

**MINUTES OF MEETING
PORTOFINO ISLES
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Portofino Isles Community Development District was held on Tuesday, August 8, 2023 at 10:00 a.m. at 1856 SW Newport Isles Blvd., Port St. Lucie, Florida 34953.

Present and constituting a quorum were:

Juan Azcona	Chairman
Frank Wilson	Vice Chairman (by phone)
Rohn Timm	Assistant Secretary
Gerald Mirabile	Assistant Secretary

Also present were:

Ginger Wald	District Counsel
Paul Winkeljohn	District Manager
John Jado	Field Supervisor
Roberto Cabrera	District Engineer (by phone)
Ted Clark	Resident
Michele Logerby	POA Board member

(PLEASE NOTE: Due to some recording difficulties, this meeting begins with a discussion between Mr. Ted Clark and the Board Members to become a potential Supervisor)

FIRST ORDER OF BUSINESS

Roll Call

Mr. Winkeljohn called the roll and stated we have a quorum.

SECOND ORDER OF BUSINESS

Organizational Matters

- A. Consideration of Appointment of Supervisor(s) to Fill Unexpired Term(s) of Office – Seat #4 (11/2026)**
- B. Oath of Office for Elected/Newly Appointed Supervisor(s)**
- C. Electing Officer(s)**

Mr. Winkeljohn: Moving on, you have a vacancy, and I know we have someone here today.

Mr. Clark: Yes, we moved down in July 2021.

Mr. Azcona: To this community?

Mr. Clark: Yes, to this community right here.

Mr. Azcona: And you're here all year round, or are you going back and forth?

Mr. Clark: No, year-round, full-time.

Mr. Azcona: Alright, and then have you had a chance to look at what we've been doing on the CDD, and do you have a little bit of understanding of what the CDD is all about?

Mr. Clark: I have a little bit of understanding, but I have not looked.

Mr. Azcona: Ok, I mean I'm assuming you're bringing him to the table because you feel that he's a good fit?

Mr. Mirabile: Yes, I am, I think he's got a good background, he's got a good understanding, I believe I may have sent him the CDD website information, and he can go back and look at some of the minutes of the meetings and get himself familiar with the minutes and bring him up to speed on what's been happening in the past.

Mr. Azcona: Ok, my suggestion because I haven't had a chance to talk to you at all, what I would suggest is that you are a guest and a member of the public right now, and we will share with you some details, some minutes, some information, and if you have any questions you can talk to Paul so he can answer those questions, and then I would like to have like a short conversation with you, maybe other Board members would like to do the same to understand where you're coming from, and what you expect and you think and if you can bring anything valuable to this Board, and then based on that, I'll be more than happy to welcome you to the next meeting as a member, as a Supervisor, that would be my suggestion. If I had to vote today, I would say right now no, because I don't know anything about you, but if I get to know you and you get to know what we do, I'll be probably more than likely to say yes at the next meeting.

Mr. Clark: Sure.

Mr. Wilson: This is Frank, I concur with that, and following the process that we've established with an opportunity for Ted to speak individually to the Board members, thank you, Juan.

Mr. Winkeljohn: Very good, so I can take that as a consensus that there's no motion to appoint.

Mr. Timm: Yes, I defer my decision based on Juan talking to him which means I don't have to speak to him because Juan will ask all the appropriate questions, but it seems like you are familiar with how an organization runs and what we do here in this entity, I wouldn't have any problems with you unless there would be any issues that Juan would discover but, it seems straightforward right here you would be a very suitable candidate and Supervisor.

Mr. Wilson: Rohn, the thing that I'd like to mention is the last candidate we had for the Board who had interest after he had dialogued with the Board members and understood what we're doing and our expectations, he withdrew his nomination to be a CDD Supervisor, so I think following the process, going through having an opportunity to speak to Ted, and Ted being able to ask questions, get answers about the CDD, we'll put it on the agenda for a vote next meeting.

Mr. Mirabile: So, just my input, I agree there has been a precedent set that over the last couple of appointments, there has been a requirement for an interview with each of the Supervisors.

Mr. Winkeljohn: An opportunity to do that.

Mr. Mirabile: So, I'm fine with that, we'll have Ted reach out to each of the members, you can get the phone numbers of each of the members today at the meeting and then that will give you the opportunity over the next month or so to reach out to the Supervisors, the vice chairman, and the chairman, have a quick 10-minute interview, or however long it takes, it shouldn't take long at all, and then in the meantime, go online, and look at the website, look at the previous minutes, kind of get up to speed as to what's been discussed over the last 6 meetings maybe, about the fountain installations, about the bench installations, about the various things that are going on and get up to speed.

Mr. Azcona: Understanding the financials that we have a little bit, and you don't have to be an expert but, if you review the minutes, you'll have a general idea.

Mr. Winkeljohn: And I could probably speed that up in a short conversation for you too.

Mr. Mirabile: Right, and then Paul, after this meeting he could give you kind of a brief overview of the CDD and so on.

Mr. Winkeljohn: I'd be glad to.

Mr. Mirabile: That would be fine.

Mr. Timm: So, do we have all the names, contacts, phone numbers?

Mr. Winkeljohn: I'll give it to you, I have all that, we can probably make a copy of it for you, and if not, I can email it to you.

Mr. Clark: Alright, so do you want me to sit in on the meeting?

Mr. Winkeljohn: It's a public meeting, so you're absolutely welcome to stay.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the April 11, 2023 Meeting

Mr. Winkeljohn: Your minutes from your April 11th meeting have been circulated, if those are in order a motion to approve would be appreciated.

On Motion by Mr. Timm seconded by Mr. Wilson with all in favor, the Minutes of the April 11, 2023 Meeting were approved.

FOURTH ORDER OF BUSINESS

Public Hearing to Adopt the Fiscal Year 2024 Budget

A. Motion to Open the Public Hearing

Mr. Winkeljohn: Moving on, we did set today's meeting to do the budget process, the second part of the budget process, which is the public hearing to adopt, and a motion to open today's public hearing would be appreciated, is there a motion?

On Motion by Mr. Timm seconded by Mr. Azcona with all in favor, opening the Public Hearing was approved.

B. Public Comment and Discussion

C. Consideration of Resolution #2023-05 Annual Appropriation Resolution

Mr. Winkeljohn: So, now that we've opened the public hearing, it would be an opportunity for the public to give us their feedback, and they've done that by not being here today, had we bumped the assessment up, it probably would have changed that

but, we're not inclined to do that, we had no reason to do that, in fact our budget for many years has been holding it very steady, so congratulations on that, and your residents are applauding you very quietly right now. The other comments would be an opportunity for the Board to comment, but the reality is you've set the ceiling and the assessment level to match the prior year assessment so, today the only thing you would be discussing would be the idea of lowering it, which is not recommended because we built our finances for the structure that we've all decided on for emergency reserves, for projects, for solvency, etc. and I believe it's the consensus of the Board still to continue with that, so to keep our agenda moving along, resolution #2023-05 accomplishes that. It accepts the prior year assessment once again and allows the line items of the budget to show how we intend to spend that, meeting all of our service levels and current contractual needs. The one thing about our budget that is a little unusual for some people is that we can amend it and change it throughout the year, and we do that not a lot but, when we need to, we have something that we want to buy that wasn't anticipated specifically we can buy it and we adjust the budget accordingly at that time, so that's one of the beauties of having excellent financial structures and resources at this point is that you're not handcuffed throughout the year. So, with that, resolution #2023-05 is available for you by motion to be approved or to discuss.

Mr. Azcona: Just a quick comment, even though we're not changing anything, and we're keeping it the same way it is, I would consider a slight reduction based just on inflation, so as far as the public goes, the public should be happy as they are applauding right now, thank you, we appreciate it, so I say very positively we are very conservative, so I'm happy that we are keeping it at the level it is, and we need to have that contingency, and thank God we haven't had a hurricane and we had to spend a lot of money but, it's important to have those reserves in place.

Mr. Winkeljohn: Is there a motion to approve or more discussion?

On Motion by Mr. Wilson seconded by Mr. Mirabile with all in favor, Resolution #2023-05 the Annual Appropriation Resolution was approved.

D. Consideration of Resolution #2023-06 Levy of Non Ad Valorem Assessments

Mr. Winkeljohn: And item D is resolution #2023-06 which is the collection of that approved assessment and budget through the Non Ad Valorem Assessment process which is putting it on the tax bill, and no other process is recommended or encouraged, so I ask for a motion to approve authorization to collect the taxes.

On Motion by Mr. Mirabile seconded by Mr. Azcona with all in favor, Resolution #2023-06 Levy of Non Ad Valorem Assessments was approved.

E. Motion to Close the Public Hearing

Mr. Winkeljohn: And with the hard work done we can close the public hearing portion of today's meeting.

On Motion by Mr. Mirabile seconded by Mr. Wilson with all in favor, closing the Public Hearing was approved.

Mr. Winkeljohn: I did want to make a little comment out of the public hearing because I didn't want it to distort the bigger picture, but on an external process, I may have mentioned at a previous meeting, the big chunk of our budget is a stormwater fee that the county assigned within our District and it picks up some of the commercial properties, so we generate quite a significant portion of revenue from that fee. There is a process being adopted or undertaken by the county to re-examine the proportion of that fee. So, we suspect that they think it might be too high, and rather than get into a discussion on whether it is or not, we incorporate quite significantly more than 50% of that revenue, so it's important to us. One of the things that this process will do is audit the process but, they haven't defined the process of how they're going to audit, and it may be an opportunity for us to sort of get into the game early, and a couple of other Districts, or a few Districts hired their own person already but, they're a little more specialized Districts, they're much bigger, they have their own utility which is a much bigger chunk of this and we manage those as well but, there's a smaller group, and I don't mean small like we're not big enough but, a group that looks like us, of maybe 3 or

4 Districts that I might be able to put together and there's a consultant that the previous group I talked about has hired, and we might entertain that consultant to put this group together to be a single point of contact for the county and represent them, it's about 4 Districts. I don't have their names memorized but, my staff and my partners have suggested this, it's really what they're thinking of doing. We would be the first of the second group to initiate it and I wanted to gauge your reaction and direction, and I can start to put that group together if you think you want to participate in it, and it's my recommendation to do so.

Mr. Azcona: I agree with that because the stormwater is a big chunk of income, obviously it depends on how much money this consultant is charging.

Mr. Winkeljohn: Yes, and it was in the \$10,000 to \$20,000 range but divided by everybody, so it's well within our range, and the benefit of it I think is worth \$5,000, that's an estimate, and we're in the early phases of it.

Mr. Azcona: And the idea, and I'm just thinking out loud to explain to them why we want to do this.

Mr. Winkeljohn: Yes, and the way I would describe it would be phase 1 would be to identify and participate in the creation of this review, phase 2 would be to supply and focus information of the four groups to the review and report each of those two phases back to us, and then the 3rd phase would be to advise us of a pivot, of restructuring our budget maybe to look a little bit different. We've always been very conscious of this reality, and we understand every penny we spend has to have some value to that system, almost every penny at least half, and we're pretty good at it. We had problems with people entering our lakes, and entering our preserves, we put in a wall to protect it, like everything we've done, I can say with a straight face that's exactly what it's for, and we also have many unknowns because commercial property can be torn down and rebuilt and might have an expert or two around us that knows a little bit about the reality of redevelopment, and we have new development happening. Our engineers are well positioned to give us advice on the potential impact but, the consultant would really be that lead to really protect the District because one, we all know our finances are once a year, they're tied to the economy with people, like there's a lot of good arguments why

we don't mess with our straight line stability. So, that's my overview, I just wanted to get sort of a consensus of thought, and I would start to initiate that relationship.

Mr. Azcona: And the county, they would be, their Board would be the ones that determine whether they want to change that?

Mr. Winkeljohn: Yes, they have an elected Board, I think it's the commission that serves as the stormwater Board, I don't know for sure but, we can figure that out.

Mr. Azcona: So, we have no say, they could say we reduced it 90%, and I'm just being drastic here but, they could say 90% we have no say on that, so we depend on them basically.

Mr. Winkeljohn: Right, it could fall like a ton of bricks, so ultimately yes.

Mr. Wilson: And that's the benefit of having an advocate.

Mr. Azcona: Yes.

Ms. Wald: Well, you have a say, it's by agreement, so reviewing the agreement that you have and either party probably has the opportunity to terminate the agreement. If one party terminates the agreement, what are you left with, and what are the responsibilities, and are you receiving anything to assist and offset those requirements? I think what Paul is saying is, in engaging a patchwork within the field holsters and from my eyes, look we're providing this benefit and we're breaking even or less, or whatever the answer is, and then that provides that expertise, and that information to the other parties in the agreement to show, no you need to leave this in place because it makes sense for this District, and I believe that's what Paul is saying.

Mr. Winkeljohn: Absolutely, and sort of the political science of it is, it makes you more votes than just yourselves and if you're unified you have more impact on the process.

Ms. Wald: And there's also other Districts that are in a position right now because there's a moratorium they can't enter into those agreements, so I'm sure they would also be interested in getting on board.

Mr. Azcona: Ok.

Mr. Winkeljohn: So, with my ability to read facial expressions, and certainly the member on the phone, I'll take that as a move forward, and I'll bring back to you the

credentials of the consultant and a framework of how it would fit together, so I just wanted to socialize the idea a little bit before I got too far down the road.

Mr. Timm: I think it's a prudent maneuver or strategy that our attorney pointed out to bring in someone from the outside who is an expert to give an overview of the whole parameters and the scope of the situation so he can provide an extra testimony, so it's just not our point of view of how we see it but, someone else comes in and give their professional opinion of what they do and what they're known for.

Mr. Winkeljohn: Yes, thank you, and I'm leaning towards using the same consultant for the other group for a couple of reasons. One is, the other group is different because of their utilities and things like that, and they don't want to have too many people involved but, the synergy of both, having the person representing both groups is an expansion of it, and we're not in competition for the goal but, that group wants to be represented for their specific needs and our specific needs but, I think in the end they're going to be the same, or very similar. Alright, so I'll move forward, no action is required of the Board but, just wanted you to know where I was headed.

FIFTH ORDER OF BUSINESS

Consideration of Frist Amendment to GMS-SF Management Agreement

Mr. Winkeljohn: Item No. 5 is an amendment to the GMS Management agreement, our firm, and with support from your legal counsel realized our original contract was 19 years old, and significant changes have happened in the law, maybe not so significant but, enough where it was time to do a cleanup. Insurance rules changed, a few other items as well, so this is really an administrative cleanup of our contract, just so it matches what our attorneys would require of the contract I believe, or what we would require as a contract in the modern world, so is that pretty accurate what I explained?

Ms. Wald: Yes, what happened with GMS, I went back and reviewed a lot of the agreements they have with their CDDs, put together some proposed language, our firm with the CDDs that we represent in conjunction with GMS reviewed the amendments, and what was added thereto just to quickly go over it which is in your agendas. We had to add the E-Verify requirement, addresses have changed, insurance, the levels of

insurance, they specifically have been placed in here, and then we made clear the indemnification requirement as to responsibilities and negligence, and that is also added in here as well. So, that in a nutshell is really what you're looking at as to the changes herein.

Mr. Azcona: Is this a new agreement?

Mr. Winkeljohn: It's an amendment revising the agreement with those concepts, so no terms are changed.

Mr. Azcona: Ok. In the event we're not happy with that, in the future, we were in the future not happy with the management company, then we could terminate that agreement?

Ms. Wald: The termination provisions are exactly the same, you have to provide 60 days notice in writing, so if that occurs then that's what you could do, you as a collective body you would have to approve that by a majority, and it would be providing the 60-day termination, so that has not changed.

Mr. Azcona: Ok, so that has not changed.

Ms. Wald: No, so all the changes as I stated before is a first amendment and it is standard that we have from a legal perspective saying that they're acceptable, they are appropriate for each one of the Districts, and those are the ones that are in your agenda packet and I just briefly gave you the highlights.

Mr. Azcona: Are there any other changes in any of the clauses that you would recommend pushing back or may any other changes?

Ms. Wald: No, and if there was, we would have specifically said to GMS, especially the indemnification clause, we changed that language that they originally provided to make it fair and accurate.

Mr. Azcona: Ok. Frank, do you have any comments?

Mr. Wilson: No, Juan, I think it's acceptable as is.

Mr. Mirabile: I think it's fine, I make a motion to accept it.

On Motion by Mr. Mirabile seconded by Mr. Azcona with all in favor, accepting the Frist Amendment to GMS-SF Management Agreement was approved.

SIXTH ORDER OF BUSINESS

**Acceptance of Audit for
Fiscal Year Ending
September 30, 2022**

Mr. Winkeljohn: Moving on to the annual process of the audit acceptance, and we haven't met for awhile, usually we do this in the late spring, the audit is continuing to be a very perfect audit in terms of the overall community. We still have the problem with Portofino Court, which we've got that reflected in a way that this Board has been satisfied for several years now, that is still being reflected in a desirable way, it's a defaulted portion of the community. I'm just giving a little bit of backyard information for purposes of Ted being here, as you enter on the left hand side, that's actually in the District, that community that's incomplete, and they have their own bond, and that bond defaulted and it's in a stay, or they call it a Special Purpose Entity that tries to get it revitalized, and it fits in our financials too because the District incorporates them. So, we can go over that in more detail but, I just wanted to give you a quick overview.

Mr. Mirabile: Yes, I've often had questions about that.

Mr. Winkeljohn: And I have a little report about that in a minute but, for item No. 6 purposes staff recommends accepting the audit.

On Motion by Mr. Mirabile seconded by Mr. Azcona with all in favor, accepting the audit for Fiscal Year ending September 30, 2022 was approved.

Mr. Winkeljohn: Since I brought it up, I'll mention it now, there is some movement, the contract hasn't been canceled this time, usually we get one on the table, the two parties are talking, and then something happens, and we don't hear anything for a year. So, Lerner, who is the Special Purpose Entity that the bondholder put in place to market that property has a new contract with another builder, and I think it's DR Horton or Lennar, it's somebody a little bit bigger, it's a known entity again, and they're more sophisticated, and the sticking point of the HOA, the reason this one has reason to bring back to you is there's an HOA there that is dominated by the existing properties that are there, and the new prior wants to control the HOA, or participation with it, we'll put it that way, and it was denied to them, so the deal fell through at the time. So, this indicates now that they found a workaround on the HOA, so the party has contacted me

directly for the first time, I've never spoken to the buyer before, so that's a little more encouraging maybe but, I'll keep you posted, but it did move a little bit forward, so that's my take on that.

SEVENTH ORDER OF BUSINESS

Discussion of:

A. Park Bench Installations

B. Lake Fountains for Newport Isles

Mr. Winkeljohn: So, moving on with the agenda, your discussion of the park bench installations is next.

Mr. Mirabile: Ok, so the park benches are complete, they came in, John did a great job and I think we owe a lot of credit to 4 to 6 residents who helped to install them, who helped to basically put them together, and they helped to bring them to the site to each of the pads. The paver pads and John can talk a little bit about the installation process but, I inspected the pads and they look great, they're a great size, they have a good fronting to them, a good footage to them, they can easily be trimmed around with the landscaper, and I think they look amazing, I really do, and I think a lot of credit goes to John and a lot of credit goes to the 4 to 6 people that helped John, and I think Randy as well. Randy from the HOA was a big help in helping John, the HOA and the CDD working in conjunction with getting the project done.

Mr. Jado: And I was wondering if we could possibly give these people gift certificates, from time to time I utilize these people.

Mr. Winkeljohn: We can't give out gifts.

Mr. Jado: That's what I thought.

Ms. Wald: What you can do is, you could do a resolution of the Board specifically thanking those individuals for their assistance in this project, if you chose to do that, that is permissible, and I'll draw one up if you want one.

Mr. Winkeljohn: Is that acceptable? If you could get us the names, a little description of what happened and how they participated so we can fill out some whereases.

Mr. Jado: Yes.

Mr. Mirabile: We'll get the names and give them to Paul.

Mr. Jado: These people help me from time to time, it's impossible to put an 8' bench together by yourself, it's totally impossible, well I'm not saying it's impossible but it would be very difficult and they weigh 200 pounds each.

Mr. Azcona: Yes, I think that's a good idea to acknowledge that.

Ms. Wald: And what it is, just so you understand, you know these resolutions you just passed, the pieces of paper that you just passed regarding your budget, it's a resolution that's exactly the same legal format, and it's thanking those individuals, they're called proclamations if you go to a city commission meeting, you can make them look fancy, you provide them to the people, and then they can have them, they can keep them, and you can make them as fancy as you want to and that's something that you can do.

Mr. Mirabile: It's just like an honorary thing.

Ms. Wald: That's it, that's exactly what you're doing, and thanking them for their assistance, so that's what you can do legally without spending money.

Mr. Winkeljohn: And you can invite them to the meeting and present it to them.

Mr. Jado: I don't even know if they'd be looking for that, if that's even necessary, I'll just thank them personally.

Mr. Winkeljohn: It's up to you, it's your direction.

Mr. Jado: No, it's fine.

Mr. Mirabile: Just one thing, I think the one bench and the pad near the back preserve area here, facing the preserve here, I think it's damaged.

Mr. Jado: Yes, it got hit by a lawnmower, and I'm going to have it fixed. Well, it was only down less than 24 hours, the concrete was still wet and the girl with the lawnmower hit the edge of it, and I don't know what she was doing on it because they weed whack around the things, but I'm going to have it fixed.

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Azcona: How many people were involved in helping you?

Mr. Jado: Just 4, Randy helped with his trailer to actually move these things, and he put them in place, and then Frank and another gentleman Mario, around the corner, they help me all the time, there's certain things I can't do by myself.

Mr. Azcona: If they are constantly helping you, can I make a suggestion which is unrelated, could we give a bonus of \$400 to John?

Ms. Wald: Well, you can't give bonuses.

Mr. Azcona: What could we do?

Mr. Winkeljohn: Well, he's my employee.

Mr. Azcona: Right, he's your employee, so could we allocate some funds?

Ms. Wald: That's up to GMS.

Mr. Winkeljohn: GMS can do something nice for them, how's that?

Mr. Wald: So, let GMS handle that.

Mr. Winkeljohn: In other words, we understand the support we got in this endeavor so we'll take care of it.

Mr. Azcona: Ok.

Mr. Jado: The reason I brought it up is we could have hired people, at even at a labor's wage of \$40 or \$50 an hour would be much more than that, with travel time and everything else.

Mr. Azcona: Ok, well as the CDD we cannot do anything, but we'll send them a nice letter.

Mr. Jado: Ok.

Mr. Timm: I think it would be a worthwhile gesture, as you pointed out maybe sending them something to acknowledge it, it's like they have it in writing but, yes, we may not need to do it but, I think the gesture of goodwill in the future we appreciated their response and their participation.

Mr. Azcona: Alright, so I think we're good with that.

Mr. Winkeljohn: We'll work it out.

Mr. Azcona: Alright, thank you.

Mr. Jado: One other thing, I bought a top for the Gator, so Bernie was one of those people who fabricated it because you have to cut all kinds of metal to get to this secondary top on it that's not from John Deere to get some shade on this thing, and he's one of the guys that help me out all the time.

Mr. Winkeljohn: So, what I'm hearing is the bench is an example of several things that you're getting volunteers from the community for, that's excellent, we should

celebrate that and let them know how much we appreciate it, so let staff tackle a way to solve that.

Mr. Azcona: Alright, thank you.

Mr. Winkeljohn: Moving on to the fountains, an update on those.

Mr. Jado: Well, I have one, and we're constantly having problems with the fountains, I've got a light right now over by the townhouses, it's off again, so I'll be calling them up today to get them out here on Monday to take a look at it, and we're due for maintenance. I'll also ask them about whether the contracted amount for the maintenance was going to go up on a yearly basis for them coming out because it seems like they're coming out a lot, we've been having a lot of lighting issues and time clock issues and it's just constantly.

Mr. Winkeljohn: So, maybe it's an opportunity to discuss their frequency of attention, if it's out of balance and they're coming maybe we need more than what we've asked for.

Mr. Jado: Well, the thing I was thinking, they come every 3 months to do maintenance, take the fountains out, clean the bottoms, get the weeds back in the lake over here as you can see, so that has to be constantly cleaned but, the lights, if I go ahead and touch them, the wires are out, we have a battery backup on the timer. If the power had a blip or we're temporarily out for 15 minutes, why isn't the timer on the lights continually working with the battery backup to keep it going, and I don't want to touch it because if I touch it, they'll say, well you touched it.

Mr. Winkeljohn: We understand, yes but, if you want to talk to me about something they need or a revision of it, let me know, we can handle that directly.

Mr. Jado: I just inquired, that's all it was, I want them to know. Well, Ginger, who wrote the last contract for the 3 fountains, they have a 3-year renewal.

Mr. Winkeljohn: Ok, very good.

Mr. Azcona: Paul, we have a member of the public.

Ms. Logerby: Hi. (inaudible comment)

Mr. Winkeljohn: The only answer is that they work more consistently and as close to 100% as possible, that's the answer, that's the ultimate of how, what, and why, so we'll have to dig into this a little bit deeper, I'll work with John, and we'll figure it out.

Ms. Logerby: (inaudible comment)

Mr. Winkeljohn: You can certainly look for other vendors that is always an option, my firm manages hundreds of these communities with fountains, and we have a pretty deep bench of people who are very knowledgeable, and I will tap the right person to look at it with you. When you have hundreds of communities with hundreds of fountains, there's a different answer with each one, there's environmental factors, those are the ones that tend to be our problem with the weeds and the algae, our different vegetative growth affects our fountains. We used to have a lot of fishing, people would snag them and drag them, we get that a lot of places, so it's really environmental but, these are extremely well built. When Dan designed them, they don't have typically electrical problems, but we did have electrical problems, so I don't have a great answer that there's anything unique here. These would be the least vulnerable fountains I know of electrically but, they still have electrical problems, it's just reality.

Mr. Jado: They're mostly lighting problems.

Mr. Winkeljohn: Right.

Mr. Timm: Are the lighting problems related to relays, or what's the issue?

Mr. Jado: The relays and the diverters that are holding the lights up, like the one we put behind the townhouses, they all went out and John did a test, we never got a bill for that, the ones over here, the change in the cable, we never got billed on those things.

Ms. Logerby: (inaudible comment)

Mr. Jado: And that was under warranty but this one was one of the original fountains, we should have paid money on, and they're pretty good at coming back, and we purchased them from them, so they're the original contractors that put them in.

Ms. Logerby: Ok. (inaudible comment)

Mr. Wilson: I believe that to be an incorrect statement, I do not believe that when the fountains were first reviewed it was ever discussed.

Mr. Winkeljohn: We can't have two people talk at the same time, you can't transcribe the meeting if that's the case. Frank, go ahead with your answer.

Mr. Wilson: Ok, I believe that is incorrect from all the reading that I've done on the fountains in the history of the packages from Dan, I do not believe it was ever the

intent to place fountains in all lakes, and part of our justification was for health of the water systems, and do not believe, although the water is good, I don't know that we had seen the return on the investment based on what we had to invest in lake cleaning. So, just to be clear, I don't believe it was ever all lakes, and we did it for the health of the water, not for aesthetics.

Ms. Logerby: (inaudible comment) So, this was when the original contract was done and the whole fountain was when I came and presented the fountains to the CDD to aerate the pumps. We agreed to do the first two fountains, and then there was discussion that as we moved forward, we were not going to discriminate and leave out fountains from being aerated and taken care of, so that was the conversation very clear with the original people that sat on the CDD Board many years ago. Juan, am I correct in saying that?

Mr. Azcona: I don't recall exactly the wording on it, but yes, we had a conversation about the value of adding the fountains into the different lakes, and what I see, first of all, we're just adding benches, and where have we added those benches, is looking at the fountains. One thing that we can agree on between the HOA and the CDD, they have had their differences but, one thing that we can agree from all the public, maybe there's an exception I never heard it but, everyone in the public that I've ever spoken with about the fountains, everybody was extremely happy about the value that it brought to the community. Now Frank is obviously talking about return on investment with regard to probably an engineering aspect.

Mr. Winkeljohn: And let me insert something here, one of the things our engineers, Dan, and my firm would mention is that fountains do have a very minor but effect on aeration at the surface level and they're very good at breaking the surface up, so different types of scum if you want to call it that, don't get persistent and allow certain types of algae growth, so they do help with that but, the aeration is really very minor, the penetration of the fountains is only on the surface, and to have a really environmental impact on the lake or a pond, or however you're describing it, you would put a bottom mounted aeration system in multiple places. It's very expensive, you have a very big electric bill, not quite as maintenance intensive as a fountain but, similar, and they are even more advanced, so depending on each lake but, the reality with lakes is their

orientation physically and their construction determines what's best for them. A very narrow lake, or a very shallow lake, an east/west orientation, or a north/south orientation, all of that affects what's the best option but, we have also upland preserve areas that look like lakes, and they're not, they're not intended to be aerated, they're not intended to have fountains on it, they actually for nutritional reductions required by the development of this property. So, all that added together, it's not quite as simple as anyone has probably described it in their individual comments but, collectively it still resides with this Board as a very valid responsibility, one, the health of the lakes, and also the enjoyment of the lakes is a nice add on feature when you can aerate them. So, all that said, that always rests with this Board to always consider, nothing is off the table ever, and nothing is on the table from a requirement, so I just wanted to make that clear.

Mr. Mirabile: So, if I could just add something to the conversation, I remember talking to Dan Duncan about this, that the HOA Board was pushing to have fountains in all the lakes, and Dan said, no that wasn't something that was going to be done. So, it's in the record, it's in one of the meeting minutes where Dan emphatically stated that there will not be fountains in all the lakes, so it's recorded in the minutes.

Mr. Winkeljohn: Right, historically that may have been the Board's opinion.

Mr. Mirabile: Yes.

Ms. Logerby: (inaudible comment)

Mr. Mirabile: So, that was in the minutes and when Dan was on the Board, or just before he left, that was kind of the decision.

Ms. Logerby: (inaudible comment)

Mr. Winkeljohn: We'll certainly review it.

Ms. Logerby: (inaudible comment)

Mr. Winkeljohn: I appreciate you passing this information to us, thank you.

Ms. Logerby: (inaudible comment)

Mr. Azcona: That's a valid point, the reason why we have GMS, our engineer, and our attorney is because we feel satisfied with the work we've done, however, it doesn't mean that's not something that may change in the future. If we have a local firm that we see is more capable than the existing firm and they are bringing more value, that's something that maybe we approach whether it's the engineer, or the legal team,

or the management company, and talk to them about it and make that decision we consider appropriate. Obviously, there is an existing relationship that has value, so in order for, and I'm not going to speak on behalf of everybody but, in order for myself as a Supervisor to make that decision, it would have to be something that would be substantial added value that would override the existing trust and relationship.

Ms. Logerby: (inaudible comment)

Mr. Azcona: I always say the same thing, you are here, so I applaud that, and you have the right, and I invite you and encourage you to comment.

Ms. Logerby: (inaudible comment)

Mr. Azcona: Exactly, so I take my hat off to you because you are present, and we may disagree but, you are present, you volunteer and you have been helping the community, and continue to do so. So, out of everybody, if somebody has the right to complain that would be something, so I applaud that, if it is about other homeowners that have concerns, for the record anybody can read these minutes, come over and voice their opinions because today we have an important meeting and we have fewer people here.

Ms. Logerby: (inaudible comment)

Mr. Azcona: So, we heard that, we completely took it into consideration, we have discussed it, and we have agreed as a Board to establish a meeting for FAQs at night if needed.

Ms. Logerby: (inaudible comment)

Mr. Azcona: At least do it once to see how many people show up, and I think that's a very valuable point, and we've taken it into consideration, and we are going to do it. So, I think now that we're talking about it, we should put some kind of date on it.

Ms. Logerby: (inaudible comment)

Mr. Azcona: Exactly.

Mr. Timm: I have something to say and perhaps Frank does too because he can't see us, does Frank have anything to say, and then I'd like to make a comment.

Mr. Winkeljohn: Frank, do you have anything you want to respond with?

Mr. Wilson: With respect to using GMS and having Ginger as the counsel, and the different county and the engineers we use, right now I think it's totally appropriate, I

know we looked over the rates, but the cost and the administration, are considerably well. We haven't seen increases in years, our engineer for the small amount of work we give them, is incredibly responsive, and I don't recall one time where Ginger or Ginger's law firm has failed to make commitments based on the timeframe, that's my insight for right now.

Mr. Winkeljohn: Thank you.

Mr. Timm: I'm comfortable with the management company we have now over when I first became a member of the Board, I was skeptical of how the Board was functioning and the management company was functioning but, since I've been working with them for the past year and a half, and going back and reading the minutes, and seeing how things were conducted, I'm very comfortable with what we have. Now perhaps with the Board in the past, maybe had an opinion that we weren't going to do any more fountains, I'd be open to having a discussion that we will continue, or pursue, I don't know how many more fountains we would need to have but, if we're going to have some arrangement to share the cost, I would be looking forward, or I'd be positive to vote for something that would have that based on what we said to improve the value, I would be one to support a mutual agreement to finish the fountains, and maybe there had been some discord or discussion, or confusion, but maybe going forward I would say I'd be willing to support that.

Mr. Winkeljohn: Go ahead, Frank.

Mr. Wilson: Yes, so I'm not closed to discussion on fountains but, what I really want to do before we get to it, is look at our initial capital costs, the money we spent, and then look at the money we spent on routine maintenance and to fix some of the failures. So, when we look at it as a Board, we look at holistically what a fountain costs, and its going forward costs to make that decision. So, Paul, if somebody on the GMS team can go back through our account ledger and just filter out fountain costs, and I believe we also have electric costs that go with them, and the maintenance costs that would be truly appreciated and I think it would give the Board insight in moving forward.

Mr. Winkeljohn: I can do that.

Mr. Mirabile: Paul, I think we're also going to need permitting costs, the metering costs, the pedestal costs.

Mr. Winkeljohn: Yes, we can pull all of that.

Mr. Timm: Dan Duncan did a lot of work on that himself.

Mr. Winkeljohn: Right, obviously there was a lot of capability, volunteered.

Mr. Mirabile: I was looking at some past minutes in the meetings and just the time and effort on Dan's part to get permits, and get addresses for the meter pedestals.

Mr. Winkeljohn: Right, he broke it all apart into economic pieces and found that was cheaper than buying a package, and so he was very good at that.

Mr. Mirabile: And just the hours that he put into putting those packages together, and then you have to get easements to go between properties.

Mr. Winkeljohn: Right, and running electric is probably going to be difficult, the more remote the lake is, the harder it is to put in.

Mr. Mirabile: And then the maintenance.

Mr. Timm: Well, would the HOA have someone they could recommend that would be able to do those things that Dan had done in the past, have we gone that far yet?

Ms. Logerby: We haven't gone that far yet.

Mr. Winkeljohn: Ok.

Mr. Wilson: Hold on, so just to clarify, we can get there, but let's start with understanding our as-spent dollars, and then if we're comfortable with our as-spent dollars, we can pursue the right equipment and the right folks to go install and understand the logistics which ones are more complicated than others.

Mr. Azcona: Ok, I think that's fair, I think if the HOA has an interest and they're willing to maybe take the lead on this project, and see the expenditure and so forth, then they can bring it to our attention knowing that as the CDD we will be responsible for maintenance and taking care of it but, if they're willing to put the money forward, maybe we can come up to some kind of deal but, before we even go there, let's look at the numbers like Frank has said, and as to the present funds taking into consideration that maybe the return on the investment from an engineering and irrigation perspective maybe it's not worth it however, from aesthetics and beautification and something that pleases the community it may be worth it. So, I'm willing to look at the numbers, see if it makes sense, see the financial commitment from the HOA and maybe there's no need

to do all the lakes but, maybe we come to an agreement and do maybe a few fountains and see how that goes and see how it evolves and if everybody is happy, and the HOA is doing their part, and we do our part, so I will say, let's first look at the numbers, if the HOA, you guys can talk at the HOA level and decide that's something that you guys agree to as a HOA, and you're ready to move forward with some kind of proposal maybe that will help the Board.

Ms. Logerby: Ok, so you guys pull your numbers first because I'm not going to waste the time if the numbers don't work in your favor. (inaudible comment)

Mr. Winkeljohn: Yes, go ahead Frank.

Mr. Wilson: So, one additional thought for clarity, I talked about getting the numbers, so we just went through and approved our budget, and I know we have the ability to change the budget but, the order of magnitude on these fountains is tens of thousands of dollars, so again, let's come back to the numbers, understand our budget, and from a HOA perspective, being a HOA member myself, I don't believe right now the HOA budgeted fountains for calendar year 2023, so let's be methodical about what it's going to cost, and then look at the budget process.

Mr. Winkeljohn: I think that's the consensus, is to start with the financial impacts and the history, we can identify which lakes clearly don't have a fountain, and maybe rank them, staff can rank them in order of difficulty perhaps to sort of make a priority and then we can talk about it at another meeting, and go from there, does that sound methodical enough?

Mr. Wilson: Yes.

Ms. Logerby: The HOA has it coming up to work into the budget, so it would be for 2024 because we're not going to be able to get fountains in a couple of months, it's a very long process, it took several months to get this in the works before, so that's how it works.

Mr. Winkeljohn: Correct.

Mr. Azcona: Alright, so we're going to look at it as the CDD, and if you guys can look at it too and maybe possibly allocate a budget and then we can decide to work on an agreement and then we'll decide as the CDD the pros and cons, the costs, and then reach out to you guys and possibly come to some kind of an agreement if the HOA is in

agreement, and they really want to do it, and they allocate a budget to do so, understanding that there is going to be maintenance, and understanding that.

Ms. Logerby: Right, because originally it was supposed to be tacked on to the existing agreement.

Mr. Azcona: So, that's something we can look at but, maintenance will remain with the CDD.

Mr. Winkeljohn: Right, I wouldn't talk about management operations.

Mr. Azcona: Alright, so I say let's work on the numbers, and let's figure out how that conversation with the CDD and the HOA.

Ms. Logerby: So, when can we expect, like you'll get the numbers, and then we'll know what direction we need to go?

Mr. Winkeljohn: The Board would have to see the numbers and then choose a direction.

Ms. Logerby: Right, so what's the timeframe?

Mr. Mirabile: Maybe November.

Mr. Winkeljohn: Yes, I would say November is a good target, we're at the end of our fiscal year through September, we usually don't meet next month but, probably October or November, October would be the earliest.

Ms. Logerby: Ok, perfect, thank you, we appreciate it.

Mr. Winkeljohn: Thank you. So, I'll work with John on the operations and maintenance portion as well and see if we can identify any gaps or problems there, it just sounds like normal fountains to me, to be honest with you, they are labor intensive and maintenance intensive.

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Azcona: So, we know how the lakes are, and I don't know if I can bring this up right now but, I talked to John about it, it's getting even worse already, so we need to talk about whether we do mechanical removal, or we do extra treatment since it goes around, and then it generates more algae. There is plenty of housing on that side of the lake, I don't know if that's on Rosser.

Mr. Jado: It's this lake that is the major problem.

Mr. Azcona: Yes, so if the wind blows towards the entrance of the community that's when it blows really bad.

Mr. Winkeljohn: When you say this one when your thumb was pointing at the one to the east of this room?

Mr. Jado: Yes.

Mr. Winkeljohn: Ok, which isn't really a lake by the way.

Mr. Jado: Yes, I know.

Mr. Winkeljohn: It's an upland preserve and a waterway combined, so its behavior is, it's supposed to look like the Everglades, it's not supposed to look like a golf course.

Mr. Jado: The more hydrilla they kill, the more stuff floats up, the phosphorous chemical goes into the water and rejuvenates, and it goes even faster.

Mr. Winkeljohn: Right, sometimes the more you do to them, you open up, it's counterintuitive but, you actually create more problems, so sometimes letting them alone for even months and years, with very little chemical, they balance out a little bit, so there's both schools of thought on that.

Mr. Jado: Most people would die to have this hydrilla growing in there but, it's only a problem in South Florida, mostly it's in very warm climates, the northern climates would love to have it for the fish. So, there's nobody out there that's actually put a chemical together that would actually control it, it's not economically feasible for them.

Mr. Azcona: And mechanically we said that if it gets bad, we need to remove it.

Mr. Jado: I called the gentleman, and he hasn't called me back.

Mr. Winkeljohn: Alright, well we'll work on that.

Mr. Jado: I need other assistance.

Mr. Winkeljohn: Right, and there's plenty of contractors in that business.

Mr. Azcona: Ok.

EIGHTH ORDER OF BUSINESS

Staff Reports

Mr. Winkeljohn: Alright, moving on to staff reports, Ginger.

A. Attorney

1) Memorandum on

a. Required Ethics Training

b. 2023 Legislative Update

Ms. Wald: Yes, in your packets you have two different memos from our office. They're both dealing with the legislative session that concluded this past spring, and it's because we haven't met, that's why you see two memos. The first memo is dealing with your ethics requirements, starting next year, and everyone filled out their Form 1s, I saw that basically on the agenda, so congratulations on that. When you fill out your Form 1, your financial form when you look at the second page about a quarter of the way down, you'll see a little box that we always say, you don't have to worry about it, it doesn't affect you, guess what, now it's going to, so it's an ethics requirement. What you're going to have to do every year, starting next year, is do 4 hours of ethics training. It sounds horrible but, every other governmental official in the State of Florida has been doing it for years, it's not that hard. There's a lot of websites, you can get the CDs if you're not web savvy, and there are a lot of free ones out there but, it's an individual responsibility for each one of you that are Board members, just like filling out your Form 1. So, you're going to have to get those 4 hours done of ethics training before you fill out Form 1 next year, and of course it's due July 1st every year, to say that it's complete. We will make sure each one of the District managers, and Paul has to do it in his own realm, we'll provide you with those different websites well in advance, probably send them out in like January and continue to remind you so you get that done.

Mr. Azcona: So, you will send us that information, and is that free or we have to pay?

Mr. Winkeljohn: It's free.

Ms. Wald: Yes, there's free ones out there, there's ones if you want to pay for them, if you want to go to a seminar, you can do it, just know that it's your responsibility. I've had Board members ask me to go ahead and provide the 4 hours, I've done it, I do teach but, I don't want to listen to myself for 4 hours, I'm sorry, I'll do it for 2 hours but that's the maximum.

Mr. Timm: I did it, when I started here, the 4 hours, and I actually took screenshots to show the different segments, and so I had to get to this part, and it was very informative because then you start seeing how other Boards have operated and how they failed to operate by violating that Sunshine Law, of the two Board members

talking together, when that's not supposed to happen at all, and I found it very controversial but, it's actually very informative and very instructive on how we can stay out of trouble by complying, so I agree we should all take that.

Mr. Winkeljohn: It's required now.

Ms. Wald: Now you have no choice, now it's not voluntary, it's mandatory, they finally found Special Districts. The second memorandum that you do have that is dealing with the Florida Legislative session, they were extremely busy this last year, I'm not going to comment as to why but, in here you will have a list of different legislative actions that were taken that became Laws of Florida that are now part of your Statutes. Some, you'll see some additional language in the contracts that we prepare, if you do an RFP, or an invitation to bid, you'll see some additional language that is necessary and will be required, we will put that into place. There are some additional ones here dealing with local government and what you're going to have to do, some of them are a little confusing and we're waiting for some responses as a collective body of different attorneys in the public sector, as to how are they going to be handled, most of them do not deal with the CDD directly, but it can. When that starts getting developed, that's when you'll see some additional issues that come into play but, right now I don't see anything here that jumps out for this CDD other than we're going to have to put some additional language in our contracts, without taking into consideration somebody's political, social or economic beliefs but, other than that, if anyone has any questions in regards to the memorandums that you have, or would like copies of all of the Statutes that have been amended, I'd be more than happy to send them to you. Paul has them as well in his office, anyone can send them out to you, and of course, as usual, if you have any questions, as some members of this Board have contacted me on, please feel free to contact me and ask if you do have any questions.

Mr. Azcona: Is there anything specific that you think is worth highlighting from those changes?

Ms. Wald: For you particularly, no.

Mr. Winkeljohn: She would have led with that item if there was.

Ms. Wald: Yes, I would have led with that, the ethics training, which is why it's a separate memorandum, that is definitely something that you're going to have to do but,

again, we will continue to remind you, we're not going to let you just sit out there and not be out of compliance.

Mr. Azcona: And we'll have to do that after January 1st.

Ms. Wald: You will do that before you put the check mark on the form, so if you want to do it let's say in November, go ahead, you want to do it in January, go ahead, you just have to get it done before you actually fill out the Form 1.

Mr. Azcona: Ok, but if we do it this year, then they're going to require us to do it again.

Ms. Wald: You're going to have to do it every single year, 4 hours every single year, it's actually a little complicated as to when you got on the Board. So, I can't tell you what time period, we actually get a chart as to when you can start, when you have to finish because it depends when you've been on the Board, so I can't answer that specifically, so it depends on which counties you have to send it to, but just get it done before you fill out the Form 1 is what I'm telling all my Boards.

Mr. Timm: So, it's based on the calendar year.

Mr. Winkeljohn: Yours is the cycle of when you do your form.

Ms. Wald: It's when you were appointed, and for you, it's going to specifically be before you fill out those Form 1s in 2024.

Mr. Winkeljohn: And you already did this year's, it's really before next year.

Ms. Wald: You need to do it before July 1st, and you have to check that box on your Form 1.

Mr. Azcona: So, do it by the first quarter of the year, and then we'll be fine.

Mr. Winkeljohn: Yes, good timing.

Mr. Azcona: Alright but you're going to remind us, and you're going to give us specific names and places and whatever.

Mr. Winkeljohn: We'll have a memo out for you with all the information.

Mr. Azcona: And then I would ask you to please send us the link, if we have to input any information, just give us that too.

Mr. Winkeljohn: I'll do a test run, I have to do it, so I know just what to do.

Mr. Azcona: Ok, got it.

Ms. Wald: That's all I have, thank you.

Mr. Winkeljohn: Thank you, Ginger.

B. Engineer

Mr. Winkeljohn: Our engineer is on the phone, did you have anything for us Roberto?

Mr. Cabrera: Other than to report that we conducted our field portion of our annual inspection I think last week, so we're wrapping up the report and we'll get it to you when it's done.

Mr. Winkeljohn: Ok, excellent. Thank you, and I appreciate you listening in because some of the stuff is going to fall into your lap indirectly or directly that we've been discussing, so thank you for joining us today.

Mr. Azcona: One quick question, Roberto, with regard to those, and I forgot exactly, I don't know if it was already settled on or not, with regard to those drains that we were going to do like a survey of the drains, and then we had some others.

Mr. Winkeljohn: We'll handle that question Roberto, we know that.

Mr. Azcona: Ok, alright, thank you.

Mr. Winkeljohn: We took care of that.

Mr. Azcona: Ok, so that's taken care of, it was addressed?

Mr. Winkeljohn: Yes, that's a maintenance, field manager, item but the engineers helped us with the plans and made sure we do the inspection the right way.

Mr. Azcona: Ok.

Mr. Winkeljohn: Any other questions for our engineer?

Mr. Timm: Well, talking about the drains, I live over on Marblehead Way, and I talked to our field manager here, John, because some people told me there are drains behind their houses along that wall in the back, and I don't know if that's what you were eluding to in your discussion but, I'm just trying to bring it up so if they asked me what happened about that I can say you're looking into it because I know you said you'll take care of it.

Mr. Jado: It's not on our sewerage line.

Mr. Cabrera: Hey Rohn, I believe we went through that, and if they're on an individual's private property, they were not installed as part of the total drainage system by the developer, and I'm talking stormwater management.

Mr. Winkeljohn: Correct, and I'm guessing if it was between 7 and 10 years ago, the HOA for a specific HOA area, came to our engineer, not the District, and they did a design and there was some cooperation but, it's not part of the District's drainage system.

Mr. Timm: And I didn't look at them to see if it's CDD property or their property, I'm just reporting.

Mr. Winkeljohn: Right, and it's not unusual for certain developments, or sub developments we'll call them, to have additional capability that they either need retroactively or they put in initially, both can be true but, the central stormwater management system that the District has permits for and maintains and operates is often times separate from them, those areas, and that's a perfect example, so they're not the District's.

Mr. Azcona: So, those are not the District's, and the District is not responsible for maintaining those.

Mr. Winkeljohn: Correct.

Mr. Azcona: So, who's responsible for that?

Mr. Winkeljohn: The private entity that put them in.

Mr. Azcona: Ok, but is it affect part of the CDD area?

Mr. Winkeljohn: No.

Mr. Mirabile: So, if it's an issue, who is responsible for them?

Mr. Winkeljohn: The entity that they're installed on, I believe it's an association, like a subcommunity put them in.

Mr. Mirabile: Ok.

Mr. Azcona: So as far as that homeowner goes, the homeowners will have to deal with that on their own?

Mr. Winkeljohn: Yes.

Mr. Azcona: Because it doesn't affect the CDD and it's not our responsibility.

Mr. Winkeljohn: Right.

Mr. Timm: Ok.

Mr. Winkeljohn: Now, ultimately in some communities, they may ask us to take it over, like that's not unusual, and should they do that, we could entertain that, it's not necessarily like it's not going to affect us negatively if we don't.

Mr. Azcona: Ok.

Mr. Winkeljohn: Very good, any other questions for our engineer?

C. Field Manager

Mr. Winkeljohn: Not hearing any, that moves us to our field manager, John.

Mr. Jado: Yes, we already talked about the fountains, we've already talked about the benches, the pads being installed last month, so we just re-mulched, we replenished some of the bushes out there in the front which is jasmine, they're doing much better out there as far cutting landscaping, the water has been working great and everything has been looking good. We've done a bunch of pruning for hurricane season, we pruned all of Rosser, we pruned all the trees by the FPL easement, cut those way back, so we don't have any problem with any of that during a hurricane at least we're prepared for that. We've already spoken about the weeds, and there will be some more bedding material that we're going to be replacing in the fall, in September, we're going to cut those back and see what we need to do to replenish the beds and make them look proper. I'm also vetting out Seacrest, the same company that cuts the lawn in here now to give us a bid because I have already been told they're going to be raising the price of the maintenance on that area substantially.

Mr. Azcona: One quick question for that, about the benches, are the benches just sitting on top of the pavers or did we drill them in?

Mr. Jado: I fastened them all yesterday myself.

Mr. Azcona: Ok.

Mr. Jado: They're all tapcon'd into the bricks.

Mr. Azcona: Ok.

Mr. Winkeljohn: Excellent, and we sort of spread John's report out through the meeting, so do you have any questions for him?

Mr. Azcona: No, thank you.

Mr. Winkeljohn: Great work John, I appreciate it.

D. CDD Manager

1) Number of Registered Voters in the District – 1,397

2) Discussion of Financial Disclosure Report from the Commission on Ethics and Reminder to File Annual Form – *everyone has filed*

3) Consideration of Proposed Fiscal Year 2024 Meeting Schedule

Mr. Winkeljohn: Moving on to manager, I have a few housekeeping items, a statutory requirement to tell you how many registered voters you have, also to thank you for filing your Form 1s on time, congratulations there, and item #3 is the meeting schedule. I know we talked a little bit about adding a meeting for a nighttime townhall Q&A, we can add that when we get a date that's convenient, maybe jointly with the HOA or something like that is what we recommend, and we can do that probably in February or March which is a great window because it kicks off our budget cycle for the future but, aside from that, I recommend your meeting schedule be approved. It's an annual schedule of monthly increments where if we have sufficient business for a meeting, we hold the meeting, if we don't, we cancel and save costs in that respect.

Mr. Azcona: The same way we always do.

Mr. Winkeljohn: Just like always, yes.

Mr. Azcona: That's fine.

Mr. Winkeljohn: And I'm elaborating a little more for new people in the room.

Mr. Azcona: And then could we set up a time for tentative dates for having that meeting, and it would be not necessarily an official meeting but, I think it would be more useful for people to have like a FAQ type of meeting, and that way it would be helpful for anybody that wants to come and ask questions.

Mr. Winkeljohn: Yes, definitely, and I don't know that we're able to pick a date today but, we can talk about it at our next meeting if somebody has something that's going on in the community that we could participate with, or if it's a special night, so we're conflicting with some other event, like I don't know those calendar options to talk about it today.

Mr. Azcona: Maybe in October or November.

Mr. Winkeljohn: Right, we can decide that.

Mr. Wilson: Juan, Paul had recommended February and looking to combine the CDD FAQ meeting with a regularly scheduled Newport Isles HOA meeting, and that would allow residents basically one night to try to tackle two stones.

Mr. Azcona: Ok, we could do that, that's something we can coordinate with the HOA in which we will represent the District, so let's leave it for now and we'll talk about it, so it's the end of the year or February or so.

Mr. Winkeljohn: Right, so that can be discussed at a later time, and the meeting schedule before you is recommended for approval by motion.

Mr. Timm: I would ask our attorney to help us define the type of meeting we're going to have, because one thing I learned in that ethics training courses, you can't have two Board members at the same meeting talking about business if it's not an official meeting.

Ms. Wald: Well, I think what Juan meant by official meeting is that it would be a specific calendar meeting which action would be taken, that's what I believe he was saying because we discussed this before. What they're talking about right now is having a workshop of the CDD Board which is advertised and open and available to the public.

Mr. Azcona: Right.

Ms. Wald: That creates the option with the HOA or not, would be a decision that the HOA or the CDD Board would have to make independently, and then, of course, would be covered but, it would not be a meeting in which has to be a regularly scheduled meeting in which action would be taken, it would just be, no decisions would be made by the CDD Board, it would be advertised and it would be open and available to the public, general minutes, you don't have to record it, general minutes would be taken as to the subjects that were discussed, and that's it, and that is a workshop and that is permissible.

Mr. Azcona: Ok.

Mr. Winkeljohn: And that's what I would recommend, I would recommend a workshop style meeting.

Mr. Azcona: Yes, that's perfect.

Mr. Timm: Thank you for explaining that.

Mr. Winkeljohn: But we'll pick that date later, and for the dates presented to you for our normal business meetings, is there a motion to approve?

On Motion by Mr. Wilson seconded by Mr. Azcona with all in favor, the Proposed Fiscal Year 2024 Meeting Schedule was approved.

NINTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Register

B. Balance Sheet and Income Statement

Mr. Winkeljohn: Item No. 9 on our agenda are the financial reports which includes the check register, balance sheet and income statement. Management has reviewed and presented them to you with no comments, so a motion to accept those would be appreciated.

On Motion by Mr. Timm seconded by Mr. Azcona with all in favor, the Check Register, Balance Sheet and Income Statement were approved.

TENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Winkeljohn: And we've had a slight freeform meeting, so I'm assuming a lot of your wonderful comments and input have already been presented but, if there's more now is the time. Are there any new comments or things we missed?

A resident: I showed John Jado that there's a couple of trees that are leaning on Cape Cod that's on your property, and I'd appreciate it if you would take a look at that.

Mr. Jado: We're just going to take them out.

A resident: Ok because it's leaning and it's getting worse.

Mr. Jado: They're pushing up the sidewalk, and he verified that it's on our property.

Mr. Azcona: Anything else John can help you with that you guys are working on and we are cooperating in, is there anything we can help you with, or are we good with the communication and so forth?

A resident: Yes. (inaudible comment)

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Wilson: This is Frank, I do have one question, about a year and a half ago we reviewed the request to expand parking by the townhomes in coordination with the HOA, I'd just like an update on that, where's that going?

A resident: (inaudible comment) They submitted it for the site plan amendment, and the city came back with future requests. (inaudible comment)

Mr. Winkeljohn: So, it's still moving, we just haven't heard. Ok, thank you.

Mr. Wilson: Ok, and John is there anything else you need from the CDD with respect to that request?

A resident: No, not right now. (inaudible comment)

Mr. Wilson: Thank you.

ELEVENTH ORDER OF BUSINESS

Adjournment

Mr. Winkeljohn: If there is nothing else, a motion to adjourn would be in order.

On Motion by Mr. Wilson seconded by Mr. Azcona with all in favor, the Meeting was adjourned.

Secretary / Assistant Secretary

Chairman/Vice Chairman