

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 Tuesday, September 3, 2024 at 4:00 p.m. at the Offices of GMS-CF, 219 E. Livingston Street, Orlando, Florida.

Present and constituting a quorum were:

Dan La Rosa <i>joined late</i>	Chairman
Willem Boermans	Vice Chairman
Ricardo Garcia	Assistant Secretary
Travis Smith	Incoming Supervisor
Matthew Antolovich	Incoming Supervisor
Mike McQuarrie	Outgoing Supervisor

Also present were:

Jason Showe	District Manager
Jay Lazarovich	District Counsel
Christine Baxter <i>via phone</i>	District Engineer
Alan Scheerer	Field Manager

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Showe: We will open it up for a Public Comment Period. This is the point where any members of the audience can make any comments. We would ask that you please state your name and address and keep your comments to three minutes. Hearing none,

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Acceptance of Resignation**

Mr. Showe: We can proceed to organizational matters. As part of your agenda, we received a resignation from Ms. Diaz and we can take a motion to accept that resignation.

On MOTION by Mr. McQuarrie seconded by Mr. Boermans with all in favor the resignation of Ms. Teresa Diaz was accepted.

**B. Review of Resume(s)/Letter(s) of Interest in Board Vacancy**

**C. Appointment of Individuals to Fulfill Board Vacancy**

Mr. Showe: That opens up a vacancy on the Board. We have Mr. Smith, who qualified for one of the seats. So, he will be on the Board in November. We also received two letters of interest from other folks, who would like to be on the Board. So, it is up to the Board at this point. Obviously, Mr. Smith will be on the Board in November, so there may be some inclination to just go ahead and get his term going now, so he can get on Board, but it's up to the Board, to make any nominations for that vacant seat.

On MOTION by Mr. McQuarrie seconded by Mr. Boermans with all in favor the appointment of Mr. Travis Smith to fill the unexpired term in Seat 3 was approved.

Mr. Showe: Alright, Travis. Welcome to the Board.

**D. Administration of Oath of Office to Newly Appointed Board Member**

*Mr. Showe, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Travis Smith.*

Mr. McQuarrie: I hereby tender my resignation to the Board.

Mr. Showe: Okay, Mike has offered his resignation. We need a motion to accept it.

On MOTION by Mr. Boermans seconded by Mr. Garcia with all in favor the resignation of Mr. Mike McQuarrie was accepted.

Mr. Showe: Alright, Mike, you're free to go.

*\*Mr. La Rosa joined the meeting at this time.*

Mr. Showe: That opens up a vacancy in Seat 2, which ends in November. Mr. Smith's, new term will officially start in November and then the Board will have to reappoint whoever they put into Seat 2 in November. But we do have two letters of interest: one from Mr. Calderon and one from Mr. Antolovich. So, it's really up to the Board, at this point, to determine how they choose to fill that position. If you want to have any discussion, you have two letters of interest and resumes in your agenda.

Mr. La Rosa: Are these for November?

Mr. Showe: It is to appoint somebody to the Board to fill the term that ends in November and then we'll have to reappoint again.

Mr. La Rosa: So, we have two people present that want to fill those seats?

Mr. Showe: Well, Mr. Smith has been appointed to Teresa's seat already.

Mr. La Rosa: Okay.

Mr. Showe: Because he qualified, his term will officially start in November.

Mr. La Rosa: Okay.

Mr. Showe: It's really the other seat at this point that is vacant, the one Mr. McQuarrie was in.

Mr. La Rosa: Okay.

Mr. Showe: It also ends in November. If you appoint somebody in that seat now, you will have to just reappoint somebody again in November.

Mr. La Rosa: I don't want to appoint anybody from Lennar. It needs to be a resident.

Mr. Showe: We have two residents, Mr. Antolovich who is here and Mr. Calderon, the HOA President, I believe.

Mr. Antolovich: Correct.

Mr. Showe: They both submitted letters of interest for that, for any vacancies on the Board.

Mr. La Rosa: Okay. Do I have to make a decision right now?

Mr. Showe: No, not necessarily.

Mr. La Rosa: Can I do it at the next Board meeting? Because my seat is going to become vacant as well.

Mr. Boermans: The only difficult part is we currently have only four Board Members.

Mr. La Rosa: I thought you were already on the Board.

Mr. Boermans: I'm on the Board, but because Mike is not here anymore, it went down to four.

Mr. Showe: Mike resigned.

Mr. Boermans: Now there is Dan, Ricardo, Travis and me. We would only have to vote to get one person on the Board, which would be either Matthew or Carlos.

Mr. Showe: But again, the Board doesn't have to necessarily make a decision today. It's really up to the Board. You do have a four-member Board, right now, with Mike resigning.

Mr. La Rosa: Okay.

Mr. Smith: It only runs through November, right?

Mr. Showe: Yeah, it would run through November and then you would have to reappoint, because no one qualified for that position.

Mr. La Rosa: Who is the President of the HOA?

Mr. Showe: I believe it is Mr. Carlos Calderon.

Mr. La Rosa: I would like to appoint Matthew.

Mr. Showe: Okay.

Mr. Lazarovich: Are you also on the Storey Park HOA Board?

Mr. Antolovich: Yes.

On MOTION by Mr. La Rosa seconded by Mr. Boermans with all in favor the appointment of Mr. Matthew Antolovich to fill the unexpired term of Mr. Mike McQuarrie in Seat 2 was approved.

Mr. La Rosa: This is September, so when we get to November...

Mr. Showe: Right. Mr. Smith will have to redo his oath with a new term and the same thing with whoever else you appoint. The seat will technically become vacant in November.

Mr. La Rosa: Okay.

*Mr. Showe, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Antolovich.*

Mr. Showe: Please provide your contact information, so we have a way to contact you. Typically, we will send out all the agendas electronically and you can complete that throughout the meeting. It doesn't have to be necessarily immediate.

Mr. Boermans: Same with what we did with the HOA, I created an email just for here.

Mr. Showe: Yeah. If you just want to just give us your current email address and anytime you change it, just let us know and we'll update our records. We'll walk you through the Sunshine Law.

Mr. Lazarovich: Are any of you guys on the same HOA or Community Association Board?

Mr. Antolovich: Yes, Willem and I are.

Mr. Lazarovich: So, if any vote comes before that Board that has to do with CDD business, you guys are going to have to recuse yourself, because it would be a violation of the Sunshine Law.

Mr. Boermans: Of course.

Mr. Showe: We typically recommend in those situations, if you are at an HOA meeting, even if somebody just mentioned the CDD or a CDD topic, we recommend that one of you leave the room. That way you just keep Sunshine completely clear. We'll go through all of that.

Mr. Garcia: If we have another opening and a candidate is also on the HOA Board, is there anything preventing having three members?

Mr. Showe: Just in terms of that from the CDD side, there is nothing that prohibits it. You just have to individually make sure that you follow the Sunshine Law.

Mr. Garcia: I'm just thinking in terms of voting or openings on the Board, because if you, Matthew and Carlos...

Mr. La Rosa: Three people would have to recuse themselves and there wouldn't be enough people left.

Mr. Showe: Theoretically you shouldn't be voting on CDD items at an HOA meeting, but if conversations come up, we would just ask that only one member of the Board stay in the room, just to keep the Sunshine.

Mr. Boermans: That's why I always say during the meetings, *"If you have any questions, contact Jason or Alan."* It's the best way to go.

Mr. Showe: Yes. Then behind your information form, we'll run through some of these quickly.

Mr. Boermans: Don't copy each other on emails.

Mr. Showe: We'll go over that. Behind that, are your Form 1 instructions. What we'll do, is we will take whatever email address you give us. Form 1 is a financial disclosure that you are required to complete. You probably already completed yours as part of the election process, but obviously Matthew will have to do one. It's all electronic, so we'll put your email address in and they will send you a notice to complete it. We also have some instructions for Form 1f. That's nothing you need to fill out now, but in the event you leave the Board, like Mike did, we will send a notice to fill out Form 1f. That's your final statement. So, when you leave the Board, you have to complete Form 1F by State Statute. As a Board member, you are eligible to receive up to \$200 per meeting. In order to receive that, we need to have W-4 and I-9 Form. Those are all there. You can either email those to me or bring them to the next meeting. With the I-9, two forms of ID or your passport, is required. You can let me know individually if you choose to accept compensation for the meetings and if so, we need those forms filled out so we can process

it. Finally, the biggest thing, is what's behind there, which is the *Guide to the Sunshine Law and Code of Ethics*. You are both now public officials, just like City or County Commissioners and everything you do now, is a public record and are required to uphold the Sunshine Laws, which basically means that you can't talk to other CDD Board Members about things that may come up before a vote of the CDD Board. That applies to anything. If it's reasonable that it would come up before a vote of the Board, you're not allowed to talk to other Board Members about that, outside of a publicly advertised meeting. That applies to all forms of communication, emails, texts, especially social media. We recommend that you avoid posting anything about CDDs on social media because if you post, "*We're voting on this really important item at the CDD meeting this week, let me know your thoughts, I really like this*" and Ricardo sees it technically, you violated the Sunshine Law. Our recommendation is always just to keep CDD stuff off of social media. Like Willem said, just refer folks to our office and we'll handle it. As Willem indicated, our best recommendation is always to create a special CDD email, if you want. If you do, just let us know what that is and that way we'll direct all of your emails there. If you don't, our recommendation is just to create a folder in your email and just put all the CDD emails that in that folder. That way, if there is a public records request, your personal files aren't intermingled with CDD stuff. The same thing with records. You're not required to keep anything from any of these meetings. If you do, we say that you should keep them separate as well. Same reason, you just don't want personal things intermingled. We kind of covered most of it. Anything else, Jay?

Mr. Lazarovich: Yeah, our office will follow up with a simple memo. If you have any questions, just let Jason know.

Mr. Showe: There are certain Statutes about, if you ever think you have a conflict in voting, if you're related to a vendor that comes up or your brother owns a company that the CDD is about to vote for, let Jay or myself know. There are some specific things in the Statutes that say what a violation or a conflict is. If you do have one of those, there are forms you can fill out and that will recuse you from voting and make it public that you had a conflict. But other than that, if there's any questions or comments, direct them to Jay or I and we'll walk you through it. We do these with a lot of Districts, so we're kind of familiar with almost any situation you've come up with, that would be a challenge to you. Other than that, we welcome you to the Board.

**E. Election of Officers**

**F. Consideration of Resolution 2024-06 Electing Officers**

Mr. Showe: Now that we've had some folks resign, the Board would need to elect officers. Typically, the Board would appoint a Chair and Vice Chair. Currently, Mr. La Rosa is now Chair, Teresa was the Vice Chair, and Mike was an Assistant Secretary. So, in general, the Board will appoint a Chair and Vice Chair, and then everybody else fills in as Assistant Secretaries. So, we can just open it up for the Board for discussion on how you would like to fill those or any nominations.

Mr. La Rosa: I nominate Willem as Vice Chair.

Mr. Showe: Is there any opposition to that? If not, I can just read it in and then you can approve it as read.

Mr. La Rosa: That's fine.

Mr. Showe: Perfect. That will work.

Mr. Smith: I can nominate him for Chairman, right? Because we need to fill Chairman, Vice Chairman.

Mr. Showe: Mr. La Rosa is currently serving as Chair.

Mr. Smith: Okay, cool.

Mr. Showe: So, we can keep that as long as the Board's amenable to that.

Mr. Smith: Will we redo this in November?

Mr. Showe: Yes, by law, when the new terms start, we have to redo it again. So, yeah, we'll do it then. I will read the officers into the record and then the Board can approve it as read, if you choose. Mr. La Rosa would serve as Chair, Mr. Boermans would serve as Vice Chair, Mr. George Flynt in our office, would serve as Secretary, Mr. Smith, Mr. Garcia, Mr. Antolovich, and I would serve as Assistant Secretary, Ms. Jill Burns would serve as Treasurer, Mr. Darrin Mossing, Sr. and Ms. Katie Costa would serve as Assistant Treasurers. So, if the Board is amenable, we can take a motion to approve that as read.

On MOTION by Mr. La Rosa seconded by Mr. Boermans with all in favor electing officers as stated above as evidenced by Resolution 2024-06 was adopted.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the August 6,  
2024 Meeting**

Mr. Showe: The next item is the approval of minutes of the August 6, 2024 meeting. Those minutes are included as part of your agenda package. We can take any corrections or changes at this time or a motion to approve.

On MOTION by Mr. LaRosa seconded by Mr. Boermans with all in favor the Minutes of the August 6, 2024 Meeting were approved, as presented.

**FIFTH ORDER OF BUSINESS**

**Consideration of Non-Ad Valorem Assessment Administration Agreement with the Orange County Property Appraiser**

Mr. Showe: Next is a housekeeping item. The Orange County Property Appraiser requires us annually, to enter into an agreement to use their services for our tax rolls. So, we would take a motion at this time to approve that agreement.

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

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposal from Camcor Site, LLC for Concrete Weir Restoration**

Mr. Showe: Behind that, we've been talking about some weir repairs for some time and we'll let Alan run through that proposal. I know that we received some others, too.

Mr. Scheerer: Yeah. We have a weir over off of History Avenue, that's concrete on both sides and the top and it's basically just completely washed out. We reached out to All Terrain Tractor Service, who does a lot of this type of work. The bid, for some reason, didn't get in the agenda, but their number was \$121,896. Then we reached out to Camcor, which is another company that we've used before. They supplied us with a quote for \$105,000, to do the same work. We basically have to demo it and come between the two homes on the sidewalk side of that, in order to get in there and get it pulled up, regrade it and repour. The pictures didn't make it in the agenda package, but we included the quote from Camcor, as they were the lowest bid at \$105,830.



Mr. Showe: We've used them before, so we're generally pretty happy with their work. Certainly, whatever repairs the Board would approve, we would have District Counsel draft all of our standard agreements that would have all the provisions and warranties.

Mr. Scheerer: Willem's very familiar with it. We met on site and walked the project.

Mr. Smith: Does this also include the two homeowners' home to get access to it?

Mr. Scheerer: Well, there's a sidewalk there. It's a passive access.

Mr. Smith: Oh ok.

Mr. Scheerer: It's a CDD access area. We just have a sidewalk that runs between the two homes. It's right across from where the new fitness stuff went in on History Avenue.

Mr. Smith: Okay.

Mr. Scheerer: You can't miss it.

Mr. La Rosa: I go to the one that goes to the campground.

Mr. Scheerer: Yeah. If you keep going, it will take you into the campground. We don't do the campground, so we stopped short of the campground.

Mr. Boermans: Is it too late to do any insurance claims?

Mr. Scheerer: There's no insurance on this.

Mr. Showe: Yeah.

Mr. Scheerer: We don't insure the ponds or the landscaping. Insurance won't cover it.

Mr. La Rosa: Do we have the budget to cover this?

Ms. Baxter: Alan, did you guys provide a set of plans or excerpts of the construction plans, so we can review scope and the numbers versus the proposal?

Mr. Scheerer: No, ma'am. We met them onsite, showed them what the problem was and this was the number that they gave us. I can ask them for a set of plans.

Ms. Baxter: Well, I believe this is the weir that we referenced in our Annual Engineer's Report.

Mr. Scheerer: Yes, ma'am.

Ms. Baxter: I have the plans for that and I can give you some supplemental information, that might help to tie the bid information to quantities and locations. I can also pull the numbers from the original construction contract, if that would be helpful.

Mr. Showe: Yeah, I think all of that would be helpful and we can certainly have you review that prior to next meeting, before the Board exactly takes any action on it. I don't know that it's an impending need for repair.

Mr. Scheerer: Well, it's already damaged.

Mr. Showe: It is certainly something that we have on our radar to get fixed, but if we can take some extra time to make sure we are doing it right.

Mr. Scheerer: That will be perfect.

Mr. Showe: If the Board is amenable with that. To answer the budget question, our projection for next year's budget has about \$500,000 in capital reserves. So, you could certainly use that to do this type of repair.

Mr. Scheerer: It's listed as Item S on the Engineer's Report.

Mr. Showe: So, we'll get with the engineer and bring that back with the final recommendation.

Mr. Smith: Then the other question is, what is the typical life of something like this, so, if we were to get it repaired, is it a five-year kind of deal or ten-year?

Mr. Scheerer: I would have thought this would last a lifetime, because it was solid concrete all the way up and over and out.

Mr. Antolovich: Was it installed improperly?

Mr. Scheerer: No. The engineer signed off on all the work.

Mr. Showe: Yeah.

Mr. Scheerer: I'm not an engineer, but Christy obviously knows what they're doing. So, we'll just get the information from them and we'll reach out to both vendors again, provide them with that documentation and bring it back at the next meeting. Thank you, Christy.

Ms. Baxter: You're welcome. Maybe we can coordinate a little bit offline. I'll pull some plans and we can obtain some information.

Mr. Scheerer: Yes, ma'am.

## **SEVENTH ORDER OF BUSINESS**

### **Ratification of Temporary Construction Easement with the School Board of Orange County, Florida**

Mr. Showe: The next item is the ratification of the Temporary Construction Easement. We'll let Jay run through that.

Mr. Lazarovich: Yeah. So, we brought a draft of this Temporary Construction Easement to the last meeting. There weren't too many changes, only just tweaks. We were able to finalize it with the Orange County Public Schools, so we had to change some of the language because it's an agreement between two government entities. Aside from that, there weren't too many changes to the terms. Just as an update, there was also a Funding Agreement and Cost Share Agreement. Those haven't been flushed out yet. We are trying to schedule a call with Moss Park Properties, for some time this week, so I don't have an update on those agreements as of yet. We've told them that we're not comfortable moving through and recording the Temporary Construction Easement, until those other agreements are finalized, especially the Funding Agreement. So, that's the only update that I have, but we are looking for ratification of this agreement in the meantime.

Mr. La Rosa: Alright, this looks fine. I'm just looking to see if anything changed, so. We can go over the details.

Mr. Lazarovich: This was approved by Orange County Public Schools as well.

Mr. La Rosa: Yeah. I'm just looking to make sure that there were no changes or anything like that.

On MOTION by Mr. LaRosa seconded by Mr. Antolovich with all in favor the Temporary Construction Easement with the School Board of Orange County, Florida was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Discussion of Parking and Towing Rules**

Mr. Showe: We did have some conversations internally with the HOA, regarding our parking rules. District Counsel reviewed those, and we'll let him kind of give you some background. We drafted a resolution that's supplemental to that in front of you.

Mr. Lazarovich: Yeah. So, we've spoken with the HOA. It seems that the current policy is that they are towing automatically, based off any infraction of the rules. The language is a little unclear in the rule itself, so our recommendation would be to revise that. In order to do that, we would need to schedule a public hearing. Are the rules in the agenda?

Mr. Showe: Yeah, we put them in the agenda package. Page 58 in your electronic agenda, is the enforcement section.

Mr. Lazarovich: So, the language is in 1.5. Upon first offense, they may receive a warning. We would change that to, "Shall," if the word is immutable. If there is any other

discussion on this rule, we can take it now. If we're going to schedule a public hearing and we want to clarify anything else, now would be the time to do it.

Mr. Boermans: I think it's a good one. I think it's important, especially with the Disability Act, whenever people are blocking the sidewalks, it should just be towed, because we have a lot of disabled people living in the neighborhood. The same with the No Parking sign, because sometimes people park on both sides. I've seen it before on Satire Street, where a fire truck couldn't pass by. Therefore, I think immediate towing should be in effect, especially when you're parking right in front of the No Parking sign.

Mr. Antolovich: We want them to send out a fire truck to test, to make sure for any of the spots that are too narrow or ones that they can get through. Did they say anything specifically?

Mr. Boermans: Yeah, on Satire Street, someone needed to go to the hospital and couldn't get there, because both lanes were blocked. I have pictures of it.

Mr. Lazarovich: If you could send it out.

Mr. Boermans: Yeah, for sure.

Mr. Lazarovich: Was there a date or was it just an idea?

Mr. Antolovich: No, when Mr. Jim Gray was at one of the HOA meetings, it was brought up for fire trucks and emergency vehicles could not through. The city said to just call at any time and they will send out fire trucks and other emergency vehicles to test it.

Mr. Boermans: I thought it was so interesting, because I had a personal conversation with Mr. Jim Gray and he told me that he didn't think that street parking should ever be allowed, but at the next meeting he said, "*Oh, street parking should be allowed.*" So, it's very controversial.

Mr. Showe: We engaged his office in some conversations regarding some comments that he made at an HOA meeting, that we're trying to get clarity on. I think the comment that I got back to me, was that he said we should be allowing street parking everywhere, on both sides of the road and that the city encourages that. So, I'm trying to follow up with his office to make sure he understands that these are the CDD roads and we have the ability under the Florida Statutes, to regulate how those were done and that the plans were approved by the city as part of the construction of the entire project.

Mr. Antolovich: Yeah, to me it's a no brainer.

Mr. Showe: I tend to agree, but I was trying to have conversations with him.

Mr. Smith: Just so I understand, what I'm reading now, will it be changed to, "*Shall?*"

Mr. Lazarovich: If that's what the Board wants.

Mr. Showe: Right. It can be either way. I think you either have to take, "*May*" out or add, "*Shall*" in. The "*May*," makes it ambiguous. It makes it so that we can tow or we can put a warning on it. The HOA right now is doing the enforcement.

Mr. Lazarovich: I think I heard you say immediate.

Mr. Boermans: Yeah. What do you all think? Do you think immediately towing?

Mr. Smith: I lean the other way, a little bit.

Mr. Antolovich: Who keeps track of the violators? Is someone keeping a spreadsheet somewhere on a vehicle that received a warning and this is their second violation and they're going to tow? I feel like the CDD as a whole, should have the option to either give a warning or tow immediately. Either one of those. It's at the discretion, because in a situation where you have an ambulance that can't get through, that's just an immediate tow, just to get the car out of there. But at the same time, if there are no other cars, I don't think it's right to just automatically go up and just tell them. But again, that's just my personal opinion. I think you leave yourself the leeway to be able to do either. You can either give a warning or you can tow.

Mr. Smith: Yeah. So, who manages it and enforces it? The towing companies are going to go by what's written on here. They're going to lean to towing right away.

Mr. Showe: Right.

Mr. Lazarovich: And it's being enforced through the HOA.

Mr. Smith: So, I lean towards having a warning as a first step and then towing as a second step.

Mr. Showe: Okay.

Mr. Antolovich: Yeah, I have a similar opinion, because it's also in terms of, if it's a situation like they're blocking, we should be able to tow right away.

Mr. Smith: You bring up a good point. I agree with your comments.

Mr. La Rosa: So how would we phrase this?

Mr. Showe: I think if it's your opinion that the vendor gets the option of whether to warn, then I think the way it's written right now, kind of reflects that already.

Mr. Lazarovich: We may need to tweak it a bit more. It's a little vague.

Mr. Antolovich: The part that seems kind of vague and I know people have talked about, was that the towing may be initiated only after the first event.

Mr. Lazarovich: Yeah.

Mr. Antolovich: So, whether that means that they were given a warning first or not.

Mr. La Rosa: Yeah, I think you need to strike that out.

Mr. Lazarovich: Yeah.

Mr. La Rosa: Because then you're going to get a lot of, "*Well, I never got first offense and so you guys need to get my car back here.*" Yeah, you got to take that out.

Mr. Antolovich: That's what a lot of people have been bringing up, is that specific one.

Mr. Lazarovich: So, strike, "*Only after the first offense?*"

Mr. La Rosa: Yes.

Mr. Boermans: It's also difficult, because now if you got your first offense, you drove away, you drove somewhere else and now if you park again, people can say, "*This is my first offense, because I was gone and now I'm in a different spot.*"

Mr. La Rosa: Yeah, I think you just take that out.

Mr. Showe: Yeah.

Mr. La Rosa: Okay.

Mr. Smith: But, just in terms of the managing of it, it proceeded to the HOA to contact the towing company. Is the towing company making that judgment call, right now?

Mr. Showe: I don't know how the HOA is managing it specifically, but my guess is somebody from the HOA, is having to call the tow company when there's a violation.

Mr. Boermans: No, tow company drives around.

Mr. Showe: Oh, they drive around. So, nine times out of ten, they're not going to give you warning.

Mr. Smith: I've heard people say, "*I don't know the exact situation*" or they received a warning. If it's not going before the HOA, I'm a bit hesitant to give that much power to the towing company.

Mr. La Rosa: I agree. They're going to tell us they're going make money.

Mr. Smith: Exactly.

Mr. La Rosa: So, they're looking for it.

Mr. Boermans: Hopefully this is only going to stay for a little bit when people are like, "*Okay, you know what, I'm just not going to go against the rules and literally park under a No Parking sign.*" That's more of a safety issue for everybody.

Mr. Smith: We have security, right? I think the HOA manages security. I think if that was the step, for security to issue a violation and security calls the towing company, then I think it's a little bit fairer than just having a predatory towing.

Mr. La Rosa: That's a good point. Could you not write it to something to the effect of, "*The HOA may initiate a towing,*" to where it needs to be initiated by somebody from the HOA calling the tow company and saying, "*This is the car we would like you to remove?*" That way you still have ability to do it, but you just don't have these predatory tow trucks circling around the neighborhood 24 hours a day, waiting to wait to pull cars out, but you still have the ability to do it if you need to do it.

Mr. Antolovich: I know that the HOA can have the towing company issue a sticker and give notices.

Mr. La Rose: Okay.

Mr. Antolovich: Or they can just tow right away and it's broken down by categories. So, there may be more that the HOA can do, in order to facilitate all of this.

Mr. Showe: Correct.

Mr. Antolovich: Maybe the HOA needs to keep track of first offenses or subsequent offenses.

Mr. Showe: Okay.

Mr. Boermans: About the security part, it's difficult because we only have it so many days a week. It's not a 24/7 security.

Mr. Antolovich: Yeah.

Mr. Boermans: It's more like a courtesy patrol that we have and if suddenly the HOA decides not to do the courtesy patrol anymore, then you have a problem, because then who will call them.

Mr. Antolovich: I understand if a car is blocking the road and you can't get emergency vehicles through, they should not even be a warning. It should be an immediate tow, but if a car is by the No Parking sign, it shouldn't be there, but it's not obstructing traffic, that might be the way to go.

Mr. Lazarovich: I can look into emergency circumstances, to see if there's any leeway.

Mr. Showe: I'll note for the Board's information, you still have time to kind of look at these and give us suggestions and comments. The way the Statutes work, we have to at least

advertise these for 30 days that we're having a rule hearing. We won't make the October meeting, because the next meeting is October 1<sup>st</sup> and would not be looking to hold the hearing until November 5<sup>th</sup>. So, you do have some time to look at these and think about them and get all your comments to Jay and I, so that we can incorporate that into the rule.

Mr. La Rosa: So, we're not going to do anything at this time.

Mr. Showe: The motion that we need to have today, is for the adoption of Resolution 2024-07, which authorizes us to hold the rule hearing on November 5<sup>th</sup>. That doesn't mean we have to have the final rules ready. You can have them there. We just have to have a set of rules to advertise it, if people ask

Mr. La Rosa: Okay.

On MOTION by Mr. LaRosa seconded by Mr. Boermans with all in favor Resolution 2024-07 Setting a Public Hearing on the parking and towing rules for November 5, 2024 at 4:00 p.m. at this location was approved.

Mr. Showe: We'll get that set up. If you have any comments, get those to Jay and I and we'll try to incorporate as many of those as we can into the rules.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Showe: With that, we have the Attorney Report.

Mr. Lazarovich: I have no major updates. I will keep you guys aware of any updates with Moss Park Properties on the Funding and Cost Share Agreements.

Mr. La Rosa: Thank you.

**B. Engineer**

**i. Discussion of Pending Real Property Conveyances**

**ii. Status of Pending Permit Transfers**

Mr. Showe: Next is the Engineer's Report. Are there any updates?

Ms. Baxter: I don't have any items for the Board today.

Mr. La Rosa: Thank you.

**C. District Manager's Report**



Mr. Showe: Under the District Manager's Report, one item that just came up recently, which Alan and I have been working on, we received a request for somebody to put a pool in and for temporary access. We actually had this come to us in May and it's taken him about four or five months to get all of his things in order. His house is at 12135 Satire Street.

Mr. Scheerer: It is right next to that Beach Hammock Park, on Satire Street. This house is three houses to the south and there is a row of shrubs and some green space that we feel comfortable he can go through and get to the back behind his house with the equipment to go ahead and dig it and restore it.

Mr. La Rosa: Is he going across CDD property?

Mr. Scheerer: Yes.

Mr. La Rosa: Did he present us with indemnification and hold harmless?

Mr. Showe: We were going to have the Board approve that in concept today. We wouldn't approve it until we have that agreement in place.

Mr. Scheerer: Correct.

Mr. Showe: We need the Board to approve the concept.

Mr. Scheerer: He got permission from the HOA and then he reached out to us for a typical Easement Agreement.

Mr. La Rosa: I don't see a problem with it, as long as there's no liability on CDD property

Mr. Showe: We have a form Easement Agreement. The only other option is when we first looked at it, he actually wanted to go the other direction, behind six or seven homes along the lake bank and we weren't comfortable with that approach and we found that this might be easier.

Mr. Scheerer: He will have to restore everything back to the same condition once it's done, because on the park side, there is St. Augustine that is irrigated. On the pond side, it's unirrigated Bahia.

Mr. La Rosa: He's putting in a pool in, right?

Mr. Scheerer: Yes, sir.

Mr. La Rosa: We see it all the time. I would want the four photos right before the work starts, so we know what it looks like before he came through here. Typically, there is no restoration of the sod or any landscaping. It's the grading.

Mr. Scheerer: Yes.

Mr. La Rosa: You know, you get those track hoes that go through there and if you throw sod back on top of it, you end up with those ruts that hold water. It's not a big deal, as long as somebody pays attention to.

Mr. Scheerer: We'll pay attention.

Mr. La Rosa: It's not a big deal.

Mr. Showe: So far, the homeowner has been very cooperative, very communicative.

Mr. La Rosa: Okay. I would make a motion then.

Mr. Smith: Two questions. Is there a timeframe to complete the work?

Mr. Showe: Typically, we give them 180 days, from start to finish. He really wanted to wait, because, again, we started talking to him in May and it's taken him until now to kind of get the permits through.

Mr. Smith: My understanding of the HOA's rules, is there is fee in terms of making sure that they put it back to the original condition. Does the same apply here?

Mr. Showe: We don't charge them a fee for that, but we take pictures and they have to sign an agreement before we allow them access to our property, that they will restore it to before conditions. We've had good success with that agreement so far.

Mr. Scheerer: I have to say, the residents that have gone through this process, have been very accommodating and they've done everything they said they would do after the project.

Mr. Showe: The problems are the ones who show up and never got HOA approval and just start working.

Mr. Boermans: The one that I just sent you the picture of.

On MOTION by Mr. LaRosa seconded by Mr. Smith with all in favor the easement request for 12135 Satire Street to install a pool was approved.

Mr. Showe: We'll coordinate with District Counsel on getting that agreement and having the resident sign it before they start work.

**i. Approval of Check Register**

Mr. Showe: The first item is your Check Register. For the General Fund, we have Checks #1315 through #1333 in the amount of \$98,539.82, as well as August payroll, for a total of

\$99,278.62. A summary of the invoices is behind the Check Register. Both Alan and I can answer any questions should the Board have any or we can take a motion to approve.

On MOTION by Mr. LaRue seconded by Mr. Boermans with all in favor the July 31, 2024 through August 26, 2024 Check Register in the amount of \$99,278.62 was approved.

**ii. Balance Sheet and Income Statement**

Mr. Showe: Behind that, is your Balance Sheet and Income Statement for the period ending July 31, 2024. No action is required by the Board. You are doing much better than budget to actuals and you are at 100% collected on your assessments. So, we're in good shape on the cashflow for the District.

**iii. Presentation of Series 2021 Arbitrage Rebate Calculation Report**

Mr. Showe: Beyond that, we just have the presentation of the Arbitrage Rebate Report. As a governmental entity, we are not allowed to collect more in interest than we're legally allowed. This report is required under the bonds to test that. The first paragraph basically says, there is no rebate liability, so we're in compliance. There's no action by the Board. It's just a test that we have to comply with.

**iv. Field Manager's Report**

Mr. Showe: We can have Alan go through the field side, if there are any field updates.

Mr. Scheerer: Yeah, just a few things. We are getting ready to go into the holiday season here in the next couple of months and we will be doing some pressure washing and any capital projects. The black split rail fence scheduled for painting, we're going to start that probably in October and try to get it done before the Thanksgiving holidays. We typically mulched. It's kind of controversial. I would like to put the mulch down right before Thanksgiving, so it looks fresh for Thanksgiving, Christmas and New Years. Then there are others that like it in March. We've done it the last couple of years, the first couple of weeks in November. So, we're going to be gearing up to that. Believe it or not, we're already talking Thanksgiving and Christmas. We have a couple of homeowners that live on Petition Way, just past the lift station on Parcel K. There's an upland buffer area that holds water back there and residents are giving us a hard time about not being able to mow it. This time of the year, there is no way we can put a mower back there. It's just going to get buried and we can't get it out. So, if you hear something from a couple of

residents, I think it runs from Lot 109 to Lot 114 in Parcel K. We are in communication with the residents. I know Jason received another email. Shane with OmegaScapes is doing everything that he can, but it's physically impossible to put a mower back there of that size, to try to cut this down, because the grass is coming out of the buffer, but we're going to do what we can when we can. We are scheduled for a lot of rain this week, at least from what I saw, in Osceola County and Orange County. So, we'll be dealing with some of that stuff. But the Board Members and HOA, may hear of that. We want to do it, but just physically can't put the equipment back there.

Mr. Boermans: Especially for safety as well.

Mr. Showe: Correct.

Mr. Scheerer: Exactly. I did notice that Lennar, thank you very much, installed a new fitness area over by the dog park on Folklore Lane. It looks good. No one contacted me to do a walk, so if anybody wants to, whoever headed up that project, wants to reach out to me, we can do a site inspection.

Mr. La Rosa: Check with Teresa or Zach and we can do an inspection.

Mr. Scheerer: It looks really good. They did a great job.

Mr. Scheerer: They put in picnic tables and grills at Hammock Beach Park. So, that's another place for the residents to go and relax. We can make Shane pick up the trash. That's all I have, unless you have any questions for me. Thanks again. It looks really good.

Mr. La Rosa: It turned out well.

**TENTH ORDER OF BUSINESS**

**Public Comment Period**

Mr. Showe: Are there any other public comments? Hearing none,

**ELEVENTH ORDER OF BUSINESS**

**Supervisor's Requests**

Mr. Showe: Are there any Supervisor's Requests?

Mr. Boermans: Just the one email that I sent, about the one home that used the access road.

Mr. Scheerer: That was on the same street, Petition Way. Willem sent me some information about somebody illegally accessing their house through our easement. I went on site, got ahold of Becky. Nobody was home. They were installing artificial turf in their yard. Its right off of the asphalt trailhead. I give them credit. They put plywood and tarps down. They weren't making a mess. They weren't abusing the property. Other than not asking.

Mr. La Rosa: They drove to the back of the property.

Mr. Scheerer: No, they parked out front and they wheelbarrowed everything in. They had a staging area where they were grading and stuff like that, which is what the plywood was for and what the tarps were for. I got ahold of Becky. I don't speak Spanish. She showed up a little later with one of her employees, basically told him to stop doing any work. We found out through speaking with the HOA, that the resident was denied his first application to put in the turf. I don't know what the denial was for, but she said he was supposed to bring it back to the HOA to get that approval. Apparently, they just decided to move forward with it. That was last Friday, I believe and I have not been there yet this week. I'll follow up on that again this week, but they're basically just grading the yard and putting artificial turf in the backyard. That's it.

**TWELFTH ORDER OF BUSINESS**

**Other Business**

There being no comments, the next item followed.

**THIRTEENTH ORDER OF BUSINESS**

**Next Meeting Date – October 1, 2024**

Mr. Showe: The next scheduled meeting is October 1, 2024.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. LaRue seconded by Mr. Boermans with all in favor the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman