

**MINUTES OF MEETING
DOUBLE BRANCH
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Double Branch Community Development District was held Monday, **January 8, 2024** at 4:00 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065.

Present and constituting a quorum were:

Cindy Nelsen	Chairman
Chad Davis	Vice Chairman
Tom Horton	Assistant Secretary
Scott Thomas	Assistant Secretary
Andre Lanier	Assistant Secretary

Also present were:

Marilee Giles	District Manager
Mike Eckert	District Counsel
Jay Soriano	Field Operations Manager

FIRST ORDER OF BUSINESS

Roll Call

Ms. Giles called the meeting to order at 4:00 p.m. A quorum was present.

SECOND ORDER OF BUSINESS

Audience Comments

There being no audience members present, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

- A. Minutes of the November 13, 2023 Board of Supervisors Meeting**
- B. Financial Statements**
- C. Assessment Receipts Schedule**
- D. Check Register**

Ms. Giles stated included in your agenda package are the minutes of the November 13th meeting.

Vice Chairman Davis motioned to approve the minutes of the November 13, 2023 meeting.

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Mr. Horton stated I noticed an invoice on here for painting the field house. How did that work out?

Mr. Soriano responded we haven't gotten it yet. We have set up with Tito's to paint the field house and we've cut checks, but we're still waiting on his schedule. From what he told me, it was the weather right before Christmas. We had a couple of weeks of rain that pushed it back, and then we had the holidays, so I'm still waiting.

Mr. Horton stated there is another one that said something about VerdeGo doing almost \$4,000 worth of work on Plantation Oaks Boulevard.

Mr. Soriano stated most of that is sod work and we have some tree work in there too. There is one big tree invoice that I approved for across from the Oaks Park. There were a couple of large Blackjacks that were dying, and they were close enough to the road that if they fell, it would be a concern.

Mr. Horton stated there is another invoice for a 21-inch vacuum.

Mr. Soriano stated that is to repair one of the pool vacuums. You guys own your pool vacuums.

Mr. Horton asked you all vacuum?

Mr. Soriano responded yes; the lifeguards do. We have a pool guy in the off-season too, but during the summer, all the lifeguards get trained on how to vacuum and scrub those pools.

Mr. Horton stated there is another that just says quote. I'm not sure what that means. I think it's for the fencing.

Mr. Soriano stated if you've been out, you'll see much of that is complete. We don't have the small side fences, but that's the bottom rail we talked about so we could attach the fence to a bottom rail where it had curled up. Along with that I purchased fencing that is going to go in between the pickleball courts. We've been using temporary blockades. If they get a little too boisterous with their hits when they pass to somebody, the ball rolls into the other courts.

Mr. Horton asked so it's going to be permanent fencing?

Mr. Soriano responded yes. Originally, I didn't want permanent, but that's what we're going to go with.

Mr. Horton asked so you'll have to drill holes?

Mr. Soriano responded yes.

Mr. Horton stated that's a lot of money to fix the bottom of the fence.

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Mr. Soriano stated yes, but that's everything. That's fencing supplies not just for pickleball, but all the way around.

Mr. Horton seconded the motion to approve the November 13, 2023 minutes. On VOICE VOTE, with all in favor, the minutes were approved as presented.

Ms. Giles stated Mr. Horton, thank you for those comments on the financials. Next is the assessment receipts schedule showing the District is 95% collected and then last is the check register for both November and December totaling \$299,174.42.

On MOTION by Vice Chairman Davis seconded by Mr. Horton with all in favor the check register was approved.

FOURTH ORDER OF BUSINESS

Consideration of Evaluation Criteria and Authorization to Issue an RFQ for Engineering Services

Ms. Giles stated just a reminder, at the last meeting, the Board accepted a resignation letter from ETM. Included in the agenda package is the request for qualifications notice. This will publish in a local paper. Staff will also send this to known engineers in the area just to make sure they see it. Also included is the evaluation criteria set forth by the CCNA and I think Mr. Eckert went over that at the last meeting. The definitions for the evaluation criteria will stay the same, but if the Board would like to look at the weights, that is open for discussion.

Mr. Eckert stated these are the criteria we use for all our districts. We're happy to modify it if the board wants to. You have flexibility in terms of the number of points you award, with the exception of the certified business minority. With that criterion, you either get five points, or you don't get any. To credit your existing engineer, we had an issue come up in December and they signed the certification that we needed, so I think they will help us while we find somebody new.

Mr. Horton asked has anybody looked to see how many hours we get in engineering support every year roughly?

Mr. Eckert responded it's not much, except when something happens, and then it can be quite a bit.

Mr. Horton stated when I first started, the engineer was here and then he went away.

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Mr. Eckert stated I have some districts that are resident controlled districts, and the engineers are \$200,000 a year.

Mr. Soriano stated their company is getting away from resident-controlled districts, especially as they get older, because we do most of the work anyway. There are some districts they don't make any money from. They are keeping all their new development districts, so we still work with them quite a bit in other districts.

Mr. Eckert stated I have had several districts that have had to change because of this recently and we've at least gotten two proposals from different engineering firms for each one of those.

Ms. Giles stated we definitely want to have an engineer on staff because there are some requirements with the Florida Statutes, such as the stormwater needs analysis that is every 20 years, but due every five, and then you have an engineer's report due every seven years. I think it's better to go ahead and establish a relationship with an engineer and let them become familiar with the district. He will probably attend the first few meetings and then realize there won't be a need for him to call in.

Chairperson Nelsen stated they did attend when we still had construction funds and some capital funds still available and then once we settled out, we were built out for the most part.

Ms. Giles stated staff will reach out to them as needed, such as if something comes up at a meeting.

On MOTION by Vice Chairman Davis seconded by Chairperson Nelsen with all in favor authorizing advertising a request for qualifications for engineering services and using the evaluation criteria as presented was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2024-02,
Declaring the Series 2013 Project
Complete**

Mr. Eckert stated this is a requirement of your trust indenture, as well as your assessment proceedings that once you've depleted the funds in your account, you have to close out that account and declare that project complete. Our project has been complete for a little while although we had some new construction that came up and we had some extra bond money that was left over so we used that money to complete the rest of that project. I think we had about

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\$20,000 leftover. This is the final step in this. Marilee did tell me that there may be a very small amount left in the construction fund, so we may have another requisition, but it would be under \$300. This is the document I had to call Peter Ma about after they said they were completely done and I said you were the engineer, I asked him to sign this, and he said no problem.

On MOTION by Mr. Horton seconded by Vice Chairman Davis with all in favor Resolution 2024-02, Declaring the Series 2013 project complete was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Eckert stated I circulated an ethics training memorandum to you all and you may get another one from our office at some point in time, but I wanted you to have the other one early on. If you have any questions on that, just reach out to me individually. We're not going to do the training during board meetings. Once we looked at doing that, we figured out that it would cause a lot more of our hours to be spent with you in your meetings, whereas something is available for free online, it may no sense for us to recommend we do it at board meetings. We can revisit that later on, but it didn't make any sense for you.

The other issue I want to talk about is the park area we've been talking about and working with the county on. We have offered the county the option of enter into an agreement now, where we would agree to convey the park in the future once they have their plans more finalized, or we can convey the park now, with a reverter clause in the deed, which basically says if within so many years you don't develop a library on that site, you have to give the property back to us at their cost. The Board's concern was we don't want to give up the property and have it be used for a recycling site or something like that. The last email I got from the county attorney was to go with the reverter if it's going to be used for non-civic use. I think that's a language issue with her because I'm not going to agree to that. It must be a library, plus you can have other civic uses, but there at minimum has to be a library there. That's the last item I need to negotiate with her. She's asked about the timing of when we can get the deed to them. At this point in time, I'd like to ask the Board if you are okay with giving me and your Chair authority to execute the deed once we get the reverter language written correctly to just deal with the

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library, or do you want to see this again at your next meeting? It sounds like they want to get it done as soon as they can.

Mr. Lanier stated with the reverter, if we say we're willing to do this, if there is a major change in the property value, is that considered? Do they have to give it back or it's just hey, we didn't use it, it's now yours again.

Mr. Eckert stated yes, and then there's a maintenance aspect we need to talk about after.

Mr. Horton asked did they give you any idea of when they would fund this library?

Mr. Eckert responded they were trying to get it done as soon as possible, which to me means within two years. That was the impression I got. When I put in the date where it reverts back to the District, that's when I'm going to find out if there are any problems.

Mr. Horton stated it seems like they're hot to get it transferred over, but I'm hot to get some kind of plans and funding for building a library too.

Mr. Eckert stated I understand that, but the County Commission is going to make the decision on when the funding goes through and I'm sure we're not going to be driving this, but I'm sure what they're trying to do as the county staff and commissioner in this area that came to the meeting is to put a package together to say they've gotten everything resolved to be able to actually move forward with the library rather than there being an outstanding issue where the CDD could say no and then they can't do it at all.

Chairperson Nelsen stated they probably can't spend the money to get it surveyed so they can get a budget together until they know they have the property.

Mr. Lanier asked what's the normal timeframe for the reverter?

Mr. Horton asked are we talking about in two years it will revert back to us if they don't build a library?

Mr. Eckert responded I think two years is going to be too short. I would go with four years.

Mr. Lanier asked what is considered normal?

Mr. Eckert responded reverter clauses are not normal. It's just a way to accomplish what we're trying to accomplish here.

Mr. Lanier asked is five or six years long enough?

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Mr. Eckert responded I wouldn't go beyond five, because we can always renegotiate it and extend it if they've got something in the works, but I would go back and suggest four to them and see what they say.

Mr. Thomas asked but the language would say library?

Mr. Eckert responded yes.

Mr. Lanier asked does it matter what kind of library? I think the discussion last month was that a trailer out there as a library is not going to cut it.

Mr. Eckert responded we will put language in there for a vertical permanent structure. We will come up with something on that. You can see it if you want to wait until the next meeting and actually see it, or you can give authority for the Chair to approve it with these changes we just talked about.

On MOTION by Mr. Lanier seconded by Vice Chairman Davis with all in favor authorizing staff to work with the Chair to approve the deed to the county with a reverter clause for construction of a library was approved.

Mr. Eckert stated on the maintenance aspect of it, the county first reached out and said while this period of time that we're going to own it, we would really like you guys to keep maintaining it. I don't know how much that costs the district to mow that little area there or maintain it. They said they'd like the District to keep doing it like they have been, but they understood if that was going to cause heartburn with the district they asked if the District could keep doing it and the county could reimburse the District for that cost.

Vice Chairman Davis stated I'm okay with that.

Mr. Soriano stated I'd be happy if they would reimburse the district for the cost. We've been taking care of it for 20 years. Either way, I wouldn't want it to hold up this plan, but if they could reimburse it, it is separated out in our contract so we can give them amounts for weekly cuts, even if it's once a month. If it was in their hands, they wouldn't be able to cut but once every three or four months. They don't do any detail work, it's just come in, cut and that's it.

Mr. Eckert stated so it sounds like work out a maintenance agreement where we would continue to maintain it at our standards, and they would reimburse the cost.

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Mr. Soriano stated yes. They pointed out everything. So, they don't want trash removal or anything with the lights. They really don't want to do anything with the property.

Mr. Horton stated beyond that, I think we're forgetting about the road. The road belongs to us too.

Mr. Eckert stated yes, the road is going to stay with us.

Mr. Horton stated I road through there the other day and there's a good-sized pothole in one spot there. I suspect we'd probably have to fix the road there.

Mr. Soriano stated yes, we're going to have to repair those. It was in our capital reserve study to do a resurfacing and re-milling. I'd have to look it up. The hope was if they were to take it, we wouldn't have been doing it, but it is planned out in our capital.

Mr. Lanier asked will they take a part of it if they build the library?

Mr. Eckert responded I thought when I was talking to them that they would want that area to be able to reconfigure it to whatever use they would want later on, and they didn't want the parking spaces or anything outside of the grassy area. It's been the plan since the last meeting that we had that we were going to keep maintaining what we're going to maintain, except for the whole area where the library site is going to go. They are going to take care of the maintenance of that, but we have the curbs, parking lots and all that.

Mr. Lanier stated maybe it's something to just address within the parking for their library. Maybe they can look at part of that.

Mr. Eckert stated I'm happy to push back in any way the board wants me to, but I need to have some consensus.

Mr. Horton stated I'm afraid to push back, because I want the library and I don't want to get too bogged down in the details.

Mr. Lanier stated the worst they can say is no.

Mr. Eckert stated we kind of did push back on the parking a little bit in trying to encourage them to take some of it and they wouldn't have agreed to it from a staff level, but I'll mention it again. It's not going to hurt. Just so I'm reading the room correctly, we're okay with the maintenance, but they're going to reimburse us?

There were no objections to requesting the county reimburse the District for the maintenance of the parcel in question.

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B. District Engineer

There being nothing to report, the next item followed.

C. District Manager

Ms. Giles stated I just have a couple of things for the board tonight. As you do your ethics training, just screenshot it or capture it somehow in case they ever ask to see it, because I've since learned that some of that training doesn't generate a certificate. Also, on January 4th I received an email from the State of Florida Commission on Ethics. It's a requirement to complete the registration process and start your Form 1s. If you didn't get an email, check your junk mail, your spam folder or something. You may be able to just Google State of Florida Commission on Ethics, go to the website and register.

Chairperson Nelsen stated they usually mail them to us.

Ms. Giles stated it's now online; there will no longer be paper copies, so you won't get anything in the mail. I don't know if we're going to get an automated email reminder, but the suspense is July 1st. If you didn't get the email, give me a call and I'll try to help you figure it out. I did that myself this morning just to see if it was difficult or not and it is not difficult. I wasn't able to complete it, but it does save it and you can go back and finish it. I looked myself up and Ms. Nelsen up and I can see that you've completed all your Form 1s for the last ten years, but I couldn't click on it to actually look at your information. It has a hyperlink that says if you want this information, you have to request it through them. So, your information is protected, it's just that someone would have to request it. It seems like it's going to be better for us to do it online since it saves, but let me know if you have any complications with that and then capture your training somehow in case they ask for it. The training that you do in 2024 will be reported on your 2025 Form 1.

Mr. Horton stated I don't know if anybody is having any trouble with the links in that email you sent out. If you have some pretty good security on your computer, it's going to strip the script out of there, so there won't be anything to click on. If it doesn't work, that's what the problem is.

Mr. Thomas stated I know the session is about to come back into play. Are we anticipating any big changes in 2024?

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Mr. Eckert responded we've got one bill they're looking at for special districts. Some of which apply to CDDs, and some do not. There is a term limit of 12 years for members of a body. That does not apply to CDDs right now. These are all proposals. Nothing is law yet. It requires a referendum for special districts that exercise ad valorem tax authority. You do not exercise ad valorem tax authority, so it doesn't apply to you. It provides a dissolution process that voters elect to dissolve the district, which will change, and the legislature can't do anything to impair the contract that you have between you and bondholders, so I'm sure there is going to be language added saying and there is no existing debt outstanding or anything like that. There are procedures dealing with inactivity. We have some special districts that don't do anything, they were just put on the books and were never active, so they're going to deal with that. It requires all special districts to adopt goals and objectives as well as performance measures and standards. It says you can't convert to a municipality without legislative approval and right now you can. Each petition to create a community development district has to contain a sworn affidavit concerning the planned development. That's the major thing we're looking at. You're going to have sovereign immunity that is going to come back, and some things like that. You've been reading the news stories about city commissioners and county commissioners resigning from boards because of the new financial disclosure requirements. Those new requirements do not apply to a community development district board. They only apply to county commissions and city council people. They now require them to file a Form 6, which is a way more detailed financial disclosure than what is required for the Form 1.

Mr. Thomas stated I didn't know if there were going to be any different forms that we were going to have to submit.

Mr. Eckert stated not for this upcoming year. There's nothing proposed in that regard.

D. Operations Manager – Memorandum

Mr. Soriano stated we just had our Cocoa with Claus event at your sister district and it worked out well. There were a lot of people here and the tennis program ran it, so the tennis teams and a lot of the adults were volunteers. Our next event is going to be the Polar Plunge. We generally wait until the coldest month of the year, which is February. We will have that the first week of February. You guys have been without a slide pool for a year. That is complete now and back in working order, so we are going to do the Polar Plunge in that pool. It's been about 15 years since we've done it in that pool. It'll be extra cold, but I figure everybody has been missing

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it for a year, so they will get to go down the slide for the Polar Plunge. It does stretch a typical 30-to-40-minute event into a three-hour event, but everybody has been without it for a year and I know everybody is excited to have that pool back in operation. I'll update you more when we get into the maintenance side of things. The pool work is complete. They haven't picked up checks yet. He's got a couple of other jobs with us, so he's not that worried about it. They did a great job. I did report to you guys we had our one motor that is about six to seven years old that had been off for two months and those motors are not meant to be off, so when we went to start it back up it was completely frozen and rusted. We couldn't change out the impellers, so I got a whole new impeller setup, which will help with your iron staining a bit because that old one you saw from the pictures was pretty bad. That should be installed this week. We finished pulling all of the old stuff off last week. I also reported on a couple items with the fitness center. I was able to get our old fitness equipment maintenance contractor back in place. They let me know they've had some issues with staffing and changeover, which has been a problem with everybody. There are a couple of items we've been waiting on for almost four months now. They've been showing up and doing their preventative maintenance programming every other month and getting paid for that, but not doing the actual repairs so I got on them and told them we would be looking at somebody else, but they've come in and caught up for now. They have a cable that still needs to be replaced on one of them. Then I have a machine that I'm going to replace completely, so it won't need to be repaired. That should be delivered in the next twelve weeks. Outside of that, unless there are any other questions, I let you guys know about our Christmas decorations at the front. We rushed that last week to try to get something up because I had a lot of residents emailing and they were missing our tree. We had some new bright trees up there for everybody to enjoy. It worked out pretty well, but the old ones were not meant to be those outdoor commercial trees, so we went to unpack them and they were just falling apart.

Mr. Horton stated on your report you mention feral pigs.

Mr. Soriano stated yes, it's the same group coming out of the same location behind the Oaks. I talked to a couple residents and because of where it occurs, it is actually our bank. They fixed it and spent a lot of money fixing the sod lately and that area is ours. We will not fix it in the winter, but we will lay down new sod in some of those obviously damaged areas. The bank area is ours and once you get to the top of that bank, that is the resident's property, and they

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handle it like anything else. Even though the cut the grass down to there, I didn't want them to feel like they had to spend more money each time those pigs came out.

Mr. Horton stated your report mentions a purchase agreement for gas golf cart.

Mr. Soriano stated we are going to buy a new one. We've been repairing the old ones. If you recall, I bought a used one four or five years ago. That one is still doing all right, but the other one is the original 20-year-old cart. I can't make it run anymore. I was hoping to have the new one purchased by this meeting, but I haven't found one I really like. It will be under my amount.

Mr. Horton asked what was our agreement on the amount of money you could spend without approval?

Mr. Soriano responded \$8,000.

Mr. Horton stated I'd still like to know where the money went if it's a lot.

Mr. Soriano stated if it's a gas golf cart, it will probably be close to \$8,000, but it will be under that amount. I'm not going to buy new.

Mr. Eckert stated all of those expenses show up in the check register.

Mr. Soriano stated and even though there are two, you guys split that with Middle Village because we do drive them back and forth, so if I buy an \$8,000 cart, it's only \$4,000 from you guys.

Mr. Thomas stated speaking of sod, have you had a chance to start the multi-purpose fields?

Mr. Soriano responded I have not. We did want to go back to re-sprigging this year. This is something we would typically start in March or April. We need 50 degrees or higher nightly weather. That is something Chalon is going to be handling. She had a death in the family, so she is not here this month, but she will be back next month. I know she was working on getting those numbers together for us and a way to possibly change it. They like the idea of sprigging, but they also talked about hydro seeding, which would be cheaper. They both take a lot of water, and you can't guarantee 100% growth, but we did good with the sprigging, they just haven't done it enough. We got it done with Down to Earth who brought guys up from their golf courses in Orlando every year we were doing that, and it worked out well. Most everybody else around this area is hydro seeding and we've seen success with that in other neighborhoods too. If it's a huge different in money, I think it will be fine.

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Mr. Thomas asked are we going to quarter it off or half it?

Mr. Soriano responded it still has to be done the same way. There are three acres at a time and there are nine acres total. The reason for that is you have to keep it like a big mud pit for a good month and we don't want to make the whole field like that, so we do allow usage of a portion of the field, we just have to stop soccer and I-9 from going on to that other three acres. It wasn't just to split it up cost wise, it is so we can turn the irrigation off at the correct time.

Mr. Thomas asked is Chalon going to be able to submit any type of estimation?

Mr. Soriano responded yes; it's still going to be expensive. If we do hydro seeding, you're probably looking more at \$15,000, but it's still way above anything I can do, so she is going to have to submit it to you guys for approval. It's set up in our budget.

Mr. Horton asked did we get the dues?

Mr. Soriano responded yes. I got a hold of Elite, and we went through all of the registration numbers. It's about \$16,400 and they are sending us a check.

SEVENTH ORDER OF BUSINESS

Audience Comments / Supervisors' Requests

Audience Comments

Eric Miranda stated I sent some emails out the Board about the parking situation we have right now at the Village Center. Several of the resident's vehicles have been towed. There are disabled veterans that live there that have had their vehicles towed. Other people have had items stolen from our vehicles because we had to move our vehicles. I would suggest if we could at least get permits for parking in front of the properties at least; something for the homeowners that live there. My daughter's car was towed, and we made a police report thinking that it was stolen. I called several members of the board and tried to see what we could do, but nothing was resolved, and an email hasn't been sent back yet. That's why we're here.

A resident asked my question is what reason is the parking lot there? Especially in front of the houses, because in the Village Center, the front is where the parking lot is at. The back is a tiny space, so now we're struggling looking for parking for our cars. Most of us have to use our garage because we don't have the space.

Vice Chairman Davis stated I'm sure you know for years there was no towing. We were approached by your homeowners association to put that in place and we had discussions at that time that as soon as we do that, it's going to cause problems, because we get that some of your

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houses are right there where they wanted the towing enforced, but after a couple of months of them coming and asking for this, we put it in place.

Mr. Thomas stated they assured us they would tell all the residents. It was our understanding that it was supposed to be only the parking spaces that we own, not the parallel parking ones.

Mr. Soriano stated that is on the side road. She's talking about the other ones.

Eric Miranda stated the parallel parking is HOA property, not CDD property.

Manuel Mata stated I'm not part of the homeowners, but I've built a few houses in the neighborhood. All of the houses in the neighborhood, the way the design is, if you have a rear garage to the alleyway, you have parking. In the Village Center, all the parking that is in front of the houses along the roads, those are for the rear. So, there's parking to accommodate them in the front of their house. That CDD parking is what is in front of them. The problem is people have been parking their boats and the place hasn't been cleaned up. That is the issue we're having. But as far as the design, they should have some kind of access to the front of their house.

Chairperson Nelsen stated if I remember correctly, the original design was all of that was commercial property and then the owners came in and it was rezoned. We didn't have any say in that. That went through the county. We're dealing with an area that wasn't designed commercial but has parking spaces and all that, and now we've put in residential homes there. But we can't differentiate.

Vice Chairman Davis stated from day one, we said if we tow on our property, we have to tow on all of our property. Was there a boat there and your car got towed, but not the boat?

A resident responded yes.

Mr. Soriano stated that falls on the towing company, but they do have things they have to do, and I know when it comes to towing a boat they are a liability. There was a semi out there with a gentleman sleeping in it, and they're not allowed to take it unless he gets out of the vehicle. Then they had commercial vehicles. They towed seven vehicles the first night. I believe Ms. Miranda was one of the only ones it affected right there. I heard from one today, so it's been weeks since that first started, and it was cleared out all last week. I didn't see anything except for a trailer, and I don't know why they can't tow it, but that's on the towing company. That has nothing to do with us. As part of that contract, it was, we want this whole parking lot cleared. I do know residents got the email from the HOA, because that was a few months ago when the

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first letter went out because we got requests for something like this, so we sent out multiple emails and the last one specifically pointed out the Village Center. We made sure our policy covered everything, but we specifically pointed this one out before the holidays to say if you are in the Village Center, make sure you know, because we are going to start towing. We were still lenient through the holidays up until after Christmas.

A resident stated I think the wrong expectation was given. We thought the sign was going to be up, so they would be warned for at least a day, but they put the sign up that night and started taking cars that night.

Mr. Soriano stated they did not.

Vice Chairman Davis stated I thought you guys were going to warn them as well for about 90 days. How much warning do we need?

Faith Tubalado stated I'm on the homeowner's association. We came with the original expectation to clean up the entire parking lot and you guys know that. It looks great by the way. It's empty and it's cleaner. We also did send out several notifications to the neighborhood that in another 30 days, we are going to begin towing and there will be signs out there, so make sure you no longer park your cars in front of your houses. However, we also set the expectation that this is the only way per the CDD that we're going to be able to remove all those cars and clean up the Village Center. There was an entire rental car business back there and there was a boat. You guys saw the wood that one of the residents put up because kids were parking back there and doing their business. Now, that has helped reduce some of those things. However, like Manny said, when it was actually done, it wasn't done the nicest way in our opinion. The sign was put up the same night that Eric's daughter car was towed. Logically, why wouldn't you say to the towing company, this is effective this date, let's begin with the boat or with the rental cars. Why would you come in, put the sign up the same night and then tow a resident's car. That is the frustration. That is where it was not fair for the residents. I understand it affects eight houses, so we told those eight specifically, you guys are going to be affected by it, so just a heads up. However, their frustration is we knew this was coming, but we didn't know it was going to happen the same night.

Vice Chairman Davis asked when did your 90 days start, or your 30 days? There's a math equation there that if you give me 30 days, and then another 30 days, and then another 30 days, I

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have to know on the 91st day if I'm there, I'm going to get towed. That's why we did that. We warned this was going to happen.

Faith Tubalado stated we were expecting that a sign would go up, everyone would see the sign and they're no longer going to park there, because right now, no one is parked there. The other piece is I thought it was overnight parking only or after sundown, because isn't that the rules for the other areas here?

Mr. Soriano responded they haven't towed a car during the day, it's only the overnight.

Faith Tubalado asked so if they park in front of their houses right now until it's dark, they will not be towed?

Mr. Soriano responded right.

A resident stated the sign says 24/7.

Mr. Soriano stated that is the sign that has to be there per their code, but if you read our policy or were here for the meetings, we talked about just doing overnight. That is the way it's been for Oakleaf for over 20 years at our amenity center and it's viewed just like the amenity center is and we have towed people from the amenity center parking lot if they're there at midnight, but not 8:00 because the fitness center is still open.

Faith Tubalado stated the neighborhood has anxiety because we all saw the sign that said 24/7. I assume that it has to say that in case we call Jay and say there's a car there or whatever, but not everybody is going to know the rules and regulations under the sign.

Mr. Soriano stated yes, say somebody on blocks. That's a little different.

Ms. Giles asked when did the signs go up?

Mr. Soriano responded they went up Wednesday night. I watched them because I was here with them doing the tour and I talked to them about it. They have proof and they can give you that proof because they took pictures that night. If you want, you can contact them, but that falls on them. It is not our job to put the signs up. I walked with them on Wednesday beforehand and that's when we went through everything. I wanted the boat out of there first, because no matter what somebody says, it wasn't an abandoned boat. In fact, over the last month or so, somebody came in and put a tarp over it, so I know it's somebody that either lives in that area or in another neighborhood. Then a new semi showed up about a week before Christmas and it was one of your residents that took pictures and sent it to me asking why we haven't towed it yet. I met with them beforehand, and they took pictures that night when they were out there. They did

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state that it was up well before that and I do know, because I saw them up a couple months earlier when Madison called them to get them put up, but they only stayed up for a couple of days, because the HOA doesn't have authority to get ASAP to put those up, so I guess when ASAP figured that out, they took them back down, but they were installed well before that I watched them put them up.

Faith Tubalado stated we decided if we were going to start identifying who should be parking the neighborhood, the HOA decided let's get what we can do with ASAP quotes or whatever. ASAP took it as, let's put our signs out there and that's why they took them back down immediately, but it was separate from that.

Mr. Soriano stated it was about the same thing, but either way, the signs were there before that. It wasn't immediately that day, it was a couple of days later, because I called them and asked how they got them up.

Faith Tubalado stated I can have Madison send you guys an email and also maybe the rest of the HOA board, because that sign when they put it up there, was not for the CDD piece of it.

Mr. Soriano stated they put the sign up on the same post. There's one at every six locations. You can still see them up there.

Faith Tubalado stated today we can see them. Unfortunately, they were not there before.

A resident stated they put it up at 6:00 or 7:00 Wednesday night and seven hours later, they towed our daughter's car at 1:00 in the morning on Thursday. So, what is the solution for this problem. Are we allowed to park in front of our house or not?

Vice Chairman Davis responded not if it's on the CDD's property.

Mr. Eckert responded during the daytime, under our policy, yes, but at nighttime the answer is no. That's a public parking lot. I don't live in this county, but if I wanted to park in a space right in front of your house, I have the right to do that because it's public property. That's one of the things that ties this board's hands when this idea was brought to us. They said okay, but you understand this is a public area and if we're going to regulate it, we have to regulate it the same way for everybody. That's what this board struggled with in the beginning and then they said okay, if the residents are wanting us to deal with this issue, it is our property and this is the way we can deal with this issue.

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Vice Chairman Davis stated this was not our idea. This was something your homeowner's association asked us for repeatedly and we did it, but we also explained at the time that this is going to come with some sour grapes because there are parking spots in front of these houses that is our property, and we can't differentiate or separate them. We had these discussions for months.

Manuel Mata stated it had to happen just to clean up the neighborhood, but we also understand the design issue and the problem the residents are having and that's why we're here. If there's a way we could make a decal or something where they don't get their stuff towed, that's a solution we're looking for.

Mr. Thomas stated the ones that are parallel parking in the front, is there a way to lease those out to the HOA and like in these other communities, parking space number one is assigned to unit number one.

Mr. Soriano stated that would be more discriminatory because you have quite a few other thousand people in the CDD that also pay their CDD fees that go towards that parking lot, so even though it affects the people that live right there, everybody in the CDD has the same right to get a decal. I wouldn't be able to hand out 7,000 decals. It has to be open for those other 7,000 whether they live there or not if they live in the CDD.

Vice Chairman Davis stated it would be like sectioning out a piece of the pool for one resident. All residents have access to your parking because it's CDD property.

Mr. Soriano stated the HOA does have parking spots still that they could work with that go sideways down the roads.

Manuel Mata stated but it's in front of other houses.

Mr. Soriano stated you'd still have the ability to do something like that. We don't have that ability in that parking lot.

Mr. Eckert stated we need to stick to our three-minute rule, so if there are any final comments by members of the audience, then we need to take it back to the board to find out if there is any more discussion.

Mr. Horton stated Eric, your house I believe is on the corner. I drove by there today and I looked down the alley. Do you have a garage?

Eric Miranda responded yes, sir.

Mr. Horton asked is it a one car or two car garage?

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Eric Miranda responded it's a two-car garage.

Mr. Horton asked can you park in front of your garage?

Eric Miranda responded I can. That's what I have to do currently, but to get four cars in and out.

Mr. Horton asked so we're talking about parking four cars in there, am I correct?

Eric Miranda responded I only park two vehicles in the parking spots because of my children.

Mr. Horton stated you could put two cars in the garage and two cars in the driveway. Is that correct?

Eric Miranda stated yes, I have, but there are other residents that have complained.

Mr. Horton stated I'm just curious. I assume you don't put anything in your garage.

Eric Miranda stated yes, sir. I put my wife's vehicle in there.

Mr. Horton asked you can't get the four in there is what you're saying?

Eric Miranda responded I can make it fit to park on my property. What we're complaining about is if we have visitors overnight and family come over that they're not going to get towed.

Mr. Horton stated that would be an issue with your HOA.

Manuel Mata stated per the code, you have 16-feet of driveway. If you don't have 16-feet of driveway, that's why they put those parking spots in the front. Most of those rear load don't have the 16-feet, but throughout the community, they all have 16-feet of driveway in front of them as required. The ones that don't is why they have parking spots in the front.

Faith Tubalado stated I know the HOA requested it; I think it was the way it was brought. To Manny's point with the code and to this comment, if it was going to be commercial, those parking spaces would be allocated to those specific commercial buildings.

Mr. Eckert responded no. It's a parking lot. It's like a parking lot downtown.

Faith Tubalado stated one of the things to understand is everybody has a two-car garage. You can use your two-car garage just like everyone else, but Manny made a good point about the 16-feet, because the driveways are not that big.

Mr. Thomas asked just to clarify, we can't sell them those parking spaces? The ones that are in front of their doors. Then they would take responsibility of all of the upkeep. You could

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not come back to the board and say I have a pothole and it needs to be fixed. Can we sell those parking spaces, or do we have to sell the whole easement to the curb?

Mr. Eckert responded you could probably sell because you have the authority under Chapter 190 to sell property, but it's going to be a process. Are you going to let other people bid on those parking spaces? I'm happy to look at the issue. I've run across this in a couple of other places, and I can look at what we did there, but it's going to be a bit of a process and there's going to be some risk associated with it that you may not get the intended outcome that you want.

Chairperson Nelsen stated right. If I had a commercial vehicle and I wanted to park there, I can try to buy this space and block your house.

Mr. Thomas stated but they are approaching us, and we are trying to find a solution, so I just want to open a discussion up with all the facts.

Mr. Eckert stated I can take a look at it and report back at the next board meeting on what I've seen happen in a couple of other places. That's the best I can do.

Vice Chairman Davis stated counsel is the best way to go on this and hopefully he can bring something back to the next meeting and see if we can come up with a resolution for you guys. I apologize. We saw this coming. I know it's terrible and not fun.

Supervisor Requests

Vice Chairman Davis stated a resident reached out to me and the dog park gate is broken or was broken. I don't know if it's been fixed yet. Also, apparently a dog dug a big hole down to water pipe.

Mr. Soriano stated I was told this weekend, so the maintenance crew knows about it. I doubt the gate is fixed today, but they will be on that.

Mr. Thomas asked has the county given you any type of schedule on when they're going to start fixing these sidewalks? Some of the sidewalks where the roots are coming up, you need a dirt bike to get over some of these things.

Mr. Soriano responded they don't give us a schedule. Clay County is rather large and they do have a priority system for that, so they don't report to us on when they will get to it.

Ms. Giles asked would it help if more residents submitted a ticket?

Mr. Soriano responded it always does.

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Chairperson Nelsen stated the same thing with those potholes in the front.

Mr. Horton asked have you heard anything about the historical marker yet?

Mr. Soriano responded no new updates. The last I heard they were just shy a couple thousand dollars and not that we want to give away money, but I told them they should talk to you guys. Hopefully it will work out closer to spring and we can do a big event.

Mr. Horton asked is security not going to show up here anymore?

Mr. Soriano responded Marla was here for the first meeting.

Mr. Horton stated I would suggest someone show up for security if we can mention it at the beginning of the meeting. There's no reason for them to suffer the whole meeting.

Mr. Soriano stated they may forget they have both meetings on the same day.

Mr. Horton asked on the subject of security, have there been any issues?

Mr. Soriano responded so far, no. They have been switching staff, so I have a lot of new guys on your side. This side is a little better, but they are going to be cutting back one of the positions. There are two guards over here and we have one, so these guys have been around a little longer. If they moved that guy to your side, I would be a little more comfortable. Not that the new guys can't handle it, but I like when people have been here for a while and know what's going on and know the rules.

Mr. Horton stated someone mentioned the other day something about setting up cones on the soccer field and they were told they couldn't do that.

Mr. Soriano stated not cones. Once you get to organized practice, which a lot of them do, I have one group that brings out their tackling dummies and things like that, you can't do that.

Mr. Horton stated I was just assuming it was a family.

Mr. Soriano stated no. That's the way they make it sound, but that's not what security is saying. Usually, I have an angry dad coming up to me saying it's just him and his kids, but then when I look at what they were actually doing, they had no just cones, but they had the ladders, tackling dummies and everything and it was him and his kids, and other neighborhood kids. That's an organized practice. We're not allowed to have that because you're going to have liability issues. That has to go through the organized sports process we have here. Elite and OSA are the ones that do contracts and help mitigate some of that liability for organized practice.

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EIGHTH ORDER OF BUSINESS

Next Scheduled Meeting – February 12, 2024 @ 6:00 p.m. at the Plantation Oaks Amenity Center

Ms. Giles stated the next meeting was scheduled for February 12, 2023 at 6:00 p.m. in this same location.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Thomas seconded by Vice Chairman Davis with all in favor the meeting was adjourned.

DocuSigned by:
Marilee Giles
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Secretary/Assistant Secretary

DocuSigned by:
Cindy Nelson
1834ED053396448...
Chairman/Vice Chairman