

**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, October 19, 2017 at 10:00 a.m., in the Grand Haven Room, at the Grand Haven Village Center, located at 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 (<i>via telephone</i>)	Assistant Secretary
Ray Smith	Assistant Secretary

Also present were:

Howard McGaffney	District Manager
Scott Clark	District Counsel
David Sowell	District Engineer
Barry Kloptosky	Operations Manager
Robert Ross	Vesta/AMG
Ashley Higgins	Grand Haven CDD Office
Rob Carlton	Resident and GHMA President
Kathleen Fuss	Resident
Ron Merlo	Resident
Jim Gallo	Resident
Chip Howden	Resident
Morgan Evans	Resident
Charlie Greer	Resident
Stephanie Johnson	Resident
Tom Scott	Resident
Frank Toscano	Resident
Al Lo Monaco	Resident
Joanna Salkovitz	Resident
Glen Gouldey	Resident
Doray Levendusky	Resident
Mark Thornally	Resident
Turner Lett	Resident
Joe Dresnok	Resident
John Polizzi	Resident
Roberto and Dona Romo	Residents
Vic Natiello	Resident

M. Leigh Jackson
Frank Sockman
John Woika
Mike Wright
Mike Mitchell

Resident
Resident
Resident
Resident
Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. McGaffney called the meeting to order at 10:06 a.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

MODIFICATIONS TO AGENDA

The Board agreed to the following modification to the agenda:

- **Reorder the Eighth Order of Business, Business Items, to the order of A, D, C, B, F and E**

On MOTION by Supervisor Lawrence and seconded by Supervisor Davidson, with all in favor, the modification to the agenda, was approved.

FOURTH ORDER OF BUSINESS

CONSULTANTS, GUEST REPORTS & PRESENTATIONS

There being no consultants, guest reports and presentations, the next item followed.

FIFTH ORDER OF BUSINESS

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

There being no public comments, the next item followed.

SIXTH ORDER OF BUSINESS

STAFF REPORTS

- A. District Engineer**

Mr. Sowell stated that the pre-construction meeting for the road resurfacing project was held. P & S Paving, Inc. (P&S) wanted to commence work as soon as next week; however, Hurricane Irma debris remained in the way and must be removed and some low tree limbs could impede the contractor's equipment.

Mr. Sowell conducted a site inspection of Lakeview Lane, on Monday and another site visit would occur today to verify an item of concern.

Supervisor Davidson asked if the road project contractor would commence work next week. Mr. Kloptosky stated that he must confirm with P&S; P&S wants to start next week and, if they cannot, the work could be postponed until spring because P&S wants to do it in warmer weather.

Supervisor Lawrence asked if the District Engineer was working on the water intrusion issue at The Village Center. Mr. Kloptosky stated that he was working on that item and would cover it in his report.

Supervisor Gaeta read that WastePro would be finished picking up storm debris by Thanksgiving and asked how it would impact the District. Mr. Kloptosky would address this in his report.

B. Amenity Manager

Mr. Deary stated that, with the storm and resulting Café closure, September sales were off by approximately \$15,000 to \$20,000. In response to a question, Mr. Deary confirmed that there was no loss to the District or Vesta for food loss because Vesta has food spoilage coverage in its insurance policy; however, Vesta does not have business interruption coverage but might add it in the future.

Discussion ensued regarding the profit sharing arrangement for the Café and the benefit to the District, over the past few years.

▪ District Manager

****This item, previously Item 6E, was presented out of order.****

i. Upcoming Meeting/Workshop Dates

○ BOARD OF SUPERVISORS MEETING

- November 2, 2017 at 10:00 A.M.**

Mr. McGaffney stated that the next meeting will be held on November 2, 2017 at 10:00 a.m.

○ COMMUNITY WORKSHOP

▪ **November 30, 2017 at 10:00 A.M.**

Mr. McGaffney stated that the next workshop will be held on November 30, 2017 at 10:00 a.m.

Mr. McGaffney stated that a “Notes” tab was added to the back of the agenda package for Board Members and Staff to use to take notes, etc.

Supervisor Chiodo asked if the November 30 workshop might be cancelled. Mr. McGaffney replied affirmatively. Mr. Lawrence asked if a workshop would be held in December. Supervisor Gaeta stated the December workshop was scheduled, as a placeholder.

C. Operations Manager

Mr. Kloptosky stated that the following Fiscal Year 2017 Capital Improvement Plan (CIP) items were underway or completed during Fiscal Year 2017:

- Installed two tankless hot water units in The Village Center Café dry storage area.
- Completed resurfacing the Creekside and Wild Oaks basketball courts and installed new backboards, hoops and nets. Total \$11,784.

Mr. Kloptosky stated that it did not make sense to resurface The Village Center basketball court because it was too cracked; a complete restoration of the court surface should be considered in the future.

- Lakeview Lane Project concrete road repair project was underway and should be completed by the end of the week.
- The Creekside Drive storm drain repair work should commence once Cline completes the Lakeview Lane project.

Mr. Kloptosky reported the following related to The Village Center water intrusion issue and storage addition to the building:

- Met with a new Architect regarding the project, conflicting information, etc. Architect will provide several proposal options:
 - Without storage area addition
 - Draw up a scope of work for the stucco project
 - A-frame roof repair

Supervisor Davidson asked if Mr. Kloptosky’s intent was to eliminate the storage room addition from the scope of this project. Mr. Kloptosky stated that the original plan was to include the storage addition with the entire project but it became too cumbersome and would take too long. The storage addition would be taken out of the overall project so it could be built

independently, as work could start immediately and be completed sooner. The Board must first approve the Architect's proposal to redraw the design plans; once the new plans are completed, proposals for the addition could be obtained.

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, authorizing a not-to-exceed amount of \$9,000 for the new Architect to redraw the project design plans, was approved.

Mr. Kloptosky reported the following regarding the road resurfacing project:

- P&S was concerned about debris in the roads. Much of the debris was removed and only some piles remained, which should not delay the work. P&S offered to remove the debris for an extra cost or Mr. Kloptosky's staff could remove the debris. A CDD field staff member has a trailer that could be used.
- P&S wants to commence work as soon as possible, as it takes longer for the asphalt to set in cooler temperatures.

Supervisor Davidson stated that the CDD was not supposed to pick up any of the debris on private property and, although it would be to expedite the resurfacing project, it would target not one but all areas. Mr. Clark stated that it would be permissible for the District to use staff and CDD funds to clear debris in those areas where debris would impede the project. Supervisor Smith wanted District Counsel to comment on the appropriateness of a CDD employee using their personal equipment for CDD work. Mr. Clark stated that evidence of insurance should be provided by the employee.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, authorizing CDD field staff to remove debris from streets where road resurfacing will occur, was approved.

- P&S was concerned that hanging tree branches might be too low for their equipment to pass under, on private property back streets, which could delay parts of the project and potentially increase the overall project cost. The CDD cannot trim those trees; it is a resident responsibility.

Discussion ensued regarding whether the trees were trimmed to the required height, whether they could be trimmed in time for the project to commence next week, obtaining a list of the streets with hanging limb issues from P&S, whether the CDD can trim the trees. Mr. Clark stated that, where trees are within the easement but on private property, the CDD has the right but not the obligation to trim the trees to the extent that the limbs impeded the function and maintenance of the road; whether the resident or the CDD pays for the tree trimming expense must be determined.

Supervisor Davidson asked if the road in the entire community would eventually be resurfaced. Mr. Kloptosky replied affirmatively. Supervisor Davidson suggested that the District incur the expense of trimming the necessary trees to complete the road resurfacing project.

Supervisor Davidson made a motion and Supervisor Gaeta seconded the motion authorizing the Operations Manager to obtain a proposal and execute a contract with Shaw's Tree Service, LLC, to trim tree limbs on streets where road resurfacing will occur, in a not-to-exceed amount of \$10,000.

Discussion ensued regarding whether the necessary trimming for this project might exceed the regular tree trimming requirements.

Mr. Kloptosky would obtain information regarding the height of the equipment, trimming requirements, etc. A decision on this matter was deferred to later in the meeting.

Mr. Kloptosky reported on the following:

- The Wild Oaks exit gate was damaged when a resident attempted to enter through it. The cost was \$12,000, which included the cost for nighttime guard service until the gate was repaired; payment from the resident was pending.
- Last week the Wild Oaks gate was destroyed and must be replaced. Guards were posted again and quotes for replacement of the gate were being obtained.

Mr. Kloptosky stated that, a few days later, he pursued the person into a nearby community and took a photograph of the truck, the people in the truck and the license plate and matched the faces with the gate video. The police were contacted and the District would be reimbursed the cost of the gate repairs by the contractor that subcontracted the workers.

Supervisor Lawrence asked if a license plate camera should be installed at the Wild Oaks exit. Mr. Kloptosky replied affirmatively and suggested signage, as well. Supervisor Davidson asked about installing spikes. Mr. Kloptosky stated that many municipalities do not allow spikes. Mr. Clark stated that another community was able to obtain permits and install spikes.

➤ The wetland near a Chinier Street home is full of water and residents were concerned that the drainage pipe is blocked. The area was inspected and the pipe is not blocked, water is flowing; the issue was due to oversaturation and there is no place for the water to go.

Supervisor Lawrence asked if the District ever had a home that flooded. Mr. Kloptosky was not aware of any and he felt that there was no evidence of the water backups to be due to pipe blockage; water was flowing and the system was functioning properly. Supervisor Smith asked about maintenance of an area on Chinier. Mr. Kloptosky would follow up but it was all Golf Course property; therefore the District was not responsible. Supervisor Smith suggested that the District coordinate with the Golf Course to mow the area, despite the District not being the owner of the property. Mr. Clark advised against entering onto the Golf Course property to perform maintenance without receiving permission or setting a precedent that the District maintains private property along streets. Discussion ensued regarding whether the District should maintain that area, entering into a Limited Agreement with the Golf Course, whether the District’s contractor would bill more for the additional area, potential liability and charging the Golf Club for the mowing by adding the cost to their annual assessments. Mr. Kloptosky felt that the contractor would mow the area at no additional cost to the District. Adding a nominal \$5 per year to the Golf Courses annual assessments was discussed. Mr. Clark pointed out that his fees to draft the agreement would far exceed the \$5 annual amount that the District would recover from the Golf Course. Supervisor Davidson suggested that the annual amount added to the Golf Course’s assessments could be District Counsel’s fee to draft the agreement.

On MOTION by Supervisor Davidson and seconded by Supervisor Smith, with all in favor, authorizing Staff to negotiate and for District Counsel to draft a Maintenance Agreement with the Golf Course for the District to mow the area discussed and adding the cost or a specified amount to the Golf Course’s annual assessments, was approved.

Mr. Vic Natiello, a resident, recalled the water discussion and a location on Flamingo Heron that was important to Firewise and the District trimmed back a part that was important to the AT&T communication node. That seemed to be the only place in the community, on private property, where the CDD is gathering water and the water is remaining. If the District had extra soil, it should be placed in that location so that the water sheds off of that property and away

from the node, as it was not good to have standing water near electronics. Mr. Kloptosky would coordinate with Mr. Natiello and inspect the area.

Supervisor Smith asked that the bathroom remodeling project become a priority. Two people complained to him about the conditions and a real estate agent stated that he does not take prospective buyers into the bathrooms because they are a “negative selling point”. A short, lower cost remedy could be completed, such as resurfacing the current tile. Mr. Kloptosky felt that the bathrooms required a complete renovation and he was not in favor of a temporary remedy, as it would be a waste of funds. The renovation was included in the Fiscal Year 2018 CIP. The original proposal was \$60,000 for one bathroom; therefore additional proposals, which were much lower, were obtained. Mr. McGaffney stated that, if the proposals and other details were available, the item would be included on the December agenda.

- **Wild Oaks – Resident Comments**

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

Mr. Tom Scott, a resident, stated that his comments would be the same as comments of Mr. John Polizzi, a resident.

Mr. Polizzi stated that residents of Wild Oaks were concerned about the stormwater system. Although no homes were flooded, there was standing water following Hurricane Irma. Residents conducted their own research. The storm sewers still have backed up water to the level of the grate, which the residents believed was a direct result of the water levels in Ponds 39, 40 and 38 not going down, which causes the streets to flood every time it rains. Residents were also concerned that the water levels were beginning to erode some pathways and bridges were under water. Areas where weirs were designed to flow into canals were not maintained, which inhibits water flow, creating path washouts and greater concern about the bridges. Residents understood that there were permit issues involving the St. Johns River Water Management District (SJRWMD); therefore, the District should seek more “creative” ways to solve the issues in areas that might be Common Areas, rather than in SJRWMD areas. The system seemed well-designed but the recent rains have begun to cause damage, overflow was preventing the storm sewer levels to reduce to a level that would allow them to relieve themselves into the ponds. It was suggested that the District evaluate the weirs and try to clear areas that were not under the SJRWMD permits. Discussion ensued regarding the streets that contained water, the chronology of recent rain events, when the backups started, ongoing maintenance of the system, etc.

Ms. Doray Levendusky, a resident, discussed the water level conditions near her home on Willow Oak Way. Since Hurricane Irma, the wetland area was completely full, which created a pond that has remained for five weeks. Because the weir on Pond 40, also known as Pond K, was not functioning properly, all of the relief for Ponds 38, 39 and 40 backed up into the wetland area and would remain until water starts to flow from the weir. Ms. Levendusky asked that the District implement an interim solution to the issue. She presented photographs of the weir and pond levels and discussed the conditions.

Mr. Scott obtained the engineering as-built drawings for the Pond K weir from the SJRWMD website and discussed them with the Design Engineer. He hoped that the weir would be fixed and that the District would not wait for the SJRWMD permit. Mr. Scott referred to Mr. Kloptosky's comment that water was flowing as designed and contended that it was not how the system was designed; there was a blockage causing water to flow in to other areas. He discussed the weir, blockages, water flow, high water levels, etc. In response to Supervisor Gaeta's question, Mr. Scott stated that the blockage was created by dirt, vines, bushes, a berm, etc.

Mr. Smith discussed his observations when he visited the site. Water was not flowing over the weir but, on the backside between the pond and canal, water was at 12" to 14", which meant that water was 1' higher in several ponds because of water not flowing; water was also at sewer grate level in that area but not in other areas of the community.

Supervisor Davidson asked if any speaker or anyone in the meeting, aside from the District Engineer, was a Civil Engineer or familiar with the complete construction and operation of stormwater maintenance systems and familiar and qualified to investigate stormwater systems. The District must have the District Engineer investigate the system to determine if it was designed correctly and whether this was a maintenance issue.

Mr. Kloptosky stated that he is not an Engineer but his credentials were from building construction and development and his work with Engineers, Architects, etc., on drainage systems. He stated that the system was functioning but whether it was functioning at capacity was a question for an Engineer. Mr. Kloptosky discussed the following:

- No homes in Wild Oaks flooded
- His concerns about the berm along Tract H and what to do about it and the vegetation
- Whether clearing the berm and digging a deep trough would resolve the issue
- The low height of the bridge and walkway and consideration of raising them
- His observation that the system is functioning and there were no backups of concern

- Tasking the District Engineer with investigating the system to determine the issues and obtaining District Counsel's input on potential legal issues

Mr. Scott stated that the residents were not attempting to be prescriptive, as they are not Civil Engineers. He agreed with Mr. Kloptosky's comments about the berm. The concern was that nothing would be done since no homes flooded; the District should investigate options.

Mr. Kloptosky presented a slide show of the affected area, discussed the photographs and responded to questions.

In response to Supervisor Davidson's question, Mr. Clark stated that the District could and should investigate the issues to determine if the system was operating as designed and was simply overloaded and, if it was not operating correctly, whether it was a maintenance issue or due to improper construction. The findings could lead to various legal paths. In 2008, the District refused to accept the system, when the Developer tried to convey it because the SJRWMD identified deficiencies with the system, including an issue on Pond K. About three years ago, SJRWMD was willing to waive the issues except they needed more Conservation Easements that were not granted, if the District would accept responsibility. Mr. Clark surmised that it was not helpful to the District if SFWMD waived the deficiency on Tract K, if there was a construction issue because, then, the District was just "writing a check". It was important for the District Engineer to evaluate the system regarding these issues; the District needs information. Mr. Clark was trying to engage with SJRWMD and compiled the historic information, plans, designs, etc.

Supervisor Davidson stated that residents should provide their information to Mr. Sowell.

Supervisor Davidson spoke to Mr. Jim Landon, Palm Coast City Manager, about the storm debris issue. After October, Mr. Landon would be willing to discuss determining responsibilities and ensuring that maintenance is performed. Supervisor Davidson discussed issues with Tract H, which is Pond 47, and Pond 44, which is the feed from the City, and that all of the City's swales and roads were overwhelmed. Supervisor Davidson assured the residents that the District would develop an action plan.

Mr. Frank Sockman, a resident, stated that there were issues prior to Hurricane Irma. He identified an area slightly outside of the CDD's property, where the Wild Oaks water flows under Colbert Lane; a tree fell and the branches were laying in the canal, which could impede drainage when the tree breaks loose. Supervisor Davidson requested copies of the photographs, which he would forward to the City, as it was a City issue.

Mr. Natiello stated that trees have been in the canal for years and the City was asked to remove them but had not.

Mr. Sowell would provide his findings at the next meeting.

*****The meeting recessed at 11:59 a.m.*****

*****The meeting reconvened at 12:13 p.m.**

D. District Counsel

Supervisor Davidson asked for the status of the Federal Emergency Management Agency (FEMA) reimbursement. Mr. Clark stated that the claim was progressing slowly. Discussion ensued regarding the amount of the claim, what costs were submitted, the District's insurance claim, etc. Supervisor Davidson estimated costs of \$429,000.

Supervisor Smith discussed a resident who contacted WastePro regarding residential trash pickup and was advised that it was the CDD's responsibility.

E. District Manager

i. Upcoming Meeting/Workshop Dates

- **BOARD OF SUPERVISORS MEETING**
 - **November 2, 2017 at 10:00 A.M.**
- **COMMUNITY WORKSHOP**
 - **November 30, 2017 at 10:00 A.M.**

This item was presented following Item 6B.

SEVENTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

Mr. McGaffney presented the Consent Agenda Items for the Board's consideration.

A. APPROVAL OF UNAUDITED FINANCIAL STATEMENTS

i. Unaudited Financial Statements as of August 31, 2017

Mr. McGaffney presented the Unaudited Financial Statements as of August 31, 2017. Supervisor Davidson asked why the District issued a \$3.13 payment to another CDD. Mr. McGaffney explained that meeting folders for several CDDs are often shipped to him in the same FedEx package and are charged to one of the CDDs. The FedEx expense is then split amongst each of the CDDs and the CDD that was charged for the shipment is reimbursed a proportionate share of the expense by each of the other CDDs.

B. APPROVAL OF MINUTES

i. August 3, 2017 Continued Meeting

- ii. **August 3, 2017 Community Workshop**
- iii. **August 17, 2017 Regular Meeting**
- iv. **September 21, 2017 Public Hearings and Regular Meeting**

Revisions to the minutes were previously submitted to Management.

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

EIGHTH ORDER OF BUSINESS

BUSINESS ITEMS

The following items were presented in the order of A, D, C, B, F and E.

A. Discussion: Hurricane Irma Recovery

Supervisor Davidson discussed the following:

- Some streets where debris removal had not occurred but the crew was in the community yesterday. Crew not able to pick up large items.
- Residents receiving incorrect information from WastePro, regarding debris removal in the community, and his conversation with WastePro when he was told that debris removal in Grand Haven was completed.
- His conversation with Mr. Landon's Assistant regarding WastePro's impression that they were finished in Grand Haven. The Assistant indicated that there was a "disconnect" at WastePro.
- WastePro should not be contacted; the City's website has an information link about post-hurricane activities or residents could call the City's Customer Service department.
- The City's debris removal contract with CrowderGulf, who did not arrive until last week. The City was way behind because they were trying to remove debris with their own equipment and crews.
- The District's Memorandum of Understanding (MOU) that allows WastePro waiving their volume restrictions so that they can pick up debris on private property, in the community, that the CDD could not pick up; however, the contractor has not been capable of picking up the debris in a timely manner.

Mr. Natiello discussed the issues with WastePro, including:

- WastePro should not pick up large-scale storm debris, as they do not have the trucks to pick it up.
- Fighting amongst crew members on the trucks.
- Normal trash pickup should occur and, if it did not, residents should contact the City.

The City's Customer Service phone number, 386-986-2360, would be sent to residents in an e-blast.

Supervisor Davidson stated that, despite the MOU, if WastePro is not able to perform the work, the District must find alternatives.

Dr. Rob Carlton, a resident and GHMA President, recalled discussion, at a meeting that he and Supervisor Davidson attended, that it would be beneficial if only one governmental agency in Grand Haven managed all storm debris removal and Supervisor Davidson agreed that the CDD would accept the responsibility. In response, Dr. Carlton announced that at a GHMA meeting and sent two e-blasts but never received feedback that it was not accurate; essentially, everyone in Grand Haven was notified that the CDD would take responsibility for all storm debris removal. Supervisor Davidson stated that the District's position changed because District Counsel advised that the District cannot expend public funds for removal of debris on private property. Dr. Carlton questioned if Supervisor Davidson's statement was accurate. Mr. Clark stated that he raised an issue about reimbursement. The reimbursement rules are clear that, if the District picks up debris on private property, it would hinder the District's ability to receive FEMA reimbursement. Mr. Clark stated that the District could legally pick up debris on its roads but it was a political question and the Board's decision whether to spend the District's funds on that, which could lead to levying a special assessment, etc. Discussion ensued regarding private debris being placed on CDD property.

Dr. Carlton was concerned that the information he disseminated was not corrected by a District representative.

Mr. Chip Howden, a resident, discussed WastePro's inconsistent debris removal, his contact with the City and the responses he received from the City.

Mr. McGaffney discussed the purpose of the MOU and asked Mr. Howden to avoid contacting the City about the MOU. He stated that these were extraordinary circumstances and, regarding debris removal, someone must pay for and the CDD, GHMA, etc., should determine who it is and develop an agreement.

Dr. Carlton stated, for the record that Supervisor Davidson's motion "was not what Counsel said. Counsel said that you cannot get reimbursed for expenditures for private yard trash. He didn't say you couldn't do it, he said you can't get reimbursed for it.....We are talking about what can we get from FEMA." Supervisor Davidson stated that the discussion was about what the CDD could accomplish. The CDD cannot spend funds on private property debris removal; the potential solution of WastePro removing private property debris, through its contract with the City was not working.

Supervisor Lawrence asked if the District could pick up debris on private property, at its own expense. Mr. Clark had a problem if the debris was on private property but, if debris made its way onto CDD property, the CDD could pick it up but could still have a reimbursement issue with FEMA. The District could possibly enter into an agreement with the GHMA to accomplish debris removal on private property.

Supervisor Davidson suggested that the District conduct a one-time removal and that the GHMA arrange for debris removal on private property.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the District conducting a one-time public debris removal, with 4C's Trucking and Excavation, Inc., to clear the common roadways, after a major storm, but the remaining private property debris would not be the responsibility of the District, was approved.

Discussion ensued regarding notifying residents of the debris removal and tree trimming. Mr. Clark would review the language of the notification, as Mr. Kloptosky planned to include the threat of towing vehicles parked in the street and in the way of the crew.

B. Discussion: Capital Plan 2018

This item was tabled.

C. Discussion: Village Center Backup Power

Supervisor Davidson discussed the existing small, old generator for backup power, the limitations of that system and need for a more powerful backup power source and a deficiency of the infrastructure design of the community because it does not have a structure with consistent backup power.

Mr. Kloptosky presented a revised \$26,486 proposal from NexStar Electrical Contractors, LLC, for a generator for The Village Center and discussed the type of generator, specifications of the generator, price and other items included in the proposal. A 1,000 gallon underground propane tank would cost \$1,350. The total cost would be \$27,836, including installation.

Discussion ensued regarding the scope of the backup power system included in the proposal, including which areas would be powered for air conditioning, powering the restrooms and café, etc., purpose of the backup power system, etc., the previous quote, a comparison of a single-phase versus three-phase generator, the need for the three-phase generator, whether the backup power source would be sufficient to power modems and freezers, whether the café could be operational, etc.

Supervisor Smith could not support this expenditure for the following reasons:

1. He felt that the District should only spend money on “needs” and not “wants”; he viewed a backup power system at The Village Center as a “want” but not a “need” for the community. Other projects were higher priority “needs”.
2. He was not comfortable with the cost and felt that using The Village Center was dependent upon many assumptions, etc. and that the proposed items, such as the 1,000 gallon propane tank would be excessive.
3. He felt that it was not fair to present this on an incremental cost basis of “\$14 per household”.
4. He did not feel that the expense of a backup power system was a proper use of residents’ money.

Supervisor Davidson felt that this expense could be paid for from the “Disaster” line item, as it was for disaster preparedness.

Supervisor Chiodo stated that his focus was on whether the backup power system being discussed would enable CERT to possibly save a life and provide help, when needed. Without the backup power system, the District would not be allowing that to occur. He did not view the backup power system as a “comfort”; he viewed it as “help to the community and the need in an emergency”.

Supervisor Lawrence could not support this expenditure for the following reasons:

1. Historically, there was only one hurricane every three years and there were many “must” items on the CIP list that he viewed as “needs” and were higher priorities.

2. He felt that the District would be trying to create something that the residents' City taxes should pay for; the District has other CIP "needs" than to spend the money on something that might only happen every three years. He preferred to complete other projects first and determine if there was a "cheaper" option for a backup power system.

Supervisor Gaeta stated that the CIP items that Supervisor Lawrence felt were higher priorities were already budgeted for in the Fiscal Year 2018 CIP budget. She equated the backup power system to insurance; the probability of using insurance is generally small but it is there if you need it. Based on her initiative to bring communication to the community, she felt that this was not a "wish" or "want"; it was the Board being responsible to the community. It was a small, one-time price to pay, with the exception of refilling the propane tank, and would be money well-spent. She agreed that other projects were important but not completing those would not be detrimental to all residents but the lack of a backup power system could be.

Supervisor Lawrence asked about connecting The Village Center to the power grid that services the hospital. Mr. Kloptosky had not researched that and did not receive a callback from Florida Power & Light (FPL).

Mr. Howden felt that the District had not fully priced a lesser option. The District must determine whether the goal was to provide a facility for CERT to use or if it would provide a full-service facility for residents. He was not convinced that there was enough information to support the expense. Mr. Howden stated that he took a personal objection to using the "Disaster" funds because if those funds were used, they must be replaced.

Mr. Mark Thornally, a resident, questioned how many people could fit in the café. Supervisor Davidson clarified that the concept was not for The Village Center to become a shelter. Mr. Ross stated that café's capacity was 70. Mr. Thornally felt that the capacity was not adequate and this type of facility would give people an excuse not to evacuate. He asked who would monitor the facility; determine who was allowed in and how long people would be allowed to remain in the facility. Mr. Thornally supported Supervisor Lawrence's position.

Mr. Mike Firchol, a resident and CERT member, stated that CERT was not effective during the past two hurricanes because they did not have power, radios, etc. He agreed with Supervisor Gaeta's analogy likening the backup power system to insurance. Regarding "needs" and "wants", he pointed out that approximately only 90 of the community's several thousand residents play croquet yet the CDD spends \$28,000 per year on croquet court maintenance and just spent \$24,000 to install canvas coverings on the bocce ball court. He questioned how some

Board Members could support those expenditures but not support spending \$28,000 for the backup power system that could benefit all residents.

Ms. Joanna Salkovitz, a resident, did not understand why anyone would not want the backup power system. She discussed a resident who stayed during the last hurricane due to medical reasons and would have benefitted from a place to plug in her oxygen tank. If even one person was saved because of this, it would be worth the expense. She agreed that the Board spends money on all kinds of wonderful things but this could be a life-saving expenditure. She felt that some were only thinking in the short-term.

Mr. Jim Gallo stated that there were many other “wants” versus “needs” that the Board approved in the last three years and noted that the holiday lighting cost more than the proposed backup power system. He agreed it is nice to have the other items but could not understand why anyone would not want to have this type of system and stated that, if the “need” to complete the stucco and A-frame work was so intense then it would have been completed over two years ago, when the Board first started talking about it. He would prefer that the Board not discuss this for another two years.

On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with Supervisors Chiodo, Davidson and Gaeta in favor and Supervisors Smith and Lawrence dissenting, the NexStar Electrical Contractors, LLC proposal for a three-phase backup generator and for installation of a 1,000 gallon propane tank, in a total not-to-exceed amount of \$30,000, was approved. (Motion passed 3-2)

▪ **Staff Report – Operations Manager**

Discussion of the tree trimming item continued.

Mr. Kloptosky stated that approximately 50 to 60 trees must be lifted. This work could commence next week.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, authorizing the Operations Manager to obtain a proposal and execute a contract with Shaw’s Tree Service, LLC, to trim tree limbs on streets where road resurfacing will occur, in a not-to-exceed amount of \$10,000, was approved.

D. Consideration of/Discussion on: Radio Purchase

Supervisor Davidson and Mr. John Woika, resident and Ad Hoc Committee Member, discussed field testing the radios, the repeater and antenna, wattage of the system, demonstrated how to operate the radios, the intended function of the radios, etc., emergency procedures, type of radios, who would receive radios, etc.

Supervisor Davidson presented a \$3,675 proposal from BridgeCom Systems, Inc. (BridgeCom), for a radio repeater, antenna and 10 radios. All Citizens Emergency Response Team (CERT) members have radio licenses. Supervisor Davidson felt that the CDD should pay for licenses for the CDD field operations employees and all others should pay for their own.

Dr. Carlton questioned the benefit of the District paying for any CERT expenses, as CERT served more than just common property. Supervisor Davidson stated that a budget line item of \$500 for CERT expenses was budgeted the past 10 years.

Discussion ensued regarding how the radios are powered, powering the repeater, signal range of the radios, etc.

Mr. Mike Wright, a resident, stated that the radio licenses were for individuals and would follow the person; therefore, if a CDD employee left, the District must purchase another license.

Supervisor Lawrence questioned if the concept and benefit of the radio system was contingent upon the Board approving a backup power system for The Village Center.

Mr. Howden asked if the antenna system that will be purchased could be used for something else if the District needed a permanent antenna system in the future. Supervisor Davidson believed that the antenna could be used and the mount would be changed.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the BridgeCom Systems, Inc., proposal for a radio repeater, antenna and 10 radios, and the District purchasing three licenses, for a combined not-to-exceed amount of \$4,000, were approved.

E. Discussion: Disaster Preparedness Workshop

Supervisor Davidson proposed holding a Disaster Preparedness Workshop each June and questioned if a remedial workshop was necessary due to the recent storms. The Board consensus was to hold the Workshop in June.

F. Approval of Request for Use of the CDD Front Street Esplanade and/or CDD Common Property by Vehicles

Mr. Kloptosky stated that a resident was installing a pool and wanted permission to cross CDD property for equipment access to the property.

On MOTION by Supervisor Chiodo and seconded by Supervisor Gaeta, with all in favor, the request for use of the CDD common property by vehicles and authorizing District Counsel to prepare and Individual Use Agreement, were approved.

NINTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

TENTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Smith spoke with County Commissioner David Sullivan and found out that the cell tower is operational for Verizon customers but only if they have the latest software and the Colbert Lane paving project was behind schedule but still planned. Supervisor Davidson stated that Commissioner Sullivan advised him that the Colbert Lane paving project must commence before the end of the year to receive grant funds.

Supervisor Gaeta stated that a high-rise project was slated to potentially have three to five 80' buildings; the City annexed the property and the building heights would be 95'. The project was approved by the City.

ELEVENTH ORDER OF BUSINESS

ADJOURNMENT

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

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, the meeting adjourned at 2:07 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair