gates and cameras. He discussed the importance of a perception of security to scare people away.

FOURTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

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

A. MINUTES

i. Approval of May 7, 2015 Community Workshop Minutes

Mr. Kloptosky referred to Lines 63 through 65 and felt that he did not make the statement; however, he had not reviewed the audio file to determine who made the statement.

That portion of the minutes would be changed to reflect Mr. Kloptosky’s verbatim statements.

ii. Approval of May 21, 2015 Regular Meeting

Supervisor Gaeta indicated that her changes were submitted to Management subsequent to preparation of the agenda.

B. UNAUDITED FINANCIAL STATEMENTS

i. Approval of Unaudited Financial Statements as of May 31, 2015

On MOTION by Supervisor Lawrence and seconded by Supervisor Smith, with all in favor, the Consent Agenda Items, as amended, were approved.

FIFTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer

Mr. Jim Sullivan indicated that Mr. Mike Munson was no longer with the Genesis Group (Genesis).

Regarding the Creekside parking lot expansion, Mr. Sullivan advised that all matters with the City were nearly resolved; a few minor legal matters remain. He noted that the contractor was proceeding with the Sailfish Drive stormwater drain project. Genesis was responding to

requests for additional information from the City. Mr. Sullivan stated that Genesis was working on the annual Capital Projects Report, which will be completed by the end of the month.

Supervisor Lawrence asked when work on the Sailfish Drive project would commence. Mr. Sullivan believed that work should commence within the next few weeks. Mr. Kloptosky indicated that commencement was pending plan revisions required by the City prior to issuance of the permit.

B. Amenity Manager

Mr. Ross provided information and the cost to upgrade the point of sale (POS) system.

It was noted that three POS systems must be upgraded, two in the café and one in the Amenity office.

Mr. Woodville explained that, effective October 1, 2015, federal regulations will require POS systems to accommodate the “chip” technology and, once effective, liability for fraud will fall on the vendor, not the credit card company.

Supervisor Lawrence asked if the District owned the POS systems in the amenity facilities, meaning liability would be on the District. Mr. Ross replied affirmatively.

Mr. Clark confirmed that the new regulations would create a shift in liability from the card issuer to the vendor who accepted the credit card; if the District does not use the new technology, the District would become liable. He noted that, if the CDD’s system was upgraded but fraud still occurred, liability would not fall on the CDD.

Regarding the proposal, Mr. Ross indicated that it was to upgrade two POS systems but three must be upgraded. Supervisor Lawrence summarized that the cost would be \$3,400 for three new POS systems.

Mr. Woodville recalled discussion, at the last meeting, regarding the Tiki Bar, and asked if the Board wanted to use a POS system there, as well. Mr. Ross stated that the Tiki Bar began a six-week trial, two weeks ago, which has been successful; however, he did not want to spend additional funds until the trial period concluded. In response to Supervisor Lawrence’s question, Mr. Ross confirmed that the Tiki Bar is “cash only”. Supervisor Lawrence asked the cost to install a fully upgraded POS system at the Tiki Bar. Mr. Ross did not know.

Supervisor Gaeta noted that there was a site-to-site wireless connection between The Village Center and Creekside and asked if an additional piece of hardware could be added to the existing POS system. Mr. Mark Rohrbeck, of Celera IT Services, Inc. (Celera), must research

this, as Celera had not managed the POS system very much. Supervisor Gaeta confirmed that the POS system operated on a different network but asked again if the site-to-site connection could be modified to include the additional site. Mr. Rohrbeck reiterated that POS systems must be on a separate network. Mr. Clark believed that the site must have an on-site reader that captures the chip information, even if the information were transferred to another site.

Mr. Woodville suggested a remote or mobile POS system, if available.

On MOTION by Supervisor Lawrence and seconded by Supervisor Smith, with all in favor, authorization for Amenity Management to hire Mr. John Burt, of Enterprise Solution Industries, to upgrade the CDD's three POS systems and train staff, at a not-to-exceed cost of \$3,400, was approved.

- **Celera IT Agreement**

****This item, previously Item 5.D.iv., was presented out of order.****

Mr. Woodville indicated that, given that IT is a critical issue in protecting data, the IT person should report to the highest level, which would be the Board. He asked Mr. Rohrbeck to create an inventory of all hardware and software for the Board's information about the systems that Celera oversees. Mr. Woodville stated that Celera would act as a consultant; therefore, he recommended that the contract require Celera to present an annual report, each April, as the Board may need to consider issues during its budget discussions. He discussed using Amenity Management's contractor to upgrade the POS systems, as an example, and voiced his opinion that Celera should oversee all IT issues, so that one contractor could be held accountable; the District should not allow other contractors to perform IT work or address IT issues.

Mr. Rohrbeck was comfortable with assuming responsibility for all IT matters; however, he was not fully comfortable with being responsible for the backup system, as it is often unreliable. He discussed MAX Backup as a higher-priced alternative but with more recovery options. In response to Supervisor Lawrence's question, Mr. Rohrbeck indicated that MAX Backup was available for a monthly charge; however, it would be worth it to the District.

Discussion ensued regarding the issues and limitations of the current backup system and the benefits of MAX Backup.

Supervisor Lawrence asked Mr. Woodville to provide details of Management's backup system. Mr. Woodville advised that Management works with an IT person who backups up the system and reports to Mr. Wrathell and the Controller. Mr. Woodville noted that Ms. Higgins satisfactorily handles the day-to-day matters with Mr. Rohrbeck but stressed that Mr. Rohrbeck must understand that he works for and reports to the Board on IT, security and budget issues, as well as making recommendations to safeguard the District's data.

Regarding breaches in the system, Mr. Rohrbeck noted that there are ways to access a system or contract a virus, which is why he prefers a layered approach to security.

Mr. Woodville reiterated his recommendation that, contractually, Celera be required to provide an annual bullet point report, each April, to reflect a full audit of the District's hardware and software systems, with a narrative of what the system is and does, along with the specifications and a description. He noted that, according to the Unaudited Financial Statements as of May 31, 2015, "IT support" was at 98%, or \$5,862 against a \$6,000 budget, with four months remaining in Fiscal Year 2015, and additional expenses anticipated. Under the new contract, the cost would be \$1,005 per month. Mr. Woodville questioned if the proposed cost would be inclusive of preparing an annual inventory report and overseeing all IT issues. He asked Mr. Rohrbeck to comment on potential expenses over the next 18 months.

Mr. Rohrbeck confirmed that the \$1,005 per month fee would include preparation of an annual inventory report and overseeing all IT issues. He noted that he provided a report but it might be too technical. Mr. Rohrbeck indicated that the cost of a new firewall was not included in the proposal.

Supervisor Gaeta directed Mr. Rohrbeck to email the report to Management for dissemination to the Board.

On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, the Celera IT Services, Inc., Agreement for Professional Services, subject to District Counsel's final review, was approved.

C. Field/Operations Manager

Mr. Kloptosky met with Blue Ribbon Pools (Blue Ribbon) last week and executed the amended contract, as discussed at the last meeting, which released 75% of the balance owed for

payment. He toured the pool and observed some improvement in the deficient area; another inspection would be conducted, once the 180-day wait period concludes. The payment was released to Blue Ribbon.

Mr. Kloptosky reported that The Village Center pickleball courts, landscaping and irrigation were completed and the final inspection by the City was pending.

With regard to the Creekside croquet court resurfacing project, Mr. Kloptosky indicated that the project is progressing well. The Opening Day is tentatively scheduled for July 25, 2015. He noted that the contractor was working to restore the sod, which was damaged due to heat and irrigation issues.

Mr. Kloptosky referred to a letter that District Counsel sent to the City seeking reimbursement for damages related to the City's reuse pond and supplies of water issues. He stated that the City responded, blaming the District's pump house and equipment for the irrigation deficiencies.

Mr. Clark felt that the City's response was typical and that the City was alarmed that the District alleged damage, which was why the City Attorney wrote the letter. He hoped that the District and City could cooperatively resolve the issues.

Mr. Kloptosky obtained proposals to replace the awning at the croquet court. He wanted to replace the hedges that were removed, for equipment access, with a double gate. In response to Supervisor Lawrence's question, Mr. Kloptosky confirmed that the croquet players were in favor of the double gate.

Regarding 55/57 Osprey, Mr. Kloptosky advised that the project was 100% complete, except replacement of the mailbox surround. He noted that a resident who was concerned about the tree count was satisfied; excluding the easement, the GHMA determined that the resident had 13 trees and the requirement was 11.

Regarding the ten issues previously posed by the resident, Mr. Woodville confirmed that the resident was satisfied.

Mr. Kloptosky referred to the reuse pond issues and indicated that the City was on site on June 10, 2015, performing work on the inflow piping. He approached the City employees and was told that they were calibrating the meter. Mr. Kloptosky checked the calibration and was told by the City's contractor that the inflow meter was off by nearly 10%. Per Mr. Kloptosky, St.

Johns River Water Management District (SJRWMD) does not allow deficiencies over 5%. He stated that the CDD's discharge was below a 1% deficiency.

Mr. Kloptosky surmised that the City billed the District for water entering the pond and, if the City was off by 10%, he felt that there must have been billing discrepancies and speculated that the City must have overbilled the District by "quite a few thousand". He indicated that the City offered to install an upgraded meter inside of the pump house but, although the City would pay for the meter, Mr. Kloptosky required the City to provide a written proposal and letter of intent for the Board's consideration; the proposal was pending. Mr. Kloptosky urged the City to hire the CDD's contractor to install the meter and replace the pipes with stainless steel.

Regarding the inflow equipment, the City "claimed" that it will be replaced with a wireless system; however, Mr. Kloptosky questioned when the work would be completed.

Mr. Woodville noted that the City planned to replace the flow control and install a new outflow meter. He recommended that the District wait until those projects were completed before seeking a credit from the City for overbilling.

Discussion ensued regarding the amount of water used by the District. Mr. Kloptosky stated that the City's figures were high, the District's were lower and the bills were in between. Based on his calculations, for a six-month period, it appeared that the difference was almost \$9,000; however, he wanted to ensure that the calculations were accurate.

Mr. Woodville pointed out that, since the reuse pond had a liner, seeping and evaporation could have caused some of the difference. Supervisor Lawrence doubted that the liner was breached.

Supervisor Gaeta recalled that the City previously requested payment of \$8,000 from the District.

Mr. Clark indicated that the fee was related to increased potable water capacity or usage in Creekside. He advised against mixing this with the reuse pond matter because it could further delay things in Creekside and the issues are different.

Supervisor Lawrence asked for an estimate of when the instrument would be installed that would automatically refill the pond. Mr. Kloptosky was advised, on June 10, 2015, that it would be installed within seven to ten days. Supervisor Gaeta questioned if the District made a determination of what type of signal was to go back to the City. Mr. Kloptosky indicated that it would be a cell signal but knew nothing about the specific equipment.

Mr. Kloptosky advised that several Capital Improvement Plan (CIP) items were related to duct work above the ceiling in the Grand Haven Room, including replacing the ceiling and installing fans. He felt that the project would take three weeks to complete and could not promise that the room would be available for the next meeting. Mr. Kloptosky stated that the Board could meet but the ceiling would be open, or the project could be delayed to October, when there would be three weeks between. The Board urged Mr. Kloptosky to proceed now with the project.

Mr. Woodville asked about the roof condition. Mr. Kloptosky indicated that the roof was replaced in 2009 and held up well, with the exception of isolated leaks due to condensation and issues in the flat roof areas.

Mr. Kloptosky recalled discussion about replacing the bocce ball courts. He was obtaining pricing and will compile the information. Mr. Kloptosky met with the bocce ball players and they requested a second court. He indicated that the shuffleboard court is next to the bocce ball court and recommended locating a second bocce ball court at the shuffleboard court location and relocating the shuffleboard court, possibly near the petanque court. Mr. Kloptosky stated that the bocce ball players wanted awnings, lighting, etc., which will be included in the estimates. The Board agreed with Mr. Kloptosky's plan.

Supervisor Lawrence asked if the Petanque court was used. Mr. Kloptosky received complaints but felt that he resolved the issues by explaining to players that the courts were not meant to be professional courts. He also discussed compacting the courts; however, since compacting did not work, another type of rock was mixed and the courts were recompacted.

D. District Counsel

i. Traffic Light Bond

Supervisor Lawrence asked if the District had legal strength, if the City continued to "stonewall" the District. Mr. Clark advised that the District had some strength but it was not a clear cut issue; the District executed an agreement that suggested that the money would be available when the County Traffic Engineer decided that a light was warranted. He noted changes in the location of the proposed light, which could question whether the changes override the agreement with the County; the County's position was that Colbert Lane was a County road and under the County's control. Mr. Clark indicated that, when an agreement has no termination date, it calls to question what the reasonable term would be. He felt that the money was charged

to mitigate the community's impact on Colbert Lane; the community is nearly built out and the impact did not occur. Mr. Clark wanted documentation from the County related to Colbert Lane, including the level of service, traffic light studies and requests elsewhere and the results of those requests. His goal was to demonstrate that the District was far away from a situation meriting a traffic light; therefore, it would be unreasonable to hold the money for another 20 years. Mr. Clark conceded that the County could reject the District's position, at which time, he would request mediation.

Supervisor Gaeta was concerned that the District might be supporting all of Colbert Lane, relative to traffic signals.

Supervisor Lawrence suggested that residents could be urged to attend a County Commission meeting to express the community's objections.

Mr. Clark stated that it was his responsibility to reschedule the matter to be heard by the County; he will provide the District with ample notice of the date.

Supervisor Lawrence questioned if the agreement had a termination date. Mr. Clark indicated that the Development Order (DO) contained a termination date. Mr. Clark explained that Mr. Cullis tried to close out the DO but the County felt that the numbers were still in flux because the community was not completely built out.

ii. Creekside Impact Fee

This item was previously discussed.

iii. Marlin Drive Pond

This item was previously discussed.

iv. Celera IT Agreement

This item was previously discussed.

v. Trespass Policies

Mr. Clark believed that the Board was in danger of wandering into situations where it uses Trespass Warnings to deal with rule violations. He noted that the District has rules and procedures for handling trespassing. Mr. Clark summed up the most recent incident and the Board's requirement that the resident involved attend a meeting. He recalled some consternation about it being during the Public Comments portion of the meeting and a Board Member felt that it should not have been discussed in any form since the matter was not on the agenda.

Mr. Clark advised that the item should have been included on the agenda, as the rules state that, when a Trespass Warning is issued, the matter would be discussed by the Board at the next meeting. He stressed that the District must have a system to address trespass situations whenever a trespass citation is issued or requested by the District and issued by the Sheriff. Mr. Clark indicated that the District Manager should be notified immediately for placement of the matter on the next meeting agenda. When the matter is discussed, the Board must determine whether to continue or lift the Trespass Warning. He explained that the purpose of a Trespass Warning is situations of criminal acts or public safety issues where the person must be removed immediately or, in instances of a rule violation and the person refuses to leave when asked.

Mr. Clark recommended that, when the matter comes before the Board, the Board continues the Trespass Warning, if it involved a public safety, violent or criminal act; however, if the Trespass Warning involved a rule violation, as was the most recent incident, he felt that the Trespass Warning should not be used as enforcement for a breach of the rules because the District already has procedures for those situations. The procedure includes issuing first, second and third notices, with varying degrees of potential penalties, in the form of suspensions, based on the number of notices. If the Board ignores the process and leaves the Trespass Warning in place, it essentially creates a suspension without following the District's Rules of Procedure, which state that, if a suspension is issued, the person is allowed to appear before the Board, with others or an attorney, if desired, and the Board would make a decision about whether to issue a suspension, based on the evidence presented.

Mr. Clark referred to the recent incident and pointed out that the Board lifted the Trespass Warning, which he found appropriate, even if there were concerns about how it came about. He noted that the Board also issued a public warning to the resident, which was followed by a letter. Mr. Clark understood that a subsequent incident involving the same resident was discussed at the last workshop. The rules state that, when there was a warning, followed by a subsequent incident, the matter must come before the Board, with the Board deciding whether to institute a suspension. Since this was a second offense, the Board had the right to suspend privileges for up to 90 days and, if the Board makes that decision, a certified letter must be sent to the offender, informing him of the Board's decision and that he may appear at the next meeting, or a meeting within one month, to contest. Mr. Clark recalled the Board's discussion at the workshop about instituting a one-year suspension; however, per the established procedure, the Board can only

institute a suspension of up to 90 days. This action cannot be taken at a workshop, it must be discussed at a meeting. He recommended taking action today, if that remained the Board's intention.

Supervisor Gaeta asked if the offender would be notified of the date to appear and what happens if the person does not appear.

Mr. Clark felt that an individual should be notified, whether it is about a Trespass Warning or suspension. A Trespass Warning matter should be an automatic agenda item at the next meeting; a notice should automatically be transmitted stating that a Trespass Warning was issued and the matter will be discussed by the Board of Supervisors at a meeting on a specified date and invite the person to attend. He indicated that, for a rules violation with a suspension, the District is required to send a notice by certified mail informing the person of the suspension, providing the date and time of the next meeting and inviting the person to appear before the Board if they wish to contend the suspension. If the person is not present, they waive their rights.

Supervisor Gaeta asked about having law enforcement present at the meeting. Mr. Clark advised against involving law enforcement with rules issues; they should remain separate. Mr. Clark noted that the most recent situation involved the resident riding a bicycle on the tennis court and diving into the pool, neither of which constitute criminal actions; the purpose of a Trespass Warning would be to get the person off the property until the Board could discuss the matter. Mr. Clark stated that the question before the Board today was whether to issue a suspension.

Supervisor Lawrence asked if Amenity staff can have the Sheriff physically remove a person, if the person violated an amenity rule and refused to leave, or whether a Trespass Warning must be issued. Mr. Clark stated that, initially, staff should ask the person to cease the violation and, if the person does not cease, staff should ask them to leave; if the person does not leave, the Sheriff could be called to meet with Amenity staff and, if warranted, the Sheriff could issue a Trespass Warning to the person. Once the Trespass Warning is issued, the person cannot come back until the Board considers it at the next meeting and determines whether to send a warning letter.

Supervisor Gaeta pointed out that the matter should be on the next meeting agenda. Mr. Clark confirmed that the rules state “it shall be on the agenda”; therefore, the procedure should be followed on every occasion.

Supervisor Lawrence surmised that the Board must make a decision today regarding the individual involved in the most recent situation.

Mr. Woodville recalled, from discussion at the last meeting, that the resident dove into the pool, which was a rule violation, Mr. Ross asked the resident to leave, which he did. Later, the resident asked Mr. Ross if he could re-enter the pool, Mr. Ross told him “no” and the resident left again. He pointed out that, while the resident broke a rule, he complied with Mr. Ross’ orders. Mr. Woodville noted that, per Mr. Clark’s earlier comments, the resident could attend the next meeting with an attorney. He urged the Board to move away from the emotions of the incident and consider the facts.

Regarding the Trespass Warning that was issued, Mr. Woodville explained that Sheriff Manfre asked that, when a Trespass Warning is issued by the Sheriff, law enforcement be given the opportunity to speak to the Board about the incident, during the meeting, as well. Mr. Clark noted that it would be a public meeting so he would not say “no”; however, the Board must understand that law enforcement’s function is different from the CDD and Board’s function.

Mr. Ross confirmed the accuracy of Mr. Woodville’s recap of the diving into the pool incident. Supervisor Gaeta asked if the resident committed any more violations. Mr. Ross replied no. Mr. Woodville pointed out that the resident complied with both of Mr. Ross’ requests on the day of the diving into the pool incident.

Supervisor Lawrence asked if the resident could “come freely into the amenities”, since the Trespass Warning was lifted. Mr. Ross replied affirmatively. Supervisor Lawrence asked if the individual had utilized the amenities since. Mr. Ross replied no. Given the one rule violation and the resident’s compliance with Mr. Ross’ orders, Supervisor Lawrence questioned what the Board can do, such as sending a warning letter or imposing a suspension. Mr. Clark confirmed that the Board can impose a suspension of up to 90 days. Mr. Clark underscored Mr. Woodville’s prior comment and advised that the Board should react to the actual incident that occurred and not proceed on the premise that “he got away with something before because he had some violations that we didn’t notify him of”; the Board should not treat the incident as a fourth violation, when it really was not. Supervisor Lawrence asked if the District could send a

warning. Mr. Clark indicated that the Board could decide to send a further warning. Supervisor Lawrence asked if the letter could inform the resident that diving into the pool was a second violation; therefore, if another violation occurred, the Board could suspend his amenity privileges for one year. Supervisor Lawrence wondered if the pool diving incident would count as a second violation only if a letter was sent. Considering that the resident could bring an attorney to the hearing, Mr. Clark advised that, if the Board wanted the pool diving incident to count as a second offense, the resident should be notified in writing.

Mr. Woodville asked if the matter must proceed through the rules violation procedure with the resident being given the opportunity to appear before the Board, if a second warning letter was sent. Mr. Clark indicated that, if the letter is simply a warning and the Board did impose a suspension, there would be no requirement to give the person the opportunity to appear. If another incident occurred, it would be treated as a third offense and a decision would be made, accordingly.

Mr. Ross wanted the District to send a written warning.

Mr. Kloptosky agreed with sending a written warning.

Mr. Bob Hopkins, a resident, questioned what sending a letter of a second warning would accomplish. Supervisor Lawrence stated that, if the resident had another violation, the Board could then suspend him for a minimum of 90 days and a maximum of one year. Mr. Hopkins surmised that the District would send a letter stating “You did something but you can come back, even though it is a second warning, and you lied before the Board when you were telling them that this was the only time I did something that was proven by the Operations Manager of many instances which don’t count because it is not on the record.” Mr. Hopkins further contended that “It was proven that he lied before the Board. He went out within a week and made a rules violation and a Board Member asked how many more there were.” Mr. Hopkins asked, “How many more do you get?” Supervisor Gaeta explained that the Board was trying to follow the rules. Mr. Hopkins declared “Obviously you didn’t because you did it at a workshop.” Supervisor Gaeta indicated that the decision was made at a meeting; however, the item was not on the agenda. Mr. Kloptosky noted that the diving incident was discussed at the workshop. Mr. Hopkins recalled receiving a warning letter based on hearsay from two workers and a recreational officer. Supervisor Gaeta advised that the policies were recently amended. Mr. Woodville stated that the District was trying to create due process so that an individual could

address the Board. Supervisor Lawrence indicated that he favored suspension; however, the Board must consider the incident and that the resident complied with Mr. Ross' orders.

Supervisor Lawrence speculated about suspending the individual for one year, due to a third violation, and questioned what would happen if, after the one-year suspension, the person committed a fourth violation. Mr. Clark believed that, if the suspension was for 12 full months, the process should start over.

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, authorization to send a violation warning letter to the resident, indicating that it was a second violation, was approved.

Mr. Clark noted the Board's discussion, at the workshop, regarding over budgeted legal fees, and encouraged the Board to discuss it with him. Supervisor Lawrence asked Mr. Clark to identify tasks that District Management could perform, rather than District Counsel.

Mr. Clark advised that the District Manager could send the letter that the Board just asked him to prepare and send. He felt that he should be involved in infrastructure and contractual matters. Mr. Clark discussed matters that required additional time, during the past fiscal year.

Mr. Woodville indicated that, in his experience, Mr. Clark is mindful of the advice he gives to the Board and the work performed.

Supervisor Gaeta acknowledged that the District required much intervention from Mr. Clark on legal matters.

*****The meeting recessed at 11:44 a.m.*****

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

E. District Manager

Mr. Woodville recalled speaking to Mr. Keith Marvin, a resident, regarding 57 Osprey, and sent a letter to the GHMA. The GHMA was responsive about the issues.

He recalled a resident request for a streetlight. The resident was notified of the Board's decision against installation of a streetlight and, while not happy, the resident accepted the Board's decision.

- i. Upcoming Community Workshop/Regular Meeting Dates**
 - o COMMUNITY WORKSHOP**

- **July 2, 2015 at 10:00 A.M.**

The next workshop is scheduled for July 2, 2015 at 10:00 a.m., at this location. Mr. Woodville noted that Supervisor Davidson will not attend the workshop. He asked the Board's input regarding items for the workshop agenda.

Discussion ensued regarding cancelling the workshop.

On MOTION by Supervisor Lawrence and seconded by Supervisor Smith, with all in favor, cancellation of the July 2, 2015 Workshop, contingent upon something arising, was approved.

- **REGULAR MEETING**

- **July 16, 2015 at 10:00 A.M.**

The next meeting is scheduled for July 16, 2015 at 10:00 a.m., at this location.

Mr. Woodville indicated that Supervisor Davidson will discuss his proposed meeting about oak trees and the easement policy at this meeting.

SIXTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Continued Discussion: Fiscal Year 2016 Proposed Budget

Mr. Woodville advised that Management amended the proposed budget, as directed, particularly related to "Legal - general counsel" fees.

B. Continued Discussion: Business Plan

Supervisor Smith indicated that he would send a form to be completed by the Board. He noted that he received a partial response trying to define an appropriate scope for the security topic. Supervisor Smith felt that the Board must define a reasonable scope that could be prioritized. He surmised that, if the list does not contain a security item, his perception would be that the Board was not being responsible to residents who regularly attend meetings to voice concerns.

Supervisor Lawrence pointed out that Item 4 was "Internal/Amenity Security Systems". He felt that this item included everything and, aside from perimeter security, the District's gates were as secure as possible, given the public access aspect of the District.

Supervisor Smith voiced his opinion that the “Internal/Amenity Security Systems” was related to amenity access, not the other security issues. He recalled resident perceptions voiced earlier today regarding the perimeter; residents want “leadership” regarding perimeter security. Supervisor Smith acknowledged the District’s limitations but was campaigning for an item on the list recognizing that topic so it can be prioritized, along with all of the other priority items.

Supervisor Gaeta suggested changing the title of Item 4 to “Internal/Amenity/Perimeter Security Systems”. Supervisor Smith stated “I think 4 is fine the way it stands” because a lot was done on that item. Supervisor Gaeta questioned what Supervisor Smith would suggest. Supervisor Smith indicated that the District can do more to limit access to amenities than limiting access into the community or “funneling paths” of how people enter the community.

Supervisor Smith discussed the District’s perimeters and residents’ issues are asking about. He felt that residents would continue asking the Board “What can you do?”, which is why it should be included on the priority list.

Supervisor Lawrence recommended that Item 7 be “Perimeter Security”.

Supervisor Smith will update the draft Business Plan to define the perimeter concept.

Supervisor Gaeta asked what the District could do relative to the perimeter.

Mr. Clark indicated that the District has authority to provide perimeter security. He noted items that came before the Board, repeatedly, such as the North Park fencing, which the District could address, despite many obstacles to installing a fence. Mr. Clark recalled the repeated requests to secure sidewalks into the community and the associated obstacles and expense. The District could discuss roving patrols and other security options.

Mr. Woodville asked if the District could place cameras on access roads and install signage stating that the area was under surveillance. Mr. Clark replied affirmatively. Mr. Clark discussed new legislation regarding whether security video would be public record. Mr. Woodville felt that video surveillance, with proper signage, would be a deterrent. Supervisor Gaeta noted the potential cost and process to install security cameras throughout the community and questioned if the recommendation was for Mr. Kloptosky to investigate it. Supervisor Smith stated that he was not trying to do that; rather, he was trying to solve the problem by developing a framework of topics that the Board can prioritize and then delegate those items to Board Members or Staff, for action.

Supervisor Gaeta questioned if signage must be installed notifying residents and the public that the community was under video and audio surveillance. Mr. Clark recommended notification if the objective is to deter; notification is a good idea with video and a requirement if the District will record audio.

Supervisor Lawrence wanted Mr. Kloptosky to investigate the cost to install a gate at each sidewalk entrance, along with a video camera. Mr. Kloptosky pointed out that the pedestrian gate could not have a lock because the District cannot prevent access; he believed that a gate would not eliminate access into Wild Oaks, as people would walk around it, etc. Supervisor Smith felt that it was premature for Mr. Kloptosky to research the cost; his goal was to have this topic included on the priority list.

C. Updates: Revised Policies

This item was tabled to the July 16, 2015 meeting.

D. Consideration of/Decision on: Celera IT Services, Inc., Agreement for Professional Services

This item was discussed during Item 5.B.

E. Discussion: Payment Card Industry Data Security Standards

This item was discussed during Item 5.B.

▪ **Croquet Court Grand Opening Ceremony**

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

Mr. Woodville recalled discussion about an opening ceremony and asked when it should be held. Supervisor Gaeta recommended holding a ceremony once the entire Board is available. Supervisor Smith envisioned the ceremony occurring when Mr. Kloptosky officially opens the croquet court, in conjunction with the Croquet Club's inaugural use of the court.

Mr. Kloptosky cautioned against setting a date now and suggested considering the date at the July 16, 2015 meeting.

Discussion ensued about an opening ceremony for the petanque and pickleball courts, as well. Supervisor Lawrence questioned "where does this stop". Mr. Woodville stated that the original intention was to provide accountability to residents of what money was spent on.

Mr. Jim Gallo, a resident, suggested including a photograph of the Board Members in front of the croquet court in The Oak Tree.

It was suggested that photographs of the other courts that were completed as part of the “Year of the Courts” be included in The Oak Tree publication. Mr. Woodville recommended holding the grand opening in the morning.

SEVENTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

EIGHTH ORDER OF BUSINESS

SUPERVISORS’ REQUESTS

There being no Supervisors’ requests, the next item followed.

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 12:27 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Secretary/Assistant Secretary

Chair/Vice Chair