

MINUTES OF MEETING  
STOREY PARK  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Storey Park Community Development District was held on Thursday, January 23, 2020 at 4:00 p.m. at the Offices of GMS-CF, LLC, 219 E. Livingston Street, Orlando, Florida.

Present and constituting a quorum were:

Rob Bonin	Chairman
Lane Register	Assistant Secretary
Ben Kraljev	Assistant Secretary

Also present were:

George Flint	District Manager
Andrew d'Adesky	District Counsel
Christina Baxter	District Engineer by phone
Alan Scheerer	Field Manager
Tricia Adams	GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll. A quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the October 24, 2019 Meeting**

Mr. Flint: We have the minutes from the October 24, 2019 meeting. Does the Board have any additions, deletions or corrections?

Mr. Register: No.

Mr. Flint: If not, we need a motion to approve.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the Minutes of the October 24, 2019 Meeting were approved, as presented.
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**FOURTH ORDER OF BUSINESS**

**Consideration of Parking and Towing Enforcement Agreement with Storey Park Community Association, Inc.**

Mr. Flint: We have been trying for a while to get an agreement in place between the CDD and the HOA and worked with Michelle Barr on it. If you recall, you went through a rulemaking process and adopted a Towing and Parking Policy. As part of that Towing and Parking Policy, our enforcement mechanism is towing vehicles because the Storey Park Community Association has the onsite presence there, as well as the security company under contract. The plan was that they were going to assist in the implementation of that policy. In order to do that, we drafted an agreement between the CDD and HOA, giving them the authority to put warnings on vehicles to authorize towing. This agreement was worked on by Andrew and Tricia for the CDD side and was reviewed by the HOA.

Mr. d’Adesky: It’s our agreement not theirs.

Mr. Flint: This would just be the CDD’s approval of that agreement. Are there any questions? Hearing none, we need a motion to approve it.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the Parking and Towing Enforcement Agreement with the Storey Park Community Association, Inc. was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Agreement with Towing Company Related to Parking Enforcement**

Mr. Flint: Another step to implementing the policy is getting a towing company under contract. We struggled a little bit. I think we contacted five or six different towing companies. We received notice from some and are still waiting on answers from others. So we don’t have an agreement for you to approve today, but if the Board is amenable I would like for the Board to consider a motion authorizing the Chair or Vice Chair to execute the agreement once we select a towing company. That way we don’t have to wait until another meeting. As far as the rates, those are up to the towing company. All the agreement is doing is authorizing them to tow vehicles. As far as how much they charge, we don’t set the rates. Those would be set by the towing company.

Mr. Register: Those rates are paid by the person picking the car up from impound?

Mr. Flint: Yes. We may have scared them off by sending them a six-page agreement with a bunch of liability releases. We have that same agreement in place in other Districts. It’s just a

matter of finding the right company. So if the Board approves, we need a motion authorizing the Chair or Vice Chair to execute an agreement with the selected towing company.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the Chair or Vice Chair was Authorized to Execute the Agreement with the Selected Towing Company for Parking Enforcement.

Mr. Kraljev: Before we move on, could we have a brief discussion about the impacts that have been felt so far?

Mr. Flint: Sure. There has been some confusion and it's not straightforward because you have an HOA, the CDD and the City of Orlando. We know that the CDD owns the roads. We know CDDs do not have traffic enforcement ability under the Statutes; that falls to the City of Orlando. I think the HOA is out there. Sometimes they are confused. Part of this process is making sure that they are on the same page as we are. Michelle is on the same page, and we are trying to make sure that the management company is on the same page too. Some residents are complaining. There was a thought that the roads were owned by the City of Orlando and it was questioned why they weren't doing anything about it. The good news is prior to that, we met with the Zone Commander for the City of Orlando Police Department to talk about traffic enforcement and educate them on the fact that these aren't private roads. They are owned by the CDD, which is a government entity; however, we don't have enforcement authority, so that falls to the City of Orlando. They wanted a Traffic Enforcement Agreement, so we went down that road. They sent the Traffic Enforcement Agreement to us and listed the private roads at the top. For \$45 per hour, an Orlando Police Officers will go out there and enforce traffic. We sent that back and believe that they are finally on board with us because last weekend they were out there enforcing speeding and parking. They issued a number of warnings on parking. So we think we have gotten over that hurdle.

Mr. Kraljev: Is it correct to say that the spine roads are in fact owned by the City of Orlando and only the internal roads.

Mr. Flint: That's correct.

Mr. Kraljev: So they have an obligation to enforce on the spine roads.

Mr. Flint: That's clear and we argue that they also have an obligation to enforce the CDD roads. Now they agreed that, that is in fact the case and now understand they are public roads.

Mr. Kraljev: Is there any way we can get documentation from the Police Department, indicating there has been a step up in their policing activities or something?

Mr. Flint: I don't think they want to put it in writing.

Mr. Register: That's the problem.

Mr. Kraljev: I understand.

Mr. Flint: I received an email from Mr. Malave saying they now interpret the roads as being public. That's the most I think we are going to get.

Mr. Kraljev: All of us have been on the receiving end of those emails. I appreciate the CDDs effort and George's personal efforts to work through that. Hopefully, as traffic reduces, there will be less of an issue going forward. That was one component. The other component was, and I'm just getting some feedback from what I'm hearing in the community, relates to the enforcement. A lot of folks think that they won't get a warning; they are going to be towed immediately and so on. So I don't know what specific terms have been distributed to the HOA for communication. The signs are up and there's some enforcement happening. Everybody is nervous.

Mr. Flint: Then they should comply with the signage.

Mr. Kraljev: That leads me to my last comment. If I see a "No Parking" sign, I don't park there. We did a great job. Some homeowners have up to three "No Parking" signs on their property and that is becoming a little problematic.

Mr. Flint: If they live on a corner, that's possible because they will have one sign pointing one way and one pointing the other way.

Mr. Register: It is possible.

Mr. Scheerer: It's realistic because that was one of the things we were talking about today.

Mr. Kraljev: A resident expressed interest in coming to one of our CDD meetings.

Mr. Flint: We have not been inundated with calls. I don't know whether they have been in contact with the HOA.

Mr. Kraljev: They are contacting Lennar as well.

Mr. Flint: Okay. I know of three residents.

Mr. Kraljev: Correct.

Mr. Flint: Other than that, have we received any others?

Ms. Adams: There is one other homeowner who has been in regular communication.

Mr. Flint: So that's three homes out of hundreds.

Mr. Kraljev: You have done a great job, George and Alan. I appreciate everything you have done by knocking on doors and talking to residents.

Mr. Scheerer: Tricia too.

Mr. Kraljev: Thank you Tricia.

Mr. Flint: People are asking me for exceptions. I think we need to be very careful about that.

Mr. Kraljev: It's setting a precedent.

Mr. Flint: Our argument is that these signs are merely clarifying existing no parking zones. They are not creating new ones.

Mr. Kraljev: But it is subjective on our part on how many and where they are placed.

Mr. Flint: Every 150 feet is not a legal requirement. So if we can eliminate one here or there and that resolves the issue, changing where no parking zones are is problematic because I don't think we want to open that door. If we have a sign every 150 feet and we move it so its 200 feet, I think that's fine. I think 150 feet is best practice. It's not a legal requirement.

Mr. Scheerer: Correct.

Mr. Register: The last item is that our vendors have gotten a little ahead of us. We woke up one morning and there were all of these signs.

Mr. Flint: We knew their schedule and I thought it was communicated, but we apologize if it wasn't. The whole plan was to get the signs in first and then the agreements with the HOA and the towing company into place. Let's get communication out to the community and phase it in with a period of warnings. In hindsight, that's not going to work because as soon as the signs go up, people get excited.

Mr. Kraljev: There has to be advanced notice.

Mr. Flint: With timing it and getting the City of Orlando on board with enforcement. We tried to do the best we could, but before we actually tow anybody, we will definitely make sure that there is a lot of communication, so everyone is clear. We can't control the City of Orlando and what they are going to do, and I don't want to discourage them if they are actually out there doing something. I don't want to say, "We are just kidding. We don't want you enforcing anything.", because then we may never get them back out there again.

Mr. Kraljev: I just wanted to put the issue on the table, so everyone is aware of it.

Mr. Scheerer: I have just one other topic of discussion while we are talking about “No Parking” signs. The Board approved signs to be installed in Phases 1, 3 and 4. The original agreement included L-1 and the Board asked us to remove it, which we did. Apparently, Parcel L, Phase 1 was not removed and Fausnight Stripe & Line (Fausnight) actually installed signs. If the Board recalls, they charged us \$190 per sign installed. They called me and asked if we wanted the signs removed or if we would allow them to stay for \$95 per sign as opposed to \$190 per sign. I just distributed to the Board for discussion purposes, a revised proposal for \$2,755 to allow 29 signs to stay in place. I don’t know if Lennar is going to pick up the cost because I don’t think the roads have been conveyed yet.

Mr. Register: They have not yet been conveyed.

Mr. Scheerer: Its \$95 as opposed to \$190 per sign.

Mr. Bonin: Have we turned over L-1?

Ms. Baxter: I don’t think L-1 has been turned over to the CDD yet.

Mr. d’Adesky: I will double check.

Mr. Scheerer: The signs were scheduled to be there anyway. Then we will move into the next phase, L-2. At this time there are no signs in L-2, but rather than remove all of the signs you can get them for half price, if that’s something the Board wants to approve.

Mr. Kraljev: We will take that under consideration. Can we do that?

Mr. Scheerer: Yes. If not, they will yank all of the signs out. I think most of the complaints that started with Frank and Dawn and some of these other folks is because they are all here.

Mr. Register: Correct.

Mr. Scheerer: That’s where it all started. Had they not installed the signs; we probably wouldn’t be having this conversation.

Ms. Adams: It’s going to happen sooner or later.

Mr. Scheerer: The owner of Fausnight called me and said, “We put these in the wrong place. Can we just leave them there for \$95?” I told them I will ask the Board and we will let you know, but for right now, put up the rest of the signs. I’m sorry you put in 30 signs you shouldn’t have, but I need the rest of them. They are supposed to be done. Tricia and I are doing an audit of

all of the signs approved by the Board at the last meeting, tomorrow morning, to make sure that they are all in the right place.

Mr. Flint: Do you want to look at the areas where you think there are too many signs, or do you want us to show you after the meeting?

Mr. Register: We know specifically where they are.

Mr. Scheerer: We know about Frank's sign.

Mr. Register: That's the only one I am aware of.

Mr. Scheerer: We can just take this one and move it down to the lift station, on the other side of the path.

Mr. Register: Correct.

Mr. Scheerer: We can just leave it there, but he needs to have one on the corner going this way and one on the corner going the opposite way.

Mr. Flint: Maybe that's a concern, but I was also under the impression that he didn't like the no parking at all.

Mr. Kraljev: If we allow parking on the other side, it's literally across his street.

Mr. Scheerer: So there are literally no homes other than his house on that corner. So the thought process was to make this a designated parking area and then from the lift station over, it becomes no parking.

Mr. Flint: Okay.

Mr. Scheerer: If that's acceptable to the Board, we will relocate those two signs because there are no homes being built across the street from this guy's house.

Mr. Kraljev: Is he across from the gas easements?

Mr. Scheerer: Yes. There is no parking on the gas line easement, so if everybody is okay with that, I think we can move forward.

Mr. Register: How are you going to designate it as a parking area on that side?

Mr. Scheerer: If it doesn't have a sign, parking is allowed. On our map, we highlighted that in pink.

Mr. Register: For on street parking.

Mr. Scheerer: Yes.

Mr. Register: We can cure that.

Mr. d'Adesky: You just need to inform the homeowner.

Mr. Scheerer: Correct. Tricia and I met with him last week.

Mr. Registrar: Is that map getting distributed in some form to these people?

Ms. Adams: Yes. It's in the HOA's possession. I'm not on their distribution list, but it's in their possession.

Mr. Flint: We sent a notice out with the intent that we would follow that notice up with more details.

Mr. Kraljev: But not to this area.

Mr. Flint: I think it went to everybody.

Mr. Scheerer: It went to everybody, because we met with Deanna after we met with Frank.

Mr. Register: Can you tell me, Alan if this is the correct form to also discuss the issue with the parcel that is between us and the school that is being used as a thoroughfare? That's another topic for discussion. People are driving from Moss Park through a dirt road and onto the bike path to take their kids to school.

Mr. Flint: Who owns the property where the dirt road is?

Mr. Register: Moss Park Properties. There needs to be some communication.

Mr. Flint: Is that who you bought the land from?

Mr. Register: Yes.

Mr. Flint: Is there any way they would agree to put chains up or cables?

Mr. Register: We are proposing to put traffic barriers at the end of our road where it terminates and two bike paths, to allow bikes and pedestrians, but not motorized vehicles. We don't know what would keep them from just driving around. So that's a safety concern that we expressed to them, and they said it's something that they need to work on.

Mr. Scheerer: We talked about putting termination signs, those nine diamond signs, at the end of each road.

Mr. Register: Correct.

Mr. Scheerer: On the school side, if there's a vehicle, you can probably work around that.

Mr. Register: I just wanted to bring this up as something that needs to be addressed.

Mr. Scheerer: We are looking at it.

Mr. Flint: Do you have any big rocks out there?



Mr. Scheerer: I told them to dig a swale and take some of that RCP and lay it across there.

Mr. Flint: That was a good discussion. Do you know anything about the HOA meeting on Saturday regarding the parking?

Mr. Register: No sir. I have not been advised of anything.

Mr. Flint: Okay, because we weren't either, but a resident indicated that there was a meeting on Saturday. The HOA talked about parking. I sent Michelle an email, but I haven't heard back from her as of yet.

**SIXTH ORDER OF BUSINESS**

**Consideration of Addendum to Landscape Maintenance Agreement with Down to Earth Landscape & Irrigation**

Mr. Scheerer: Ben and I met a couple of times over the last few weeks to review the property that's scheduled to come online relatively quickly. We identified L-2, L-4, L-5, Easements 1 and 2, Easement 3 (gas line easement), PL-3 park, mail kiosk park and dog park. These addendums were provided for budgetary purposes for 2020 and are already accounted for in the 2020 budget. We know that the Board doesn't always meet monthly, if we don't have any business. I also know that the dog park and mail kiosk park are getting close to being turned over, so Ben and I were talking about bringing this before you today and maybe authorizing him to sign the addendums as they are ready to come online so we don't delay maintenance going forward. Down to Earth created a punch list for the dog park and mail kiosk park and sent it to their contractor. We will get some of those deficiencies corrected. There are not a lot. I know there is time for him around February and March. In your agenda package, is a map outlining where they are at and the addendums that go along with them. I know that they are still working on L-2. So if we don't meet until February or March, in order to not delay this, we need a motion. This is similar to what the Board did with the stormwater ponds.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the Addendum to Landscape Maintenance Agreement with Down to Earth Landscape & Irrigation was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Non-Ad Valorem Assessment Administration Agreement**

**with the Orange County Property Appraiser**

Mr. Flint: This is a requirement to use the tax bill as the collection method for the Debt Service and Operations and Maintenance (O&M) assessments. The fees that they charge are designated in the Statutes. So we don't have any ability to negotiate those. This is something that the Board approved in the past on an annual basis. Are there any questions?

Mr. Register: No.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the Non-Ad Valorem Assessment Administration Agreement with the Orange County Property Appraiser was approved.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Series 2019 Requisition #2**

Mr. Flint: This is for Assessment Area 3 for construction accounting services as part of our agreement. We are submitting it to be paid out of the construction and acquisition account.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor Requisition #2 for the Series 2019 bonds was ratified.

Mr. Register: This would occur when, George?

Mr. Flint: Now that the Board approved it, I need to get the District Engineer to sign it. It would be within the next week or so.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-02 Authorizing Petition to be Filed to Expand the District's Boundaries - Added**

Mr. Flint: We added a resolution to the agenda.

Mr. d'Adesky: Yes, regarding the expansion of the properties, subject to a conversation with Mark as we are closing on the first phase of Parcel K shortly. The intent was to expand the District to encapsulate all of Parcel K. We already did the expansion, so we don't have to wait on that process. This resolution authorizes us to get started so that Christy can start drafting the associated exhibits for the petition and start communicating with the City of Orlando on getting that filed.

Mr. Register: Do we need to wait until we close?

Mr. d'Adesky: I spoke to Eric and MPP and they are all aware of it. This is the CDDs authorization for staff to get started on the process. Obviously, we wouldn't file anything until after the first closing, but Lennar hasn't taken down the next two phases, yet.

Mr. Register: In the past they consented.

Mr. d'Adesky: They will probably sign a form of consent; at least MPP would. So I would have consent from Lennar as the owner of the first phase and the option holder of the second phase and then a consent with MPP for the second and third phase.

Mr. Flint: We typically don't issue bonds and place a lien until you actually take it down.

Mr. d'Adesky: Correct. Its solely for petition purposes.

Mr. Flint: Are there any questions on the resolution? Hearing none,

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor Resolution 2020-02 Authorizing a Petition to be Filed to Expand the District's Boundaries was adopted.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. d'Adesky: I have a brief update regarding auditing requirements. There was a change in the Statute with Senate Bill 70-14, which came through as Statute 2019-25. Essentially, it imposes additional requirements mostly on GMS, in terms of providing internal and auditing controls. It also provides penalties if they don't provide information for the auditors. So if there is any time when GMS is asking for information for purposes of an audit, just remember to procure that and give it to the auditors in a timely manner because there are criminal penalties for that. It's a first-degree misdemeanor. That was the main update we found. Secondly, we worked on the plats and getting those through, and we will start on the conveyances. We provided Certificates of Completion to Christy for the Series 2015 and 2018 bonds. Once she executes that, hopefully in the next couple of weeks, we will try to have that on the February meeting agenda. This will close out the Series 2015 and 2018 bonds, terminates all of the obligations of Lennar in terms of completion and acquisition and certifies those projects as complete. That's all I had.

**B. Engineer**

Mr. Flint: Christy, do you have anything for the Board?

Ms. Baxter: No. I have the Series 2015 and 2018 bond documents for review and will get those executed. I don't have anything new to discuss.

**C. District Manager's Report**

**i. Approval of Check Register**

Mr. Flint: You have the Check Register in your agenda package for the General Fund for October 17, 2019 through January 16, 2020 totaling \$415,953.97. Several transactions are moving Debt Service assessments to the Trustee. That is the significant amount of the expense. Are there any questions on the Check Register? If not, I would ask for a motion for approval.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the Check Register as stated above was approved.

**ii. Balance Sheet and Income Statement**

Mr. Flint: We also have the Unaudited Financial Statements through December 31, 2019. If you have any questions, we can discuss those; otherwise, no action is required.

**iii. Presentation of Arbitrage Rebate Calculation Report**

Mr. Flint: You have the Arbitrage Rebate Calculation Report for the Series 2015 bonds, indicating a negative rebate requirement of \$351,318, meaning there is no arbitrage issue. We need a motion to accept the report.

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the Arbitrage Rebate Calculation Report was accepted.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor's Request**

Mr. Flint: That's all I had. Is there anything else that the Board wanted to discuss that was not on the agenda? Hearing none, we need a motion to adjourn.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Register seconded by Mr. Kraljev with all in favor the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman