

ROLLING HILLS
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Rolling Hills Community Development District was held Tuesday, August 14, 2018 at 6:00 p.m. in the Rolling Hills Amenity Center, 3212 Bradley Creek Parkway, Green Cove Springs, Florida 32043.

Present and constituting a quorum were:

Bill Tew	Chairman
Jody Smith	Vice Chairman
Rose Bock	Supervisor
Kurt von der Osten	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Freddie Oca	Riverside Management
Chris Hall	Riverside Management
David Church	Supervisor Elect
Shannon Jordan	Supervisor Elect

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 6:00 p.m. and called the roll.

Mr. Oliver stated we had the qualifying period for the election since our last meeting and we had two residents qualify for those seats, David Church and Shannon Jordon are here and they will be seated during the first meeting after the November election.

SECOND ORDER OF BUSINESS

Audience Comments

There not being any, the next item followed.

THIRD ORDER OF BUSINESS

Affidavit of Publication

A copy of the affidavit of publication of the public hearing was included in the agenda package.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the June 12, 2018 Meeting

On MOTION by Mr. Tew seconded by Mr. Smith with all in favor the minutes of the June 12, 2018 meeting were approved as presented.

Mr. Oliver stated we are going to skip to Landscape proposals because that will impact our budget discussions.

SIXTH ORDER OF BUSINESS

Consideration of Landscape Proposals

Mr. Oliver stated since the district was established we have had two landscape firms out here, first was Tree Amigos and then once the district left control of the original developer, Sullivan's Landscaping took over and they have done a great job for a number of years and we appreciate their service but it was time for the board to go through a proposal process so that we can get competitive proposals for FY19 and beyond. I would like to thank in advance the work that Chris Hall did in getting these proposals together and putting together a scope of services. Based on that we received proposals from seven very qualified firms and we appreciate the time they put in to get those proposals. I provided the proposals to you so that you could take a look at those. I did rank these proposals and I will share that information with you then we can have board discussion and you can select the top ranked firm so that we can enter into an agreement with them.

I will mention the name of the proposer and their annual cost so we can get that on the record and everyone can hear what the costs are. R&D Landscaping \$59,928, VerdeGo \$73,924, Yellowstone \$72,621, Patriot Property Solutions \$98,100, Lawn Boy Services \$57,780, Duval Landscape \$66,697 and Steadfast Home Services \$60,000. You are not required to select the lowest bid you find the best value for the community.

Much of what you look for in a proposal is subjective, you may look at differently than another board member but the pricing, we can look at objectively. I have awarded 20 points to the lowest price and then a ratio of that based on the next price as compared to the lowest price. The lowest price was Lawn Boy Lawn Services at \$57,780 and they received a full 20 points. R&D Landscaping at \$59,928 received 19 points, VerdeGo at \$73,900 gets 15.6 points, Yellowstone Landscape 15.9 points for their \$72,621 bid, Patriot Property Solutions at \$98,100

will get 11.8 points, Duval Landscape at \$66,697 gets 17.3 points and Steadfast Home Services at \$60,000 gets 19.3 points.

Mr. Smith stated the landscape budget is \$64,800 but there are add-ons to that with fertilizing, mulch and some of the other stuff, irrigation. \$64,800 is a target but it is not an actual number. I have a ranking but I want to know where we are on wiggle room for a ranking structure. What is a realistic target? Are we talking about \$5,000 to \$10,000 over that, around that because \$64,800 is a good dollar figure but I don't think what we want people to do especially below that I don't see how anybody is going to be able to do what we are asking them to do for less. How much wiggle room do we have above that?

Mr. Oliver stated you are correct in that number has not been adopted, it was intended to be a placeholder, it is the same number we had in the FY18 budget. Whoever the board decides they want to go with we will be able to move additional dollars from the capital reserve line item if necessary. Theoretically you could fund any of these including the highest price at \$98,100. Once we go through that discussion we can decide how it impacts the budget, that is why we flipped the items.

I did look at other areas of consideration and that is personnel and other resources, the experience of the firms in terms of who their clients are and if they have other CDD clients, understanding the scope of work and one of the things I look at under this category is pricing so if there was a very low price I took away points because it conveyed to me that they didn't fully understand the scope of work. Another thing I look at is the reasonableness of the unit pricing. Most of the firms I awarded 8 points to because they were all in the same ballpark with the unit pricing and one firm was a little bit lower in that unit pricing. I can share my score sheets with the board just for reference it is going to be a board decision. The top three firms I had are Yellowstone at 93.9 points, VerdeGo at 93.6 points and Lawn Boy Services at 92 points. Lawn Boy got a lot of points because of their pricing. I did call a reference they had who was a member of another CDD board in Nassau County and he spoke very highly of them but I did dock them points under understanding scope of work and the reason is although they may be successful in Nassau County as well as St. Johns County and Duval County it is quite a distance to travel from there with equipment if you don't have a large portfolio here in this county. I think you would be good with anyone on that list and I wanted to point out that this was not a formal RFP process, it was a matter of the board soliciting proposals. The rights we would have

with an RFP in terms of challenging the outcome simply aren't there. You can talk about your top three firms then reach some sort of consensus so we can make a selection.

Mr. Tew stated Yellowstone is the highest ranked. Rose or Kurt do you have any experience with them in other communities you are involved in?

Mr. von der Osten stated I do not, I have experience with Duval that is in my top three. I'm aware of VerdeGo and Yellowstone simply because of the size of their operations.

Ms. Bock stated I don't have any experience with them, but I would put some faith in Doug Mayers' letter of recommendation for Lawn Boy.

Mr. von der Osten stated I had two of yours, I had VerdeGo, Yellowstone and Duval and they were within a point or two.

Mr. Smith stated I had Yellowstone, VerdeGo and almost a tie based off what is in front of me. From where I sit I pretty much eliminated the low bid because I don't see how it is possible that they are going to be able to do what we need them to do for the amount of money they propose. I'm not saying they can't it is my opinion but Yellowstone and VerdeGo are a virtual tie with me, Yellowstone being one and VerdeGo being two.

Mr. Tew asked is the current landscape company on notice?

Mr. Oliver stated they are not on notice, but their contract is about to expire September 30, 2018. Typically what you do in a case like this is if you select another firm you inform that firm, issue a notice to award so all the firms know, then we issue an intent to terminate without cause, a 30 day notice.

Ms. Bock asked who is the current one?

Mr. Oliver stated the current one is Sullivan Landscape, which I believe is some of the same personnel and they changed the name and that is the Patriot Services.

Mr. Haber asked is the expectation that the contract would go until it expires but to the extent it expires there wouldn't be a notice to terminate. You may want to tell them that we don't intend to renew and that way you can let it expire.

Mr. Oliver stated I think that is a good way to do it because we are only talking about roughly 45 days anyway. It is clear to everyone this isn't a matter of a company being terminated we simply went through the process and another company was selected.

Mr. Smith stated I want to make sure it is perfectly clear just for their future, they were not terminated. They took over in the middle when the previous guy was Sullivan and they

jumped in and did the best they can. I don't want it to sound like they are being terminated in any way.

Mr. von der Osten asked if Patriot is formerly Sullivan and they are currently maintaining the community and they are significantly the highest bidder. What is going to be our cost this year for maintenance? Is the \$64,000 in their budget?

Mr. Oliver stated you also have in that budget a significant landscape contingency beyond the \$64,000. Regardless what I look at also is throw out the highest and the lowest and I think you have a pretty tight range.

Mr. von der Osten stated Yellowstone and VerdeGo are basically national companies. I don't know if anyone has experience in contracting them.

Mr. Oliver stated both of those have local representatives. For Yellowstone they do Johns Creek down the road from where you live, they also do Heritage Park in St. Johns County. VerdeGo just got RiverTown and Bartram Springs in Duval County.

On MOTION by Mr. von der Osten seconded by Mr. Smith with all in favor Yellowstone was ranked no. 1.

Mr. Oliver stated counsel will prepare an agreement.

Mr. Haber stated just to clarify the contract is awarded to Yellowstone with a start date of October 1, 2018 allowing your existing contract to expire.

Mr. Oliver stated that is correct.

FIFTH ORDER OF BUSINESS

Public Hearing for the Adoption of the Fiscal Year 2019 Budget

A. Consideration of Resolution 2018-04 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2019

Mr. Oliver stated we sent out mailed notice regarding the budget and first we will talk about the budget and have board discussion then we will open the public hearing and the audience can make comments to the board for you to consider regarding the budget, we will turn it back over to the board and once you are ready to adopt the budget in some form we will walk through the resolutions for that adoption.

The general fund budget starts just inside the front cover. The top section is the revenue section at the top of page 1 and in the first section you will see the FY18 adopted budget was

roughly \$563,000 we are proposing for FY19 a budget of \$641,000. The main reasons for that as we go down the budget, the administrative section there is virtually no change to that and that goes from \$113,700 to \$114,500. The next section is field operations and this is essentially community appearance and this section goes from \$184,000 to \$195,000 and the biggest line item change is landscape contingency that goes from \$5,000 to \$15,000 so that is \$10,000 of the \$79,000 budget increase. Under the amenity center there is a line item called repairs and maintenance that goes from \$30,000 to \$40,000, another increase of \$10,000. The last line item is the capital reserve fund and that goes from \$2,000 to \$60,000 that is an increase of \$58,000. Those expenditures with the \$58,000 and the two \$10,000 increases is \$78,000 so that is the lion's share of the increase.

Mr. Smith asked what are the restrictions on the capital reserve, is that earmarked specifically for the amenity center support?

Mr. Oliver stated you can use it for anything in the general fund. It is intended to be for repairs and replacements, but you don't have the same restrictions on it that you do with an HOA. Based on what we talked of earlier tonight we would want to change the landscape line item from \$64,800 to Yellowstone's contract \$72,700 and we will reduce the capital reserve line item by a like amount so they both balance. If you look at the tables at the bottom of page 2 we increased the number of platted lots that are on the assessment roll for this year from 322 to 375 and the gross assessment per unit goes from \$888 to \$990. Net assessments are the assessments that go to the district and that does not include the 4% early discount that the tax collector will provide if you pay your taxes by November 30th and also the 2% that the tax collector keeps for collecting assessments and that goes from \$834 to \$930. The planned lots are the undeveloped lands and those are at 75% of the assessment rate for the planned lands where those are homes and those are the lots that actually use the amenity center and these are at a reduced rate and that gross assessment goes from \$651 to \$772. As these are platted they transfer over to the full collection. The next several pages are line item descriptions for the general fund and beginning on page 9 you see the debt service fund budget and this is the budget that is used to pay the bondholders their two semi-annual interest payments in November and May as well as the principal payment made in May. On the next page is the amortization schedule for those bonds, the B bonds are paid by the developers and homebuilders the same as the A bonds it is for semi-

annual interest payments as well as the principal payment. There is also included the A3 Bonds, again this is not paid by the homeowners.

It is a significant increase and you can see the lion's share of that increase is capital reserves. There is no money in capital reserves and as things start to age there are going to be certain things that you need to repair or replace, whether it is fitness equipment or air conditioning units.

Mr. von der Osten asked what is the New Seasons section under platted or planned?

Mr. Oliver stated if it is platted it is included in the 375.

Mr. von der Osten stated I haven't seen the recorded plat I have seen a draft.

Mr. Oliver stated I go by the plats.

Mr. Smith asked at what point does the amount of money collected change?

Mr. Oliver stated the first full fiscal year after it is platted. The plats for FY 19 the next cycle will be included on the assessment roll that goes to the tax collector.

Mr. von der Osten stated if they plat in October and the fiscal year is already started they go 75%.

Mr. Oliver stated correct. If something plats during the year we can't retroactively go back and change it.

On MOTION by Mr. Smith seconded by Ms. Bock with all in favor the public hearing was opened.

Mr. Haber stated I recommend because the budget went up I assume the assessments went up that we open and close two separate public hearings. Get comments on the budget, consider the resolution then close that hearing and open a separate public hearing for the assessments.

Mr. Oliver stated this is the opportunity to make comments to the board, you can tell them what you like about the budget, what you don't like about the budget. There are a lot of people in here and I ask that you keep your comments brief, typically three minutes should be enough to make your comments. It is not a Q&A session as much as you are making your comments known to the board so they can consider that when they consider the budget.

A resident stated I would like to know in the budget is there anything to get some park equipment back in Hidden Meadows to get rid of the sex offender? I have one living on each

side of me. Putting up a park would take care of that, then no more sex offenders could move in next to me.

Mr. von der Osten stated I believe it is a 1,000 foot radius for a park.

Mr. Smith stated there are areas back there designated on the map to be parks. Do you know if there are plans by the developer at some point to actually build a park?

Mr. Oliver stated I want to stay on this comment right now. This is the first I have heard about that. I would like to talk to counsel about that offline because you are talking about a sensitive issue. As part of this budget hearing that is not something we can address but I do hear what you are saying. If it is designed to be a park and platted as a park it will be easy enough to make it a park if it is not there may be some zoning issues, which is why I have to talk to counsel and engineer about that. It is not something this board can just say put equipment there and call it a park. This board is considering putting \$60,000 in reserves and if this board or a future board wants to use some of that money to purchase park equipment that will be their decision to make.

A resident asked when would we be able to follow-up on that? What amount of time would it take for you to meet and go through whether or not you want to use the money for the park?

Mr. Oliver stated they could make that decision at the very next meeting if they wanted to. That is not with regard to some of the other issues in terms of does that qualify to be a park if so does the board want to use that money for a park.

A resident asked when Richmond gets more houses out there and they are paying into the CDD as well is there any chance that our fees will go down?

Mr. Oliver stated I don't think it will happen. I think as this community grows you will probably increase the need for services and it looks like we are probably entering into a period of inflation.

A resident stated I have heard about a dog park.

Mr. Oliver stated there is nothing in the plans by this board, but a future board could certainly do that.

A resident asked is the landscaping going to be added at the back of the pond on Bradley Creek as previously discussed at the previous budget meeting?

Mr. Oca stated the back is being handled.

A resident asked when we are paying for things that are not getting done, what is the board's preferred method of communicating that? We understand you don't want to do Facebook Live but when a guy is submitting plans through our website for the CDD I see they don't get responded to. I have a copy of the email, I submitted complaints about the amenity center, the pool being dirty, I have questions and concerns regarding the contingency for the landscaping being enough to cover the issues we had in this neighborhood with excessive weeds. That contingency will not pay to replace the grass.

A resident stated that is why our budget was higher than everybody else's because we had to do that.

A resident stated the contingency here states that includes resodding I have yet to see any resodding done. A lot of my neighbors have complained about the sodding.

Mr. Oliver stated there is a landscape contract that just got approved for \$73,000, there is a landscape contingency that just went from \$5,000 to \$15,000 and there are additional moneys there. You talked about performance issues and we are changing the landscape company. We do have a lot of decisions to make whether it is this board or the next one and it also goes back to the park project, that \$60,000 is not a lot of money so not only are there park issues to deal with but there are furniture replacement issues, safety issues. Everyone is aware of these issues. The sod was damaged and it was agreed to by the current landscaper that they were responsible for that and they will replace it. It hasn't been replaced yet.

A resident asked you have telephone, internet and cable in two different places, why wouldn't that be combined?

Mr. Oliver stated one is a bundle and the other is conference calls that happen between meetings. For any of these line items, any money not spent it either goes to another line item or it rolls over into the next year and added to the surplus.

On MOTION by Ms. Bock seconded by Mr. Smith with all in favor the public hearing was closed.
--

Mr. Haber stated included in your agenda package is Resolution 2018-04. There are two resolutions you are going to be considering, the first one is the adoption of the budget, the next one after we open the second public hearing will be the adoption of the assessment roll, which will result in an increased assessment. You may recall 60+ days ago you approved a proposed

budget, that budget was provided to Clay County and was posted on the district's website and the district was required to allow 60 days to go by before you can hold today's public hearing to adopt the budget. You noticed the public hearing, you held that public hearing, you heard comments. This resolution formally adopts the budget and puts it in place as your formal budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019. Upon your adoption of this resolution the budget is attached as an exhibit, you will formally adopt the budget in the amounts set forth.

Mr. Oliver stated the revision is to increase the landscape line item to match the Yellowstone proposal and reduce the capital reserve line item by that same amount.

Mr. Haber stated there are a number of blanks in the resolution in section 2 and that is the general fund, the general fund is the O&M fund, the remainder are the debt service funds, the principal and interest necessary to pay off the bonds and the totals. Upon your adoption you will have formally adopted your budget.

On MOTION by Mr. von der Osten seconded by Ms. Bock with all in favor Resolution 2018-04 was approved.

B. Consideration of Resolution 2018-05 Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2019

Mr. Oliver stated we are going to have a public hearing regarding the assessment roll and we are going to adopt the new assessments and these will be put in an assessment roll that is provided to the tax collector that will be put on the tax bill going out November 1.

On MOTION by Ms. Bock seconded by Mr. Tew with all in favor the public hearing was opened.

Mr. Oliver asked are there any comments regarding the assessment roll? That is the process in which we levy the assessments, put them on the assessment roll, give them to the tax collector and it goes on your tax bill that comes out November 1st.

On MOTION by Tew seconded by Mr. Smith with all in favor the public hearing was closed.

Mr. Haber stated this resolution formally adopts the assessment roll, which will result in an increase in the assessments. You will note that the assessment resolution contemplates two methods of collection, that is for the platted lots the roll will be provided to the county and those assessments will be collected on the tax bills that each lot receives from the county. There is also direct collection on unplatted property. The bond documents typically contemplate that those assessments will be directly collected, it allows the district more enforcement mechanisms to the extent those assessments are not paid. This resolution is in accordance with your bond documents and upon adoption will result in the O&M assessments being imposed and both O&M assessments and debt assessments being certified for collection by both the district and the county tax collector.

On MOTION by Ms. Bock seconded by Mr. Tew with all in favor Resolution 2018-05 was approved.

SEVENTH ORDER OF BUSINESS

Other Business

Mr. Tew left the meeting at this time.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber stated my firm represents a number of CDDs throughout the state and we monitor what is going on with those CDDs and there have been a number of lawsuits that have been filed against CDDs with allegations that those CDDs' websites are not compliant with the ADA, in particular the lawsuits allege that the websites are not sufficient for visually impaired. We have spoken with the district managers for those districts as well as the insurance companies and the lawyers who have been hired by the insurance companies to defend those lawsuits and those folks have made a number of recommendations that I think your management company has put in place for purposes of hoping to prevent any lawsuit as it relates to your website and to the extent that you ever do have a lawsuit filed against you to put you in a position to best defend that lawsuit. The recommendation was to put a disclaimer on your website to say that it is under construction, that it is being reviewed by an expert to determine if it does fail to meet ADA, what it recommends that the CDD does to fully comply and if there are any documents that are needed to contact the district manager and request those documents directly. Based on those

recommendations we think that puts us in the best position. Ultimately the website will need to be reviewed and to the extent that there are any aspects of the site that are non-compliant you will need to bring those up to compliance.

Mr. Smith asked what exactly are the requirements and how hard would it be to just make the website compliant?

Mr. Haber stated it varies. I am not familiar enough with your website to know and some websites and Julington Creek Plantation comes to mind, it is a humongous district and their website is very complicated. They are able to schedule exercise classes and it is a very full-service website. The more you have on the website the more that you have to have reviewed. Chapter 189, Florida Statutes specifies the bare minimum that a CDD website can include. I know a number of CDDs that have stripped down their website to include only that bare minimum to try to prevent any lawsuits. We are not ADA specialists and that is why our recommendation is that CDDs hire the ADA specialist to look at the websites and determine what needs to be done. Questions arise as to if you have recordings of your minutes on the website for people who may be hearing impaired do you now have to have transcripts of all those recordings and if so are you better off just removing the recordings entirely because that is not something you are required to have by law. It is largely on a case by case basis on what you have on the website and what your independent expert recommends that we do move on.

Mr. Oliver stated even every one of those required documents for the website are PDF format, they are going to have to be converted into a readable PDF that the sight impaired person at the other end will be able to access with a reader they use. Some of the conversion rates we have heard is in the ballpark of \$3 per page to make those conversions. There is a lot of heavy lifting, there is going to be a cost involved and that is what some of the recommendations are, to skinny down some of these websites.

Mr. Haber stated I don't know if you were on the board when they passed the ADA requirement for chairlifts at the pool and those types of things and they had a date certain where you had to comply. That is not what we are dealing with here. In that case we knew the law, we knew how to comply and we knew the date by which we needed to comply. What we are dealing with today is laws that are already in place, creative lawyers and creative plaintiffs who look at those laws and say let's try to find people that we think aren't compliant with those laws already in place. We don't have a deadline by which we need to comply, the law is in place and

now we have to figure out are we in violation of those laws and if so how do we come into compliance.

Mr. Oliver stated I participated in a teleconference the other day with the insurer and different people including defense counsel that has defended several of these suits already and two of the things we are doing is taking a mitigation approach to mitigate the district's exposure to this but also the remediation with the steps we need to take to make our website compliant. We want to do the remediation immediately to limit the exposure and we are looking at roughly an 18-month mark to have the website fully compliant. It won't all be magically at one time, it will be gradual.

Mr. von der Osten stated at that point there will have to be some sort of proposal brought to the board.

Mr. Oliver stated we are dealing with the state statute to make our websites as transparent as possible but the ADA is a federal issue so the state legislature is not going to have a lot of impact.

B. Engineer

Mr. Oliver stated we bring the engineer to the meetings when we need him and we notified him of some sinkhole issues in some of the streets.

C. Manager – Discussion of Meeting Schedule for Fiscal Year 2019

Mr. Oliver stated we used to meet on Wednesday and we moved it to Tuesday nights and we have a meeting schedule in your agenda packet. I would like to add a meeting on October 9, 2018 and that will be at 6:30 p.m.

On MOTION by Mr. Smith seconded by Ms. Bock with all in favor the board will meet on the following dates for fiscal year 2019: October 9, 2018, November 1, 2018 Landowners election, December 11, 2018, February 12, 2019, April 9, 2019, June 11, 2019 and August 13, 2019.

D. Operations/Amenity Manger

1. Report

A copy of the operations/amenity center report was included in the agenda package.

NINTH ORDER OF BUSINESS**Supervisors Requests**

Mr. Smith stated we have transitioned out of the budget and approved it. I noticed there are things and talking about the parks and I brought this up many times and put it on the record and I will put it on the record again. If we have the money we have areas all over this neighborhood that are designated or was designated, still designated to be parks. If that will help the issues that we talked about I don't see any reason why we can't purchase a minimal amount of equipment to make these parks that are designated parks. They can be designated as a park and possibly resolve some of the issues we were talking about earlier.

Mr. Oliver stated you said, if we had the money, I do want to make it clear you are going to add \$60,000.

Mr. Smith stated in the big scheme of things with a lot of the other things we talked about I want to keep parks and populating those parks with equipment on the radar.

I sent you some pictures, what is the long term fix for the pocket park on Paddle Creek? It is a very small park it is right there adjacent to the bus stop. I know we talked about one time possibly putting some furniture in there so it is a dual role where they have a place to sit while they are waiting on the bus. In the big picture I want to populate the park or do something with the park because it has been more of an eyesore than it has been a park. Now, it is completely surrounded by residents and it stands out like a sore thumb. I want to get some resolution to that as well. The parks are a big issue because of the lack of money for a long time because of prioritizing and fixing things that had to get fixed and the parks are something that have been put off for a long time. If we have the money, which we will now I just want to put that back on the radar.

Mr. Oliver stated it will be a board decision and you will have those resources and some of the things I heard discussed tonight is the park equipment, new pool deck furniture and fitness machines. You will use that money pretty quickly.

Mr. Smith stated when I made the point earlier about the residents taking over the board it is important to understand that there will be a transition of ability to do things in a different manner. The board as it sits right now is the way we have to operate and the way we have to manage money and do things is different than the way the residents will be able to do it. This board does the very best it can for the benefit of the residents under the rules and guidelines we

are given and the budget we have to operate with. Once we transition to an into a resident board that responsibility will fall on the residents.

Mr. Oliver stated you have to follow Florida Statutes in the budget process and the budget process won't change when it is a resident board and you have to have public meetings.

Ms. Bock stated I don't understand how different it is going to be. You make it sound like it will just be wild.

Mr. Smith stated that is not what I'm saying. I'm saying the residents will have a little more input on how money is spent that's all.

A resident stated I have been asking for over a year to get a park designated to get rid of one sex offender and here we are a year later and another one moved in.

Mr. Smith stated the rules on how the board operates are not going to change.

A resident stated I love when Freddie does things for the pool and maybe we forego that this year and build a park. I think we would rather have our property values be secure by not having sex offenders living in the community where our buses are so full kids are sitting in the middle of the aisles than having a sex offender move into the community and have an Easter Egg Hunt or something at our amenity center. As much as we appreciate the effort and time that Freddie puts into that we would rather build a park, put a swing in for \$20. You could put in a balance beam and it is a park.

Mr. Oliver stated we will bring options to the October meeting.

A resident asked why couldn't residents contribute? A lot of residents would like to do that.

Mr. Oliver stated there is no reason why you can't contribute to that. I will say whatever structure is put on district land has to be ADA compliant and we have to make sure we don't expose the district to risk. We can put any kind of swing set in our backyard because we are the one responsible for our children on that swing but once we put something in a park area we have to make sure it is safe and ADA compliant. We will have to bring proposals in front to the board we will need to look at the costs. I have no problem if someone wants to submit a proposal to build one of those, to bring to the board. My job is to show them the proposal and identify a funding source. When I identify that funding source I have to let them know what may not be funded as a result of that. Now we are talking about parks, we are talking about school bus stops, we are talking about the fitness equipment and we are talking about new pool deck

furniture. These things add up, there are a lot of great ideas here but it is going to be up to this board and more importantly the future board to decide how to spend that money.

A resident stated there are two living here now and even after the park is put in you can't stop them from being here. Once they are grandfathered in we can't do anything about it.

Mr. Oliver stated I have no problem with this board assuming that land is designated as a park area, which I can confirm with the district engineer, you can set a not to exceed amount of something very modest \$5,000 to purchase and install park equipment. If you want to do that, that is enough direction for us and we can pursue that. I can't tell you what it will be. Are you okay with that?

On MOTION by Ms. Bock seconded by Mr. Smith with all in favor staff was authorized to purchase park equipment in an amount not to exceed \$5,000 and have it installed in an area designated as a park.

Ms. Bock stated if you could bring us a plan of the neighborhood so we can see where you are talking about.

Mr. Haber asked is the expectation that authority is given to have the park put in prior to your next meeting as long as the equipment is less than \$5,000?

Mr. Oliver responded correct.

Mr. Haber asked who is going to designate which park?

Mr. Oliver stated there is one particular park.

Mr. von der Osten stated I think we could have a parcel of land, however, we are allocating \$5,000 right now, we are not authorizing any work to proceed. We want to see a budget.

Mr. Oliver stated no, that is not the case. In this particular case we are allocating \$5,000 to install park equipment in one of the pocket parks, if there are funds left over from that \$5,000 we can install additional equipment in other pocket parks.

Mr. von der Osten asked who is going to go forward and install it? You mean they can go next week and install it?

Mr. Oliver stated we will work with the vice chairman on it.

Mr. von der Osten stated I'm saying this because I just went through this with another CDD and everything from identifying locations, budgets, insurance, state guidelines, talking to the sheriff's departments, department of corrections, probation officers, everything that goes into getting these parks officially registered in the database, then the state. \$5,000 doesn't get you very far. I had a difficult time and I had estimates from multiple equipment companies, talked to the cities about the type of equipment to use to protect yourself from liability, fall protection, the whole nine yards. Be hesitant about running out there and throwing something up.

Mr. Oliver stated we will do the process exactly as required by statute, I'm aware of all the exposures that you are bringing up and I'm also working with the fact that this money that we adopted tonight in the budget, we won't receive those funds until November so we don't have a lot of money to throw at that. I don't want to sit at the table and say no if there is a solution we can find for \$5,000 I'm all for it. I don't know that it exists but I'm willing for us to do the footwork on that.

Mr. von der Osten stated I'm totally for it.

A resident stated I'm sure there is liability with having a park if someone falls and breaks their neck they are going to sue us.

Mr. Oliver stated you have liability insurance.

A resident asked which park is that equipment go in? Do the residents vote? There are three dedicated parks and you have \$5,000.

Mr. Haber responded the way I understood the motion is that the board gave your vice chairman the authority with a \$5,000 cap to decide which park and what equipment that meets both the district's standards and also whatever standards need to be met for it to be considered a park so you get the benefit of the 1,000 foot rule. I don't know those standards but we can certainly look them up and make sure we are complying with those. I don't think there is any expectation that there is going to be a poll taken of residents, your vice chair has been given the authority to make those decisions.

A resident stated I suggest it go in the park where they are building houses because it is not going to benefit an existing park with sex offenders living by it.

Mr. von der Osten asked how do we do this without a master plan for the district to give equitable benefit. We can't just say this group gets a park and protection. We need a plan so every member of the district is now benefiting.

Mr. Haber stated the way I view it is you are putting in a park and the benefit received from the park is the ability to use the park, which is open to the entire neighborhood. This park is further from some houses than others but the whole community is open to the public and benefit the entire community. I think the 1,000 foot barrier isn't the reason why. I know it has been discussed and I know it is an additional benefit but from an assessment standpoint I think the benefit that is being received is the benefit to be able to use the park.

A resident stated I think the CDD should enforce the rule that any time we open an area to future builders they build those parks.

Mr. Haber stated that is not something that we necessarily have control over.

A resident asked are we saying you are going to build in one area and as soon as we get one park built assuming we get it under budget we can take another \$5,000 and move on to another area to get all these done?

Mr. Oliver stated you can decide that.

A resident stated I don't want to build one and drop it.

Ms. Bock stated keep coming to the meetings and keep bringing it up and that way it doesn't die.

A resident stated you can contract the web posting company and a lot of them are contracted to make your website compliant, which is significantly cheaper and there are third party vendors here in Jacksonville who will do a review. If you are saying you are trying to stop risks that could happen versus having a full legal review of the website, we have had success with third party vendors that has gotten justice compliant and we were federally audited and it passed the federal law review.

Mr. Haber stated to be clear my firm is not doing that review.

A resident stated I have been coming to the meetings for three years over and over again and I will bring it up again, the speed limits on these streets we have talked about it, we said it is county street the county says we have to do a survey and you say the county is doing the survey and after three years we are in the same place we started. What is the deal? I almost got wiped out the other night by a guy in a black car without his headlights on and he wasn't going very slow either. The police say get a copy of the license plate and do this and do that and the other thing. If you are standing on a sidewalk and a guy is coming down the street at 45 mph I can't get a copy of the plate especially when he has something over the top of it so you can't read it. I

want to know where we are as far as a community, district, as far as these roads go. If they belong to the county tell me what the speed limits are.

Mr. Oliver stated you as a resident can reach out to your county commissioner also. We did have that lined up with the county and they were going to provide the necessary traffic set up for whatever reason that is required and then they decided they were going to have the district pay for that traffic study and I think the cost is about \$7,500.

Mr. Smith stated they reneged on the original agreement to cover the cost of the survey, they dumped that on the development. We did make some progress in the last year in the fact that when I got the sheriff involved and the sheriff came back and his operations chief came back and they finally made a decision that in lieu of approved speed limits that have been set via a survey process the police is required to enforce the default limit, which they did start to do. I don't know what their schedule is and how they decide when they come out and when not to come out but they did start enforcing the default limit. The default limit in the State of Florida is 35 mph but it is something because before they weren't enforcing anything. I don't know where we stand, I haven't heard anything back from the sheriff's department or the public works department. The guy from the public works department who was here did say that he hasn't stopped trying to get a survey done but they keep wanting to dump that cost back on us now because they are not going to do it.

Mr. Oliver stated I think we can regenerate that conversation again and ask where are we on this, it continues to be a problem.

A resident asked can you share the contact information on a Facebook page as to which commissioner we need to call? If we call them as a community then hopefully, they will take action.

Mr. Smith stated Gayward Hendry is our commissioner and I work directly with the sheriff's department.

Mr. Oliver stated Eagle Landing was successful in getting a uniform speed limit there a few years ago.

A resident stated this is something the board might not be aware of but it is supposed to be on lot 104, which is a property that has a house built on it that has not been sold, I was weed eating my fence because they don't weed eat on the backside of the fence and there was a gaping hole where when they plowed the land up and put the house up and put the sod in there, they tore

up the drainage cover and there is a gaping hole there. I brought it to the attention of Richmond America and the lady said we will get the CDD to take care of that. That is not the CDD's fault, that is the fault of the builder and he needs to get that fixed. There are young kids that run back and forth through that backyard and I'm waiting for one of them to fall in. If you remember about a year ago a kid in Jacksonville fell into one of those holes that had been backfilled. We are opening ourselves up to that too.

Mr. Oliver asked Freddie will you check that out?

Mr. Oca responded yes.

A resident stated I want to come back to the offenders that are living or moving into the community and having access to this area. They shouldn't have access to this area.

Mr. Smith asked how about controlling the card? Is there any way to restrict certain access on the card?

A resident stated the statute says they can't be within 1,000 feet of anyplace where children congregate.

A resident stated there is a difference between a sexual offender and a sexual predator.

Mr. Oliver stated we want to research this offline so we have the absolute right answer and take the right steps.

A resident stated the recommendation was to go from twice a year to quarterly pressure washing. Would we not just buy a pressure washer and do it ourselves and if you are onsite as manager it is something you can do.

Mr. Oca stated we have a small one but it is not made for the area we have here.

A couple of residents complained about the appearance of the pool looking dirty and staff responded that it was sand from the filtration system.

A Resident stated I brought my kids to the pool last weekend and it wasn't just dirt, there were cigarette butts everywhere, band-aids with blood and I have a problem with that. I tried to find a clean area for my kids to sit and perception is reality and what doesn't look dirty to you, our perception is that it is dirt. It looks dirty and I don't want to spend \$3,000 a year to have a facility that looks like that.

A resident stated it is fraudulent. If we are not getting what we pay for and not getting what was told to us that we were going to get. I don't understand why they are allowed to sell

and post and say all this and then we don't get it and I'm paying a lot more for the CDD than I am for my taxes and that is wrong.

Mr. Oliver stated the board has absolutely no authority, hasn't since the inception of the district over private property. They just don't have any authority over it. They have authority over common areas in the CDD, it is a limited form of government.

A resident asked aren't those common areas that are being used, they are owned by the CDD?

Mr. Oliver stated yes.

A resident asked aren't they areas being used for the stuff that they are portraying that we are going to get? It is confusing.

Mr. Oliver stated it is confusing because the board has never made any representations that dog parks or trails are going to be built. That is not to say that they can't be but this board has never had that discussion. Who is your builder?

A resident stated Richmond America.

Mr. Oliver asked have you brought this to their attention?

A resident responded no, I haven't because that wasn't how I understood it. It was part of the CDD fees so if we are part of the CDD development and this is why you are paying over \$2,000 a year for the CDD.

Mr. Oliver stated if you have moved in at the inception of the development before the recession perhaps they had grand plans but did you mention you just moved in about three years ago?

A resident stated three years ago.

Mr. Oliver stated in the last three years, I know Jody has been on the board for six years now, we just had the discussion that there is not money to do that anyway. You should bring it up to Richmond America.

A resident stated I did bring it up one time and they said that is up to the development what they are going to do. They said they were going to do this. Who is they?

A resident stated if they are selling you the house that these things are going to happen and they don't happen, you bought the property from them, it is their problem. If they are showing you maps and things like that I would definitely take it up with them.

A resident asked have the lakes and algae been discussed?

Mr. Oliver responded no but they are treated monthly and can be called back for a second treatment. Oftentimes it is tied to the temperature, tied to the high heat, tied to the rain. You can use fountains, have diffusers, you can use Triploid Carp so there are a lot of different approaches and there is a cost involved. The board can consider aerators or fountains but there is a price tag involved with that and even with fountains you still have to chemically treat the lake.

TENTH ORDER OF BUSINESS Audience Comments

Audience comments taken under supervisor’s comments.

ELEVENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet & Income Statement

A copy of the balance sheet and income statement were included in the agenda package.

B. Assessment Receipt Schedule

A copy of the assessment receipt schedule was included in the agenda package.

C. Check Register

On MOTION by Ms. Bock seconded by Mr. Smith with all in favor the check registers were approved.

TWELFTH ORDER OF BUSINESS Next Meeting Scheduled To Be Determined

Mr. Oliver stated the next meeting will be October 9, 2018 at 600 p.m. at this location.

On MOTION by Mr. Smith seconded by Mr. von der Osten with all in favor the meeting adjourned at 7:55 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman