

**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, January 10, 2023, at 10:00 a.m. at the Newport Isles Clubhouse, 1856 SW Newport Isles Blvd., Port St. Lucie, Florida 34953.

Present and constituting a quorum were:

Juan Azcona	Chairman
Frank Wilson	Vice Chairman
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
Gail Jenkins	Resident
John Kischel	Newport Isles Property Manager
Michele Logerby	POA Board member

**FIRST ORDER OF BUSINESS**

**Oath of Office for Supervisor(s)  
Elected at the General Election  
– Seat #1**

Mr. Winkeljohn: So, Frank needs to do his oath, so I'll say "I", then you state your name and I'll read the oath, and if you agree, at the end you would say I do, so "I".

Mr. Wilson: Frank R. Wilson.

Mr. Winkeljohn: A resident of the State of Florida and citizen of the United States of America, being a Supervisor of the Portofino Isles Community Development District and recipient of public funds on behalf of the District, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly, and impartially discharge the duties devolving upon me in the office of Supervisor of the Portofino Isles Community Development District, St. Lucie County, Florida.

Mr. Wilson: I do.

Mr. Winkeljohn: And if you'll sign that and give that back to me, I will make it a record that you were sworn in, and congratulations on your new term.

Mr. Wilson: Thank you.

**SECOND ORDER OF BUSINESS**

**Roll Call**

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

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Consideration of Resolution #2023-01 Confirming General Election Results**

Mr. Winkeljohn: Moving on, under organizational matters we have resolution #2023-01 which is confirming the results of the general election, and I just need a motion approving that.

On Motion by Mr. Wilson seconded by Mr. Azcona with all in favor, Resolution #2023-01 confirming the General Election results was approved.

**B. Consideration of Resolution #2023-02 Declaring Vacancies**

Mr. Winkeljohn: Item B is resolution #2023-02 which identifies that seat #4 did not have a candidate and because of that we declare that a vacant seat by resolution. Is there a motion to approve resolution #2023-02?

On Motion by Mr. Wilson seconded by Mr. Azcona with all in favor, Resolution #2023-02 declaring vacancies was approved.

**C. Consideration of Appointment of Supervisor(s) to Fill Unexpired Term(s) of Office – Seat #4 (11/2026)**

**D. Oath of Office for Elected/Newly Appointed Supervisor(s)**

**E. Consideration of Resolution #2023-03 Electing Officer(s)**

Mr. Winkeljohn: And we know that you do have a vacancy, historically this Board has asked for applicants over the many months and considers those people and makes an appointment. So, it's up to you if you want to continue that procedure or if you're ready to appoint someone today, it's up to you.

Mr. Wilson: I do not believe we're ready to appoint today or if we have the candidates.

Mr. Mirabile: No, no candidates.

Mr. Wilson: So, we'll table that, and then attempt to identify a respective candidate.

Mr. Azcona: And nobody decided to run, so we assumed there were some people interested last year, but if they were really interested, I'm assuming they would have run.

Mr. Wilson: Right.

Mr. Mirabile: Correct.

Mr. Winkeljohn: Ok, so if you know anybody who is interested, we'd like them to send a resume and we'll put it in an agenda package.

Mr. Mirabile: Right.

Mr. Winkeljohn: And you guys will historically contact them individually if you want to ask them any questions, that's been your precedent.

Mr. Wilson: Correct.

Mr. Winkeljohn: Moving on, so items D and E can be tabled because there were no appointments either.

#### **FOURTH ORDER OF BUSINESS**

#### **Approval of the Minutes of the October 11, 2022 Meeting**

Mr. Winkeljohn: The minutes from the October 11th meeting have been circulated, if those are in order a motion to approve would be welcomed.

Mr. Timm: I have a point of clarification.

Mr. Winkeljohn: Yes sir.

Mr. Timm: Since I'm still somewhat new to the Board, on page 11 they talked about \$175,000 worth of plants were put in, I don't know if that was a typo or not, I know you are working on the weekends, and the holidays, but \$175,000 worth, and that's probably the plants around the whole community, but just for point of clarification, I was just trying to verify that number.

Mr. Jado: That was the original number.

Ms. Wald: It doesn't necessarily matter, the accuracy is whether it was said or not, not whether the content itself was correct or accurate.

Mr. Timm: Ok, and just to show also that I'm on it.

Mr. Winkeljohn: Good for you, excellent.

Mr. Timm: I know we have a very exclusive community but when I saw that, I said that's a little out of order.

Ms. Wald: Even though we did not have a person to appoint to seat #4 which was declared vacant, we do have, even though it's still the same person, as the chairman, who has been newly elected and taken the oath of office, you still have to do the resolution #2023-03 which is the election of officers.

Mr. Winkeljohn: Ok because of the re-appointment, I understand.

Ms. Wald: Technically, because you did have, he won the election, so he's been appointed from that election term and took the oath of office.

Mr. Winkeljohn: Right, so I apologize for that, so I thought we did that at the last meeting.

Ms. Wald: We have to do it again.

Mr. Winkeljohn: Right, we have to do it again, of course. So, I skipped over resolution #2023-03 which is confirming the officers, at this time you would name the chairman, the vice chairman, and all others are requested to be named as assistant secretaries, and the others will remain as they are, which is my staff, is there a motion?

Mr. Mirabile: I make a motion.

Mr. Winkeljohn: Who do you want to name?

Ms. Wald: The same slate?

Mr. Mirabile: To stay the same, it doesn't matter.

Mr. Wilson: Yes, we'll keep it the same.

Mr. Azcona: Yes.

Mr. Winkeljohn: Ok, so what I meant by saying I thought we did this before, I thought we had named a chairman, and vice chairman at our last meeting and my form here is a little bit out of date.

Mr. Mirabile: Any you're going to be chairman?

Mr. Azcona: Yes, I don't mind it remaining the same for chairman and vice chairman.

Mr. Winkeljohn: Ok, so my form is just a meeting behind, so it was Juan as the chairman, Frank Wilson was the vice chairman, and all others were as stated, is that still your motion?

Mr. Mirabile: Yes.

On Motion by Mr. Mirabile seconded by Mr. Wilson with all in favor, Resolution #2023-03 electing officers, keeping the existing slate of officers as read on the record by Paul Winkeljohn was approved.

Mr. Winkeljohn: Ok, got it. Thank you for catching that, Ginger.

Ms. Wald: Sure.

Mr. Winkeljohn: So, the minutes, did you want to correct that, I mean we have the audio tape we know what was said, so if it's a typo it can be easily fixed, but I think it was a statement of general magnitude.

Mr. Wilson: If I remember correctly when they planted, this is historical, it was \$175,000 worth of work.

Mr. Winkeljohn: Right, so it's accurate.

Mr. Wilson: So, 15 years ago or 16 years ago, that's what was spent.

Mr. Timm: Ok.

Mr. Winkeljohn: So, then no correction would be needed, is a motion to approve the minutes otherwise?

On Motion by Mr. Wilson seconded by Mr. Mirabile with all in favor, the Minutes of the October 11, 2022 Meeting were approved.

## **FIFTH ORDER OF BUSINESS**

### **Discussion of:**

#### **A. Drainage Issues**

#### **B. Date for Homeowners Evening Forum/CDD Meeting**

Mr. Winkeljohn: That brings us to item No. 5, and it says drainage issues, I don't know specifically why that was brought up but, these are comments that we received back.

Mr. Wilson: Alright, so the drainage issue came back, Gerry raised it last meeting, that these are not storm drains, these are french drains and the question was, are they on CDD property or are they on private property? Are they CDD responsibility, or not?

Mr. Mirabile: So, I was remote last time, and I was back up north and I couldn't really hear the discussion that was going on, and I know it was about pool drains, and I

know there's a site plan floating around as to who owns drains. There was a complaint lodged on social media that a resident or homeowner we serve, but anyway, it was a homeowner who had a drain on their property and they made a complaint that it was clogged prior to the hurricane or the tropical storm that was coming in, and he complained on social media and the response by one of the Board meetings was that the CDD owned it.

Mr. Winkeljohn: Ok.

Mr. Mirabile: So, I find that suspect, that we would own anything on private property.

Mr. Winkeljohn: Right.

Mr. Mirabile: Well, for the record I recently met via John Jado today on a significant amount of plot plans and prints from Dan Duncan, so from Dan Duncan to John to me.

Mr. Winkeljohn: Probably from Roberto.

Mr. Mirabile: I'm happy to review them if I can find drainage plans for the next meeting.

Mr. Winkeljohn: Yes, we have them.

Mr. Mirabile: Ok.

Mr. Winkeljohn: I bring them to the meetings actually.

Mr. Mirabile: Alright, so are there any CDD drains on private property?

Mr. Winkeljohn: It's not, and you may know for certain Roberto, but it would not surprise me if there's some french drains related to the design of each property that is unrelated to the District and that would fit what you just described, and do we have any french type drains?

Mr. Cabrera: None that I'm aware of, but I can look into it in closer detail, what we have is drainage easements, the lakes, but there's no direct connection to any individual property.

Mr. Mirabile: So, you wouldn't expect to see on somebody's property a black plastic grade going to a flexible drain line.

Mr. Cabrera: I would not expect that, no.

Mr. Mirabile: That would be, I don't expect to see it.

Mr. Cabrera: Right, and I can look at it on a case-by-case basis if you'd like.

Mr. Mirabile: No, I would not want to spend the time, the funds, and the money to do that.

Mr. Cabrera: Ok.

Mr. Jado: This was behind the commercial wall, right?

Mr. Mirabile: No, this was behind, I could look up the residence, but it was on a home on Newport Isles, adjacent to the lake and I haven't seen it, but I know the owner and his wife, and it was a complaint lodged on social media. I could give you the address but, I personally don't want the CDD to be responsible for going around looking and maintaining these on an ongoing basis.

Mr. Winkeljohn: As a professional courtesy because we're in the drainage business, it's typical for us to be sort of a good free advisor, and so John could take a look at it, I could take a look at it, look at the plans, just as a courtesy.

Mr. Mirabile: Right, absolutely.

Mr. Jado: It was on lakefront property?

Mr. Mirabile: Yes.

Mr. Jado: So, it could have been a gutter drain.

Mr. Winkeljohn: That's what it sounds like, yes.

Mr. Jado: Just to keep the area dry and then it expels out by the water.

Mr. Mirabile: Yes, but I'm just saying, we have to look at both sides, it could have been a case where a previous owner may have installed this because he had water running towards his home.

Mr. Winkeljohn: Right.

Mr. Mirabile: So, you have to look at both sides of the coin.

Mr. Jado: The only french drains that I know of are behind the townhouses, Cape Cod, and they just redid them, and they were put in by the HOA.

Mr. Winkeljohn: Right, and this side is like more of a redirection system.

Mr. Mirabile: Ok, so just to put a nail in it, John if you would get the address, and John if you could just keep your eyes on it.

Mr. Jado: Ok.

Mr. Mirabile: If it's clearly with the landowner's plot, you can opine on that here, but after that, our responsibility is done.

Mr. Winkeljohn: And the District's interest often when we see these are, they'll run it just to their property line, and then they'll hit right at the lake bank and they will create a wonderful erosion path that we have to deal with, and so in that situation, it's a non-compliant type of a drain and we might take action to try to get them to redirect it back on to their property, so it's not creating an erosion because I've seen that almost every time somebody does that.

Mr. Azcona: Either way it needs to be addressed because the waterline of the homeowner's property is not our responsibility but if it's causing erosion on the lake bank then either remove or address it.

Mr. Jado: I'm assuming it's down by the lank bank.

Mr. Winkeljohn: Well, let's put eyes on it first, and then you can let us know.

Mr. Jado: Alright.

Mr. Winkeljohn: Very good. One of the topics that we discussed was to have sort of an evening information-sharing forum. I often recommend that when there's some budget activity, like a draft budget we could discuss, and that's important when you're going to change the budget significantly. In your case that isn't relevant, you're probably not going to, but an evening meeting with a forum is a great idea. Usually, I like to do it in conjunction with an HOA event of some kind so we're not the only ones having the meeting, because we're pretty boring frankly, once people realize this is what we do and that's about it, and 90% of the questions are often an HOA topic, pretty quickly, if not more. So, with that advice or input, whatever works for you, if we can make that a CDD meeting we can advertise it so that all of you can be there and participate obviously. They typically don't require our attorney or our engineer to attend, I can usually handle most of the questions.

Mr. Azcona: I would make it a Q & A meeting, rather than a regular meeting. I guess people that are not able to come in the morning, so they're able to come to this meeting and ask any questions they have and we can tie it into an HOA meeting.

Mr. Winkeljohn: So maybe sometime in April, enough into the year where we can explain things.

Mr. Timm: Ok, I agree with that.

Ms. Wald: So, it's going to be a workshop.

Mr. Winkeljohn: Yes, a workshop.



Ms. Wald: So, you will not take any actions, it will just be having people come in, respond to whatever their questions may be, any concerns but, you will not be able to take any actions.

Mr. Azcona: Exactly, ok.

Mr. Winkeljohn: Right, and you don't want to do that in a forum setting anyway.

Mr. Azcona: No.

Mr. Winkeljohn: Ok, perfect, so as soon as I get a date, I'll circulate it and if we can attend, we'll advertise it and get it on the calendar.

Mr. Wilson: Should we do that before the HOA meeting or after the HOA meeting?

Mr. Winkeljohn: I would do it in conjunction, just as a group forum.

Mr. Wilson: Ok.

Mr. Timm: Yes, otherwise you're going to have to have people staying after the HOA meeting, and then it gets late for us but I agree, there's a lot of people that couldn't come during the daytime and are usually going to be there for the HOA anyway, and now we'll just have them stay, as a courtesy to them.

Mr. Winkeljohn: And if the HOA wants to have a business meeting after it, or whatever, you can do that.

Mr. Mirabile: Also, they put up signs, maybe we should have John put it on the sign that the CDD will answer any questions and the HOA meeting.

Mr. Timm: Yes.

Mr. Winkeljohn: That sounds good.

Mr. Timm: Also, the meeting before that, they can also announce at the next meeting verbally that we're having a meeting at their next scheduled meeting, the CDD is going to be coming that way, it's an extra notice for some people who normally wouldn't plan on coming would then come.

Mr. Azcona: We have to advertise it, right?

Ms. Wald: Yes.

Mr. Azcona: Ok, so we'll just advertise it and work towards that.

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

Mr. Winkeljohn: Ok, thank you. Item No. C. is a bench project, so go ahead.

Mr. Mirabile: Yes, so I approached Dan Duncan with this a couple of years ago, and he wasn't very responsive to it and I have a picture of the benches here, it's the same benches that are in Tradition, they're recyclable, no rust. Dan had somewhat of an issue, and now I'll give you a copy of this, or he can print them out, but he had a problem with it because he felt it would be a problem with landscaping and so forth, and so on, and he wasn't too receptive to it. My feeling is we could put a pad, similar to this, I'm thinking about around the lakes, and start small, maybe one for now, or two for now, around the front lakes.

Mr. Winkeljohn: This is a very popular addition, almost every community I have does this, we actually point the bench at the lake.

Mr. Mirabile: And I know we have to appease the townhome owners, we have a fountain there, we'd have to place it where it's not behind the residents, but we have to find a place.

Mr. Winkeljohn: Well, District property without a house would be along a roadway.

Mr. Mirabile: Right.

Mr. Winkeljohn: And we could identify some spots.

Mr. Mirabile: Right, so I don't know if you want to start small or put two.

Mr. Wilson: I would start small, and the reason I would ask to start small is I'd like to get an understanding as to how much they're getting used.

Mr. Mirabile: Exactly, and that's the same thing with these trash barrels, the Board came up with, they wanted to spend a lot of money on 12 of them and I said, start small buy 5 or 6, see how much they get used. So, they're made by Belson I believe, and they have a website, I think this particular bench it's all polyurethane, all recycled material, even the legs, and the arms.

Mr. Winkeljohn: And can I just give some feedback on that, most of the communities went away from this to a stone because people cut and carve into the material and it's irreparable, but the stone, it anti-graffiti typically.

Mr. Mirabile: Ok, and you mean the whole bench itself?

Mr. Winkeljohn: Yes, so if somebody is sitting there with a sharp object, they can draw something cute or offensive pretty quickly.

Mr. Mirabile: Ok.

Ms. Wald: And you have that in this community.

Mr. Wilson: So, that's what you're proposing Gerry, and if you'll identify the target location that you think is appropriate, we could validate that it is CDD land, and bring it back to the next meeting, and if you can, is that something that can be circulated if Gerry picks a location.

Mr. Winkeljohn: Yes, just mark it on our map, do you have a copy of the map, it's on our website.

Mr. Mirabile: Ok.

Mr. Wilson: And can it be circulated outside of the meeting?

Mr. Winkeljohn: Absolutely.

Ms. Wald: Circulated, yes.

Mr. Wilson: So, then we'll have an opportunity to drive by it or walk to it.

Mr. Winkeljohn: And just send your feedback directly to me.

Mr. Mirabile: Ok, and I was thinking, you see how the sidewalk is here, and I'm just making a setback off the sidewalk.

Mr. Wilson: So, let's pick the location, make sure it's our land, get it reviewed, and we'll come back, if it all works for the current location, we'll go about it.

Mr. Mirabile: Ok.

Mr. Timm: I would think that John knows the property probably better than anyone, he drives by all the time, and he probably already has some ideas in mind where you think they would be, if you wanted to sit on a bench, where would you want it.

Mr. Winkeljohn: And there's an aesthetic element to it that isn't as much to do about the person sitting on the bench, it's sort of a feel of the community, they all have a pleasant place to sit and enjoy, so that's kind of the things to look for when picking a site. The counter is, and you don't have a lot of this as much here as I do further south but, unfortunately, the pros and cons of it. One of the cons is, people will start feeding ducks at the bench, and you create a huge cascade of problems.

Mr. Mirabile: Well, I think we can locate it at the setback that they're at, I don't think, I mean people will probably do that.

Mr. Wilson: It's something to think about.

Mr. Mirabile: So, do you have any thoughts as to what other communities have used as far as vandal-proof?

Mr. Winkeljohn: Yes, I can send you a spec and a copy of what I've been using, it's a prefabricated concrete bench that has a stone quality to it so that paint won't stick to it, gum doesn't stick to it, so it's easy to keep clean. It's not as warm at first as this one but, you can actually put Newport Isles engraved in the back of it and customize it to your look for the same price, so I'll send you that.

Mr. Mirabile: Ok, and as far as the pad is concerned?

Mr. Winkeljohn: I've done mostly paver pads because when you're dealing with an inexpensive approach, often there's some settling and so you just lift them up and re-set them every few years.

Mr. Mirabile: Oh, I see.

Mr. Winkeljohn: When you go to an expense of a full pad, it's more expensive.

Mr. Mirabile: Right.

Mr. Jado: The proper way to do that is to pour a foundation underneath 4" below where you want to put the paver and attach an extension to it, and then pave around it. You could put a little 1'x 2' or 36" so you won't have any sinkage and it will stay forever.

Mr. Mirabile: Ok, well we can talk about that when the time comes, but if you have any thoughts about other options for benches.

Mr. Winkeljohn: It's something to think about, I don't mind this, and Ginger's point was that this community may not run into those problems but, if you do, you're stuck.

Mr. Mirabile: You don't think there will be a problem?

Ms. Wald: Here, no, you already have these in Tradition and by the way, Tradition is a CDD so we can compare information.

Mr. Winkeljohn: Right.

Ms. Wald: Tradition is Southern Grove CDD so they already have their agreement and we may be able to get their prices too, and I know who their District manager is, it isn't GMS, and I'll get in touch with them, and get that information as well.

Mr. Winkeljohn: And in the long term it does create focal points, and then what you do is you add your landscaping concepts and you bring in a signature tree, some signature material and it creates a really nice element.

Ms. Wald: We can see if Tradition is getting rid of some too, surplus and whether they want to donate it to us, as a tryout, so it's one CDD to another CDD, one governmental entity to another governmental entity.

Mr. Winkeljohn: Right, we can share.

Ms. Wald: That's what is nice about it, you can share.

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

Mr. Winkeljohn: That's all good.

Mr. Mirabile: That would be a joint project, so we can talk to Michele about that.

Mr. Winkeljohn: And it's totally cool that it's joint, but what was your thinking on the joint, just to have a partner because if it's our land, we don't need a partner.

Mr. Mirabile: Well, it's up to you, if the Board wants it.

Mr. Wilson: We appreciate the funds, but it's not a joint project if it's on CDD property.

Mr. Azcona: Yes, if it's on CDD property.

Mr. Mirabile: Well, I don't know, what the Board thinks.

Ms. Wald: I would get the cost first, and then you can review it.

Mr. Mirabile: Yes, and I think these are about \$500 a piece, and then the installation.

Mr. Winkeljohn: Right, so a couple of thousand with John's version of a foundation.

Mr. Wilson: It's not that we don't appreciate cost sharing, but we had a lot of difficulties in the past on joint projects.

Mr. Mirabile: Ok.

Mr. Wilson: This sort of magnitude it's not needed, so I appreciate it.

Mr. Mirabile: That's fine.

Mr. Azcona: So, let's just look at some possible locations, and then we'll fill a lot in, and we can start with like 2 or 3 benches, and then we'll see the usage and determine if it's worth it to continue to add more.

Mr. Winkeljohn: Sounds good. Are there any other comments on the benches?  
No, ok.

## SIXTH ORDER OF BUSINESS

## Staff Reports

Mr. Winkeljohn: Moving on to staff reports, Ginger anything for our friends?

### A. Attorney

Ms. Wald: No, I don't have anything other than Happy New Year everybody.

Mr. Winkeljohn: Ok, thank you.

**B. Engineer**

Mr. Winkeljohn: Roberto, thanks for joining us today, how are you?

Mr. Cabrera: Good, Happy New Year to everyone. We're here to approve Jetson's application, I think that was last month, right?

Mr. Winkeljohn: Correct, and just for the Board's benefit, when those commercial properties want to tie into the drainage system, they have to come to the CDD, our engineers review capacity and they have the authority to do that, we just get the final review on their strategy for connecting and make sure that it meets the design, and we've done that many times and it's fairly routine but, now that you're all built out, this would be the last one hopefully, I guess.

Mr. Cabrera: I think so, yes.

Mr. Winkeljohn: And we don't own any of it, correct?

Mr. Cabrera: Right, and they'll be making some improvements to their stormwater, they're sharing a pond with a property on the north side, so they're doing some improvements and some landscaping that would possibly be developed with the landscaping, and so we signed off on it.

Mr. Winkeljohn: Are there any questions for Roberto?

**C. Field Manager**

Mr. Winkeljohn: Moving on to John.

Mr. Jado: Yes, the fencing over at the commercial property, I met with Cash Fence, and I met with Great American Fence, and Great American came in higher. I asked Cash Fence to split this estimate down from the incident of the car hitting the fence, we also have 6 other posts that are down, which I showed Gerald from the truck, back in one bad section there that has to be replaced, so the total comes out to \$3,885. Previously I gave the lawyer all the information from the accident report with all the different things, and I don't know if we're moving forward on that but, I temporarily put up some fence that does not match, it's the ones with the points versus the flat tops, so those will come back, and I would like to get this fence fixed and then do whatever we have to do for one, proceed with the accident, and two, I will notify the owner and show him what we're replacing and see if

I can get a check out of him written to the CDD so we don't have to go there, otherwise you'll have to go through the attorney.

Ms. Wald: I don't have that information.

Mr. Winkeljohn: Not yet, I have a report on that.

Mr. Jado: But I can get that for you.

Mr. Winkeljohn: So, there's two items, one I'd like to have the Board authorize the fencing because we want to get it done, and then we'll talk about the business side of it second, so is there a motion?

Mr. Wilson: Motion to approve the \$3,885 for fencing repair on the commercial property on the north end.

Mr. Winkeljohn: Perfect, is there a second?

On Motion by Mr. Wilson seconded by Mr. Mirabile with all in favor, authorizing an amount of \$3,885 to repair the fencing on the commercial property at the north end as stated on the record was approved.

Mr. Winkeljohn: Ok. So, there's a handful of topics, particularly the actual accident, apparently the person who took the vehicle and drove it was not insured and it was an uninsured vehicle as well. So, because of that, it's not the normal path, so we're working on it, I've tried to get the police report, but I still don't have it, did you ever get a copy of it?

Mr. Jado: I sent it to you.

Mr. Winkeljohn: Ok, so I guess I do have it, now that I'm back from vacation, I will pursue it and try to get the reimbursement but, the early thing was the insurance, and usually they come running to offer you a settlement because they don't want to go to court.

Mr. Jado: I probably sent it to him instead of you.

Ms. Wald: I think you did.

Mr. Jado: Ok.

Mr. Winkeljohn: And I'll take care of that. The commercial property, I think I talked to one or two of you about it, but just to bring everybody up to speed, I talked to code enforcement at length about that property being a leased and permittable activity on that property. So, basically, anything that we could do as a District, and those are the trucks that are damaging that, it's the same place, right?

Mr. Jado: They're now parking, most of them on an angle instead of backing up to it but, they do have numerous vehicles that do back up to the fence and they get very close.

Mr. Winkeljohn: So, is that the lot where the fence is being damaged?

Mr. Jado: Yes.

Mr. Winkeljohn: So, that is kind of a question to you because code enforcement says there's nothing wrong or enforceable.

Ms. Wald: Code enforcement is not going to do anything, that is a private business, so if vehicles are damaging the fence, and these are vehicles that belong to the business then it's a demand letter to the business.

Mr. Winkeljohn: Ok.

Ms. Wald: Your vehicles damaged our fence.

Mr. Winkeljohn: So, do you want to try your approach first John, just go to them.

Mr. Jado: I think so because the original proposal that I remember from the accident was \$1,850, so this is \$3,885, so I'm assuming \$2,005 would have to be paid by the business.

Mr. Winkeljohn: But you have a contact.

Mr. Jado: Oh yes, I've met with him a number of times.

Mr. Winkeljohn: Ok, so try that.

Ms. Wald: Just talk to them because if they're not doing it now, but it was done before, and let him know this needs to be resolved.

Mr. Jado: And I'm also going to talk to him about putting some PVC piping, or some rope, or some kind of buffer zone there.

Mr. Winkeljohn: To try to prevent it.

Mr. Jado: Right.

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

Mr. Wilson: The insurance claim is not going to work because they have no insurance, but let's start before you go through the burden of breaking it down, here's the estimate to repair the damage, by your vehicles, or your subcontracted vehicles to the fence. Do you want to just go ahead and cut the check and we'll get it done, if not, we'll pursue additional action.



Mr. Winkeljohn: Do you got that?

Mr. Jado: Yes.

Mr. Azcona: And I would add because that's what we're going to have to pay to a third party to repair it, correct?

Mr. Jado: Yes, the original person who installed the fence is in his own business now, Eddie's out of business, and these are the people that would repair it.

Mr. Azcona: Ok, but what I would like to do is, you've done some work, and it's not free, so I would like to add an administrative fee or a management fee, or whatever we want to add in addition to that because we are incurring time and expenses.

Mr. Jado: I mean, the HOA and myself, we put it up and it took 2 or 3 hours.

Mr. Azcona: Ok.

Mr. Winkeljohn: And if you don't mind and if it's ok, he tries the friendly approach, and if that's denied then you go another route.

Mr. Azcona: Including legal expenses.

Mr. Winkeljohn: Whatever it takes, right.

Mr. Azcona: Ok.

Mr. Winkeljohn: Is that alright?

Mr. Wilson: Yes.

Mr. Winkeljohn: Ok, alright we'll proceed down that road. Moving on to District manager's report.

Mr. Jado: I'm not done.

Mr. Winkeljohn: I'm sorry.

Mr. Jado: We had another issue with the piping over here, I got BrightView out here, and Carlos came out with 5 guys, there was a broken pipe in another area, the Portofino Lakes area, they fixed it. We didn't have a problem for 15 years, all of sudden, and I know that Carlos and his boys had up to 90 lbs. of pressure, and I can't swear to that but, I was getting great pressure all over, both pumps are actually working. Carlos said these are cataracts even though they're an obsolete design, he said if it was me, I would leave these in place until we had to replace them, but the box that conducts electricity for both areas should be split up, it's rotted and I showed Gerald, it needs to be rebuilt where we have our own, and Portofino Lakes has their own too so that we're separate because

right now it's convoluted and it's kind of running together. So, if their system doesn't work, it throws our system off and one zone will come on.

Mr. Winkeljohn: So, the electrical, do you have a price on that?

Mr. Jado: This was before Christmas.

Mr. Winkeljohn: Ok, so that's a to-do item.

Mr. Jado: Yes, I told Joe the other supervisor, and Carlos, and I'm waiting for something to come in, it was also to repair what was there, I couldn't swear that was not his problem but I actually don't think it was his problem, so he put more reinforcements and more concrete, added materials and only charged us for labor costs which is what he pays the guy, and the social security and stuff, at a reduced rate and I ok'd it this morning to pay him, and now I have to put some fill and sod in there to complete the job.

Mr. Winkeljohn: Ok.

Mr. Azcona: And I have a question, this electrical work is separate from the pumps, the additional pumps that we're going to be building?

Mr. Jado: Well, Carlos doesn't recommend going that way, he says what we have are Cadillacs, what we're going to be putting in is a Chevrolet.

Mr. Azcona: Ok.

Mr. Jado: And both pumps are actually working now.

Mr. Winkeljohn: And if you didn't have a 15-year positive track record I wouldn't want that.

Mr. Azcona: Ok, so it's separate electrical.

Mr. Jado: Right, that he is getting us a price on.

Mr. Azcona: Ok.

Mr. Jado: That's what I'm waiting for and he's got a specialist that just does pump systems and stuff, so we're not even going to use the electrician that we normally use, he was supposed to call me but I haven't heard from him yet.

Mr. Azcona: Ok, so did we agree to do the run to failure, whenever they fail how long would it take to replace it, because what we don't want to do is run into failure, and then we're stuck like 3 months because the people are really good but they don't show up?

Mr. Wilson: Well, we had discussed last weekend was leave the existing pump in place, leave it in service, modify the suction line to go to an above-ground pump, nothing on a pad, so we have a solid standby, and if we have a failure, we still have a viable

substitute, so one of the actions was to get a price tag on that. What I would like is, before we meet again, let's get a quote to share the same suction, at a pad-mounted pump, well you'd have basically a dual pump. You'd have the one that's there, that is the Cadillac, we continue to run that, that will run to failure, maybe it runs for another 7 years. In the meantime, we have a pump that's in place and is operating, and that address is lead time if it's going to need to be picked up and put in place.

Mr. Azcona: Ok.

Mr. Jado: Because right now I have, without the electricity it's about \$22,000 to put a dual system in, so I'm assuming it's going to be half, but I will get a single pump system.

Mr. Winkeljohn: Ok, perfect.

Mr. Azcona: And what's the estimated time in which we will have this work completed?

Mr. Wilson: Once the quote is in, about 6 weeks or 2 months.

Mr. Jado: Oh, for this, as soon as I get the estimate, I'm going to, if it's more than my availability to say yes, which is \$3,000, I'll contact Paul and he can do whatever he can do, mid-month, and then I'll give them the ok to go ahead and do it.

Mr. Wilson: He's got \$3,000 but Paul has up to \$5,000, so it's going to be between \$5,000 and \$10,000, it's a verbal call, if it's over \$10,000, we'll convene a meeting.

Mr. Azcona: Ok.

Mr. Winkeljohn: And it sounds like it's going to line up with a meeting anyway, so we'd bring it to the meeting.

Mr. Azcona: Ok.

Mr. Jado: We're still waiting on the fountain bills for both the fountains, they haven't given us a bill in 2 months, I'm not asking them again, so maybe we'll get it, maybe we'll never get it, but that's an HOA split. Also, remember that fence is an HOA split, they have to split any costs that are incurred by us.

Mr. Winkeljohn: So, the one we've already approved?

Mr. Jado: Yes, the one you already approved.

Mr. Winkeljohn: Ok, so we want to share that with our team.

Mr. Jado: Right, and then I've got pest control, we have a spray every year, it's approximately \$3,200. I got a complaint just yesterday, I'm going to go out and take a look at it tomorrow, bring my own spray can, and just do that one little area, but it's the hot spot

of the whole area that every year they seem to come up here first. So, I'm going to schedule and have the preserve sprayed again in February to get rid of that. Then, I've got some problems on the lot over here with undesirable plants being grown at the lake end where that tree fell at the circle. We've got tons of melaleuca coming up, I've taken out myself probably 150 plants over the last 2 weeks, cut them up, and put them in the dumpster, some small, some 10' or 12' high. There are some bigger ones, there's some Brazilian holly, it's starting to really take off, if we get it cleaned up now, it will be a tenth of what it would be 2, 3, 4 years from now because it grows like wildfire.

Mr. Winkeljohn: Yes, definitely.

Mr. Jado: I mean all those trees around there are all acacia trees, and they grow humongous, and to take those out are thousands of dollars apiece. I'd like to come in there and clean that lot and take all the undesirables out so that people can walk their dogs in there, and we're not going to call it a doggie park but, they can utilize the area.

Mr. Wilson: What is the order of magnitude? \$5,000 or \$10,000?

Mr. Jado: No, more like \$3,000 to \$5,000.

Mr. Wilson: Alright, I make a motion to allocate not to exceed \$5,000 to clear undesirable plants in the discussed area.

Mr. Winkeljohn: What would you describe the lot as, other than over there?

Mr. Jado: That's the lot that we dedicated for the green belt, it was a green belt area that we let the townhouses use.

Mr. Winkeljohn: Ok, so it's in the retention area.

Mr. Azcona: And we will be using a vendor to help you with that?

Mr. Jado: Ignacio, and I'll have him grind out, prep the stumps, we'll put stump reduction chemical on the stumps so that the stumps won't grow back again, and then over the course of time, if I see shoots coming up, which I will, I'll go in there with my saw when they're 2' high and take them out.

Mr. Winkeljohn: Invasive management is what we call that.

Mr. Jado: Right, and I tried to bring it up with Dan years ago and he didn't want to touch it because he didn't want to kill the plants, but this is getting carried away.

Mr. Winkeljohn: Just kill the bad ones.

Mr. Jado: Right.

Mr. Winkeljohn: Ok.

On Motion by Mr. Wilson seconded by Mr. Mirabile with all in favor, authorizing a not to exceed amount of \$5,000 to clear the undesirable plants from the retention area lot as stated on the record was approved.

Mr. Jado: One other issue I'm going to have is that I'm going to have the same people clean along that fence, the FPL easement because it's starting to encroach on the fence, not badly, so they're just going to walk, cut and drop, so that we don't have problems with it pushing the fence.

Mr. Winkeljohn: So just maintenance.

Mr. Jado: Right.

Mr. Winkeljohn: Perfect.

Mr. Jado: And that's about it for me.

Mr. Winkeljohn: Any questions for John?

Mr. Azcona: Yes, did we secure the agreement for the coming year and so on with regards to the algae removals, we said we were going to have some kind of agreement in which they come once or twice a year.

Mr. Winkeljohn: For the mechanical removal?

Mr. Azcona: Yes, for the mechanical removal of the algae.

Mr. Jado: The mechanical removal of what, oh the algae, no I haven't gotten to that, usually April is when we need to do an extra spray, and I've had a talk with them. I will talk to them again and try to get an additional spray, or if there's another spray, they're allowed to put in.

Mr. Azcona: And we were going to establish an agreement with them in which every year they will have to come and I think we had a discussion.

Mr. Wilson: They call that paid-for-performance.

Mr. Azcona: Yes, paid for performance.

Mr. Jado: He told me to call as needed, so as you start seeing it come up, give them a call within 2 or 3 weeks and they will come out and clean it up. We don't have a contract because depending on the weather and the coldness or the warmness is what

germinates and makes that grow even faster, so depending upon temperatures it may be earlier.

Mr. Winkeljohn: Right, and we've had years where we didn't have to do it.

Mr. Jado: Right, so I have to visually see it.

Mr. Azcona: But next time we go around and we do that, let's do the pay by performance rather than have him come one time, and then another time.

Mr. Jado: Oh, yes, right.

Mr. Azcona: So, let's settle on a total amount.

Mr. Jado: The last time it was paid by performance it was \$10,500, so we got away with two vehicles for one day, and one vehicle for another day, which came out to about \$6,000, so we can do pay by performance if you want to.

Mr. Wilson: If you ask them for a fixed-price contract as compared to a service stop, you pay more.

Mr. Azcona: Ok.

Mr. Wilson: Sometimes you win, sometimes you don't.

Mr. Azcona: Alright.

Mr. Jado: And I wasn't allowed to go any further, I would have gone another day but I was stopped by a certain individual before he left.

Mr. Winkeljohn: Right, and there is a little bit of an art to it because if the wind shifts, there's no material and so you don't want them sitting there waiting for the wind to shift back and blow it into their hands.

Mr. Jado: It has to do with water temperature and heat outside.

Mr. Winkeljohn: Right, and I think we're ok if we approach it that way.

Mr. Wilson: Again, the discussion of the Board is to take a rapid or aggressive action when John starts to see the blooms, rather than wait.

Mr. Winkeljohn: Right, so what he mentioned was the extra spray, you can push all the way to the edge if you're allowed a chemical treatment, and that can give you a foot up or be a little bit more aggressive early because we know the lake, and sometimes you can avoid it altogether.

Mr. Jado: So, I will go push for that extra spray, and I'll contact him about because April is about the time. We have a little bit out there now but, not enough to worry about.

Mr. Winkeljohn: You get two more good cold weeks, and it will be gone.

Mr. Jado: Northern places don't have this problem because the water is cold, it's only southeast Florida and west Florida that have this problem with this type of algae.

Mr. Azcona: Ok.

Mr. Winkeljohn: Any other questions for Mr. Jado? Not hearing any.

Mr. Jado: So, I'm ok on the pest control?

Mr. Winkeljohn: Yes, you're good to go.

**D. CDD Manager**

Mr. Winkeljohn: I have nothing we haven't already covered under manager's report.

**SEVENTH ORDER OF BUSINESS**

**Financial Reports**

**A. Approval of Check Register**

**B. Balance Sheet and Income Statement**

Mr. Winkeljohn: Moving on to financial reports, your check run, balance sheet and income statement are in the book. I have one open question on a tax bill that looks like we paid, I'm not sure, I have to research that one in the check run.

Mr. Wilson: I reviewed it; I have no additional comments. Does anybody have any additional comments on the check register?

Mr. Timm: I reviewed the check register, the reserves, the balance sheet, and we're still early in the budget year, and I looked over that and I didn't see anything. I conferred with Paul and he said he didn't see anything that was remarkable so I think we're where we need to be at this time.

Mr. Wilson: So, Paul approved as is.

Mr. Winkeljohn: Yes, and I have that information, I just got it, we do pay an annual amount for our part of sending out the TRIM notices, so because we're on the TRIM notice, we pay a bill. It's a little unusual but they send it directly to us.

Mr. Wilson: So, it's a reoccurring bill?

Mr. Winkeljohn: It's a regular payment to the Property Appraiser.

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

**EIGHTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments**

Mr. Winkeljohn: Are there any other items for the Supervisors that we haven't already covered?

Mr. Azcona: Yes.

Mr. Winkeljohn: Yes sir.

Mr. Azcona: We had a situation with some vendors that we established, we had some vendors that are very good vendors as far as the quality of the service, specifically when the fountain was down for several weeks and the problem is that the vendor was not available.

Mr. Wilson: Was it that the vendor was not available, or the replacement parts? My understanding was replacement parts.

Mr. Winkeljohn: Let's wait for John, this is your topic.

Mr. Jado: I'm sorry.

Mr. Winkeljohn: I think Lake Doctors was the vendor.

Mr. Wilson: Well, most recently the issue with the fountain we had a multiple-week period where the fountain was de-energized, was that due to the availability of labor, or the availability of parts, which one?

Mr. Jado: It was both, we couldn't get the parts here fast enough, we had the labor here, we had an intermittent time where we couldn't get the labor here, then when they got here, they couldn't get the parts here fast enough. Then when they got it, they found out that another underground cable was bad and they had to replace that cable, it's a month and a half to two months.

Mr. Wilson: Got it, I totally get that, what we're trying to understand is it a vendor performance issue, or a supply change issue with the ability to get parts?

Mr. Jado: Well, at first it was a vendor issue.

Mr. Winkeljohn: Which vendor?

Mr. Jado: Lake Doctors.

Mr. Winkeljohn: Ok.

Mr. Jado: One of the guys had quit, or there's only several people that can do this, so they took the guy that was doing this and put him on lake management, and then you have to have a license to spray so they couldn't just hire anybody. Now, they've got



Winston who comes out and does it, and they have a backup with this other guy, and I think we're pretty much solid.

Mr. Azcona: Ok. What I suggest is that, and we're going to have these discussions, that the vendors, maybe it's a good quality vendor, they know what we have, they know how to repair it, however, due to supply and demand or whatever external reason, they were not able to come when we asked them to come.

Mr. Jado: That was the electrician with the fried wires in that box.

Mr. Azcona: Ok, so whoever the vendor is, my suggestion was that we may have a primary vendor but, we should always have a backup vendor.

Mr. Winkeljohn: A secondary one.

Mr. Jado: I do now, I have a different electrical vendor that just strictly does fountains and lakes and stuff like that, he's out of Lake Worth.

Mr. Winkeljohn: Who is that?

Mr. Jado: I don't remember their name.

Mr. Winkeljohn: Ok, that's alright.

Mr. Azcona: Ok, so we cannot be waiting endlessly, 6 weeks or 8 weeks for somebody to get back to us, so we need to have some kind of protocol or process in which after "X" amount of time if they don't show up, we need to go and call the next vendor.

Mr. Jado: It was an electrical problem with timing to get him out there to do the repair on the wires, then there was another problem with the fountain repair itself that we had a problem with vendors on that end. So, I do have a new electrical guy now, he's the gentleman that's going to be redoing that panel over there, I'm not even calling our guy we usually use, let him take care of it, and it's going to go through BrightView, which they have to pay a portion of this because some of it's going to be theirs but, the majority of it's going to be ours, so they're going to have to pay a portion.

Mr. Azcona: Ok.

Mr. Jado: So, I'm waiting on that bid.

Mr. Wilson: So, the initial concern, it does sound like we have two electrical vendors, primary for some work, and primary for other work, and the ability to call.

Mr. Jado: I'll tell you the secondary is much more expensive than the first one, so I'm just bringing that up.

Mr. Winkeljohn: It's the art of our profession, to hit the sweet spots.

Mr. Jado: And I'm like Dan, I like to save money.

Mr. Wilson: Other items?

Mr. Azcona: Yes, I did also mention in the past that it will be beneficial for the CDD to have some kind of established, even though we may have it in our heads, or some people may have it in different places, to have an established protocol or process that we know about.

Mr. Winkeljohn: Yes, and you asked for that, I have a draft that I haven't finished reviewing but I can share it with you if you want to see it.

Mr. Azcona: Ok, and no, that's fine, as long as it's in process, I'm good with that.

Mr. Winkeljohn: Definitely.

Mr. Azcona: But there are certain things that we're learning that's a learning curve and we're learning new things that are happening as we learn that we then just keep them in John's head, or whoever.

Mr. Jado: Right, and a lot of it is visual, I see a problem, I fix it. You hire somebody, or when I'm gone, let's say, and I love this place, so I take personal pride in what I do, everything I've ever done, so that other gentleman may not take the same personal pride, because I live here, this is a reflection on me if that block in that landscaping doesn't look good, it upsets me, I met with the landscaper 3 times and I'm still waiting for different schedules to come in on that.

Mr. Wilson: But the initial ask was let's start with a framework of what we do on a quarterly or monthly basis, Paul has that, we can take a look at it, and build it from there.

Mr. Azcona: Ok.

Mr. Wilson: Additional items Juan?

Mr. Azcona: No, that's it.

Mr. Wilson: Rohn, any additional items?

Mr. Timm: No.

Mr. Wilson: Gerry?

Mr. Timm: Well, I'm going to thank John for the extra work that he does, like he said, he has pride in the work that he does, and I've spent time with him, sometimes out there doing things. Every time I see him, he's always doing something, and like he said, his eye is the quality, so I just wanted to thank him again for the work he does.

Mr. Winkeljohn: And the product that we've talked about, I've actually sent it to John and I have it broken down by seasonal but he can break it down more specifically when he wants to do it for your community, it's different by every community, so we'll have that and I'll put it in the next agenda booklet.

Mr. Kischel: Just one more thing, I have the address of that drain, I'll give you that address if you want to look at it.

Mr. Winkeljohn: Ok.

Mr. Jado: That drain has been addressed.

Mr. Winkeljohn: No, the physical address.

Mr. Jado: Oh, ok.

Mr. Kischel: So, it's 1931 Newport Isles Blvd., last name of the resident is Mike Jerald.

Mr. Jado: Ok, thank you.

Mr. Wilson: Rohn anything else?

Mr. Timm: No, I'm fine.

Mr. Wilson: Gerry?

Mr. Mirabile: I'm good.

Mr. Jado: I did get the guy to come out and check the drains, he wanted to do it the day before the storm, and I said no, we're not having the drains cleaned the day before the storm, so I'm getting back with him we're going to have it done, but there's no emergency, it's only 3 to 5 inches in the drain boxes, so we're in good shape really.

Mr. Wilson: Michele?

Ms. Logerby: With the Lake Doctors, are you guys happy with what they're doing?

Mr. Wilson: We just had a discussion on it, I don't know if you were in attendance, generally we are happy with Lake Doctors, and we authorize John for additional treatments.

Ms. Logerby: Ok.

## **NINTH ORDER OF BUSINESS**

## **Adjournment**

Mr. Wilson: I make a motion to adjourn.

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

  
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Secretary / Assistant Secretary

  
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Chairman/Vice Chairman