

# MINUTES OF MEETING

## BRIGHTON LAKES COMMUNITY DEVELOPMENT DISTRICT

A regular meeting of the Board of Supervisors of the Brighton Lakes Community Development District was held Thursday September 3, 2020 at 6:02 p.m. via ZOOM pursuant to Executive Order 20-69 and Section 120.54(5)(b)2, Florida Statutes.

Present and constituting a quorum were:

Marcial Rodriguez, Jr	Chairman
Brenda Jennings	Vice-Chair
Michelle Incandela	Assistant Secretary
John Crary	Assistant Secretary
Mark Peters	Assistant Secretary

Also present were:

Kristen Suit	District Manager
Tucker Mackie	District Attorney
Emma Gregory	District Attorney
Peter Glasscock	District Engineer
Ariel Medina	Field Supervisor, Inframark
Gerry Frawley	Landscape & Maintenance CDD Liaison
Brian Fackler	Sitex
Miriam Klocman	Envera
Wendy Wilson	Envera

*The following is a summary of the minutes and actions taken at the September 3, 2020 meeting of the Brighton Lakes CDD.*

### FIRST ORDER OF BUSINESS

#### Pledge Allegiance

- The pledge of allegiance was recited

### SECOND ORDER OF BUSINESS

#### Call to Order/Roll Call

- Ms. Suit called the meeting to order and called the roll. A quorum was established.
- Audience comments were received regarding the opening of the pool. Mr. Rodriguez, Jr. indicated this will be discussed at today's meeting.

### THIRD ORDER OF BUSINESS

#### CDD Landscape and Maintenance Liaison Report

- A. Acceptance of CDD Landscape and Maintenance Liaison Gerry Frawley's Resignation**
- Ms. Suit indicated, Mr. Frawley is going to step down from his position as the CDD Landscape and Maintenance Liaison representative for the District.

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- Mr. Rodriguez, Jr thanked Mr. Frawley for the work he has done for the CDD and the community.

On MOTION by Mr. Rodriguez, Jr seconded by Ms. Jennings with all in favor the resignation of Gerry Frawley as the CDD Landscape and Maintenance Liaison effective November 30, 2020 was accepted. 5-0

**B. Discussion of Replacing CDD Landscape and Maintenance Liaison**

- Ms. Suit indicated this item was placed on the agenda for discussion. Mr. Rodriguez would like to consider Denny as the replacement as the Landscape and Maintenance Liaison and asked for Board feedback on this consideration.
- Mr. Crary supports this, as does Ms. Incandela as she mentioned this at the last meeting the importance of the position and Denny being a good candidate for this role.
- Mr. Frawley stated he has been training Denny and will continue to do so until he resigns.
- Ms. Incandela asked Mr. Frawley if he is advocating for the transition period for Denny to come on board for the last two months prior to his leaving so that he can effectively train him for the position, Mr. Frawley agreed.

On MOTION by Mr. Rodriguez Jr seconded by Mr. Crary with all in favor appointing Dennis Hisler as the CDD Landscape and Maintenance Liaison in training effective immediately with District Counsel drafting the liaison agreement with Mr. Hisler to be ratified at the November 5, 2020 meeting was approved. 5-0

- Mr. Frawley sent an email to the Board with 22 items and did not deem it necessary to go over each item individually. He hopes all the items addressed will be covered by Mr. Medina during his report.
- Mr. Frawley had a couple of things he wished to comment on. There is an area on Patrician Circle around the house of 2741, which is sinking drastically, and it is right next to a street drain. For an entire year this area was sectioned off with caution tape because it looks as it does now. The purpose for which it was not dealt with was Mr. Blanco and Mr. Frawley felt it would make sense to wait for drier weather

- when this work could be done. However, the area is now sinking, and if an outside contractor was hired to fix this, they should reach out to them and inform them their work has not resolved the problem.
- Mr. Crary has looked at the area and it is a life-threatening situation especially at night.
  - Ms. Incandela asked if Mr. Medina recalls the contractor who did the work and asked Mr. Medina to follow-up with her by Wednesday on this matter. Mr. Rodriguez, Jr asked Mr. Medina to have the area roped off.
  - Further discussion ensued on this matter.
  - The next item discussed was number nine on Mr. Frawley's report.
    - Weeds in the lake.
    - Sitex spraying
    - Discussion of the water level.
    - Flooding on the Boulevard and Chapalla Drive.
  - Mr. Fackler stated he has communicated with Mr. Medina on the ponds and earlier this week aggressively treated the area, and they should see the reduction by the weekend or the first of the week.
  - They are on monthly visits and call back service, which is part of the contract, but they are scheduling these problem ponds. He is going to do these on a two-week rotation and is going to rotate the frequency and change up the product they are using. There are restrictions on the number of times they can treat with certain chemicals but the situation is for one herbicide, but there is more than one herbicide that can actually target that plant but they will follow the rules and treat it a little more frequently moving forward this month so the results will be faster.
  - Mr. Crary stated Mr. Frawley had highlighted the same item on his report, but not only did it have something to do with the flooding on Brighton Lakes Boulevard, it also caused some minor flooding in some of the houses. Further discussion ensued on this matter.
  - Mr. Frawley indicated their gate entrance has been having issues since their last meeting. He hopes Envera has a solution to address this.

**FOURTH ORDER OF BUSINESS**

**Vendors Report**

**A. Bladerunner**

- None.

**B. Magnosec**

- None.

**C. Sitex**

- Mr. Fackler provided his input during the CDD Liaison and Maintenance Report.

**D. Envera**

- Ms. Klocman informed the Board that she was the Districts' former Account Manager. She is joining them this evening because they have an organizational change and Heather Lyons who was their representative is no longer with their organization.
- She will be providing the report and overview of the issues and work that has been applied over the past couple of months. She took the opportunity to introduce Wendy Wilson who will be taking over as the Account Manager for the District and she is confident they will be pleased working with her. She has worked with Ms. Suit and Mr. Medina in the past, and has been at Envera longer than she has and they will find her to be an excellent resource.
- Regarding Mr. Frawley's concerns, Ms. Klocman stated they have had a little bit of erratic barrier gate performance. She provided an overview of her research on what she found out on this matter and shared it with the Board.
- Further discussion ensued on this matter.
- She informed the Board that some of notifications have not been sent to Ariel as they should, and she will commit to going back to work with the team to ensure the notifications are being sent.
- Mr. Frawley asked about the notifications which are currently sent but not sent to the entire break list members. Ms. Klocman stated though it seems to be a logical request their system sends automatic notification which only holds one email address to receive the notification. She knows they are trying to get a second person and she is not well versed on what the obstacles are that are preventing this from happening. She believes it has to do with the software but will do a little more communication with the service department. She will follow-up with an email on some measures they can take to ensure they are communicating well moving forward.

- Discussion ensued adding Denny on board sooner rather than later and use these two months for training prior to Mr. Frawley's departure.
- Mr. Frawley will ensure Mr. Denny Hisler gets in touch with Ms. Suit to provide all the necessary contact information and documentation as well mentioned Denny be added to the Inframark email system.

#### **FIFTH ORDER OF BUSINESS**

#### **Field Management Report**

- Mr. Medina indicated he sent an email to Board regarding Travis Forrester who is one of the owners of Bladerunners who passed away and of the work from Bladerunners was postponed this week, but the schedule for mowing and providing services and detailing will not be changed for this week or next week this will continue on as normal.
- Ms. Jennings asked if Brighton Lakes can provide a condolence card. Mr. Medina indicated that he will be heading there after the meeting to express his condolence personally to the family and will obtain the information and provide it to the Board to send the card.
- Mr. Medina indicated the graffiti has returned, and he, Mr. Rodriguez Jr, and Mr. Frawley have been talking about it. He has contacted KUA who are reluctant to come and paint all the boxes, but will come. They want to ensure they have something in place to capture these individuals. He is uncertain how the Board would like to handle this. He knows the Chair, Freddy and Gerry have been talking about installing some solar cameras in the community. These are pretty expensive, however he got a proposal today and they are about a \$1,000 a camera, but does not include the mobile. The camera takes pictures every time there is a motion but in order to get those pictures they would have to obtain an unlimited plan which is another \$240 a year. Further discussion ensued regarding this matter.
- Mr. Crary suggested forming a committee which would include a Board member and members of the community to discuss and come up with ways to handle this issue. Ms. Incandela stated Mr. Crary was describing their neighborhood crime watch.
- Further Board discussion ensued on this matter.

- Mr. Rodriguez, Jr. asked Mr. Medina to keep track of all items and services required related to the removal of the graffiti so when this individual is caught they are charged with the cost of repaying for all the damages which incurred.

On MOTION by Ms. Incandela seconded by Mr. Rodriguez, Jr with all in favor purchasing and installing additional cameras in the amount of not to exceed \$500 was approved. 5-0

- Ms. Suit confirmed Ariel will be purchasing and installing the cameras and Mr. Cray will work with Denny to be the point person reviewing the cameras.
- Mr. Medina stated he received several calls regarding the opening of the club house pool, gym.
- Mr. Rodriguez stated he would like to open it slowly as long as they have a plan in place to make people schedule a time and they are able to handle this safely due to the pandemic and ensuring the CDC guidelines are in place. Ms. Jennings agreed they need to open up but definitely have it monitored with a limited amount of people and restricted to only homeowners. She noticed at other facilities they are restricting it to just their homeowners with no guest use at the facilities at all.
- Mr. Rodriguez asked Ariel about the other facilities that have opened. Mr. Medina confirmed there are facilities which have opened with limited hours and they have staff there while the pool is open. Mr. Rodriguez, Jr stated they will have to limit the hours too, to make it work the way they want it to work as well as the safety of the residents and the workers. He does not know what hours it will be, but it is also going to cost them money to clean so he would like the other Board members input on whether they will go forward with this and what the hours will be.
- Ms. Incandela stated along the lines of Mr. Cray's request for a task force for the graffiti they should have a task force for the reopening of the center because she thinks it involves more detailed discussion with Magnosec and Ariel and trying to figure out not only what the hours are going to be but the protocol. As well will security have enhanced duties and concerns related to issues of

compliance by the residents because if they are opening with all these rules there are bound to be those who are going to challenge them and this needs to be discussed in advance. Further discussion ensued regarding reduced hours, capacity, social distancing, monitoring, and sanitizing the facility.

- Ms. Mackie stated if the Board recalls they worked with Inframark at the time when some community centers within community development districts were making the determination to open at a limited capacity. They circulated a draft of rules and procedures which would be put in place during Covid. She suggests if a committee is designated tonight to meet and make recommendations to a Board, whether it is at the next regular scheduled meeting or if they are looking to do it sooner, then this document should be circulated. Ms. Suit recirculated the document mentioned by Ms. Mackie to the Board.
- Ms. Incandela asked if they adopt the procedures and policies similar to what other districts have done for example the sanitizing of the facilities, is there any exposure or liability to the District.
- Ms. Mackie stated there are two large carriers for Districts when it comes to their insurance directors and officers and property insurance in speaking with them some are discussing whether or not the District should have individual signed waivers but it seems the consensus from both, the non-existence of a waiver would not prohibit as the district is going to be covered to the extent that it has procedures and the District is following those procedures.
- Ms. Incandela asked Mr. Crary whether he wanted to be liaison for this project and meet with Ariel and Magnosec.
- Further discussion ensued regarding the plans the Board would like to put in place in order for the re-openings to occur efficiently and safely. Ms. Mackie stated perhaps continuing this meeting in progress to a date certain where they think this work could be done so the Board can consider not only the plan but any attendant cost associated with it. Discussion ensued regarding the security service for the opening and further discussion ensued and it is suggested to continue this meeting in two weeks
- Extensive discussion was had on the reopening.

**A. Inlet Repair Proposal for 2685 Patrician Circle .**

**B. Inlet Repair Proposal for across 2685 Patrician Circle**

**C. Inlet Repair Proposal for 2687 Patrician Circle**

**D. Inlet Repair Proposal for Brighton Lakes Blvd**

**E. Inlet Repair Proposal for 2675 Patrician Circle**

- Ms. Suit indicated Mr. Medina has five inlet repair proposals in the amount of \$21,325.

Ms. Incandela MOVED seconded by Mr. Rodriguez, Jr to approve the five inlet repair proposals in the amount of \$21,325.

On VOICE vote with Ms. Incandela, Mr. Rodriguez, Jr., Mr. Peters and Ms. Jennings voting Aye and Mr. Crary voting Nay the five inlet repair proposals in the amount of \$21,325 subject to District Counsel drafting the agreement were approved. 4-1

**F. Bladerunners Proposal**

- Ms. Suit presented the proposals for removal of the seven large palm trees in the amount of \$3,500. Mr. Medina stated this proposal is from Bladerunners as they cannot maintain them due to their height and cannot get any equipment in the area, so they are proposing to remove those palm trees.
- Mr. Frawley is assuming these are the palm trees at the entrance. He states the only issue with them is that they cannot trim the branches which hang down because they are too tall. Ms. Incandela asked who suggested removal of the palm trees.
- Mr. Frawley suggests the Board look at them and see if it is something they want to have done. On Board consensus they decided not to remove the palms.

**G. O & M Proposal for Installation of Timers**

- Mr. Medina presented a proposal from O & M. This is to install four timers at the entrance. They have been having issues with the lights and the Chair requested getting a proposal for timers which could be set up accordingly to the daylight changes.

On MOTION by Mr. Crary seconded by Ms. Jennings with all in favor the proposal from O & M for installation of timers in the amount of \$950 was approved. 5-0

**H. O & M Proposal for Installation of Transformer**

- Mr. Medina presented a proposal from O & M for the installation of four transformers to manage the pool area lighting system. They need to be replaced in order to have the lighting system working.

On MOTION by Mr. Crary seconded by Ms. Jennings with all in favor the proposal from O & M for installation of transformers in the amount of \$755 was approved. 5-0

**SEVENTH ORDER OF BUSINESS**

**Business Items**

**B. Discussion and Consideration of (1) Lot Encroachment Letter pursuant to Kariba Court Buffer Easement and Maintenance Guidelines**

- Ms. Mackie stated the Board received in advance of the meeting the encroachment chart which is an excel spreadsheet. Noted in the blue highlights are new properties added since the last time the Board received the encroachment list. The first two were dumping which Mr. Crary alerted us to, the bricks have since been removed but a letter was sent to them notifying them no dumping is allowed on District property behind their homes.
- The only other one which needs to be discussed is 3621 Kariba Court regarding a fence which has been constructed within the easement area. She believes the Board was provided with communications from the landowner in response to the letter received which was sent in advance of the guidelines and the fences location north of the berm.
- The Board had extensive discussion on this matter as well as the HOA approval of items which often encroaches on CDD property and the review of the guidelines.

Mr. Rodriguez, Jr MOVED seconded by Mr. Crary, Jr to approve the lot encroachment pursuant to the Kariba Court buffer easement and maintenance guidelines requiring removal of the fence within the District's easement at 3621 Kariba Court.

On VOICE vote with Mr. Crary, Mr. Rodriguez, Jr., and Mr. Peters voting Aye and Ms. Incandela and Ms. Jennings voting Nay for the lot encroachment pursuant to Kariba Court buffer easement and maintenance guidelines requiring removal of the fence within the District's easement at 3621 Kariba Court was approved. 3-2

- Ms. Jennings feels there needs to be a workshop with the HOA to ensure this situation does not occur again. Ms. Incandela agreed with Ms. Jennings and asked Ms. Mackie to prepare draft for the HOA and management. The question was asked about the HOA approval process for such request.
- The resident provided his input on the fence of his home and further discussion was had on this matter.
- The Board looked at dates for a special meeting. After reviewing possible dates, the Board selected to have this meeting on September 22, 2020.

**SIXTH ORDER OF BUSINESS**

**Business Administration**

**A. Consideration of Minutes of the Board of Supervisors Special Meeting Held on June 1, 2020**

- Ms. Suit asked if there were any corrections, deletions, or changes to the minutes. There being none,

On MOTION by Ms. Jennings seconded by Mr. Peters with all in favor the minutes of the June 1, 2020 special meeting were approved. 5-0

**B. Consideration of Minutes of the Board of Supervisors Meeting Held on July 2, 2020**

- Ms. Suit asked if there were any corrections, deletions, or changes to the minutes. Corrections were made and will be part of the final record.

On MOTION by Ms. Jennings seconded by Ms. Incandela with all in favor the minutes of July 2, 2020 meeting were approved as amended. 5-0

**C. Consideration of Financial Statement for July 2020**

- Ms. Suit presented the financial statement for July 2020 and asked if there were any questions or concerns as it relates to the financials. Mr. Crary asked about the unassigned reserves of \$351,000 and asked that this be an agenda item for the next meeting to discuss moving the unassigned reserves to the roadway reserves.

On MOTION by Ms. Jennings. seconded by Ms. Incandela with all in favor the financials of July 2020 were accepted. 5-0

**D. Consideration of Check Register and Invoices for June to July 2020**

- The check register and invoices for June and July 2020 were presented to the Board.

On MOTION by Mr. Crary seconded by Ms. Incandela with all in favor the check register and invoice for June to July 2020 were approved. 5-0

**SEVENTH ORDER OF BUSINESS**                      **Business Items**

**A. Consideration of the FY2021 Meeting Schedule**

- Ms. Suit presented the Fiscal Year 2021 meeting schedule.

On MOTION by Mr. Crary seconded by Ms. Jennings with all in favor the fiscal year 2021 meeting schedule was approved. 5-0

**EIGHTH ORDER OF BUSINESS**                      **Staff Reports**

**A. District Engineer**

- Mr. Glasscock indicated he had nothing additional to report.
- Mr. Crary had comments to the engineer regarding the emergency exit at Juneberry Way. Mr. Glasscock stated this will probably fall back to Mr. Medina or Ms. Suit as far as the lights and gate. This is out of their scope, but they will certainly assist in any way they could. He said they are probably looking at \$5,000 per light and they will need two of them.
- Continued discussion ensued regarding this matter and the emergency gates.

**B. District Counsel**

- Ms. Mackie stated the Board should have received the two letters they discussed at the last meeting going to residents following up to the budget process and the

other providing some distinction between the District and HOA as far as services provided. They will continue to follow-up on all the encroachment issues.

**C. District Manager**

i. Discussion and Consideration Moving the Districts Checking Account to Bank United

- Currently the Districts' bank account is with BB & T and they are suggesting moving their money to Valley Bank or Bank United. Since the District already has a Money Market account with Bank United it would be a much smoother transition and the reason why they are suggesting they move from the current BB & T is because Valley National and Bank United do not charge fees.
- Valley National Bank is providing a 0.5% interest on their checking whereas Bank United does not, but Bank United's money market percent is .5% higher. Ms. Suit asked if the Board is interested in moving from BB & T to Valley National Bank or Bank United to save with the fees and cost associated with BB & T.

On MOTION by Ms. Jennings seconded by Mr. Crary with all in favor moving from the current bank account with BB & T to Bank United was approved. 5-0

ii. Consideration of Proposals for Arbitrage Services for 2015 and 2017 Series Bonds

- Ms. Suit presented the proposal for arbitrage services for 2015 and 2017 Series bonds. LLS is at \$600 for each bond series annually whereas AMTEC is \$1,000 for each bond series annually.

On MOTION by Mr. Rodriguez, Jr. seconded by Ms. Jennings with all in favor the proposal from LLS for arbitrage services for 2015 and 2017 Bond Series in the amount of \$600 each was approved. 5-0

iii. Ratification of Chair Expenses between Meetings

- Ms. Suit presented Chair expenses between meetings for ratification in the amount of \$1,364 for a pump motor and repair.

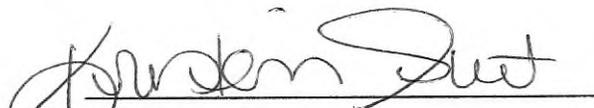
On MOTION by Mr. Crary seconded by Ms. Incandela with all in favor the Chair expense between meetings for the pump motor and repairs in the amount of \$1,364 was ratified. 5-0

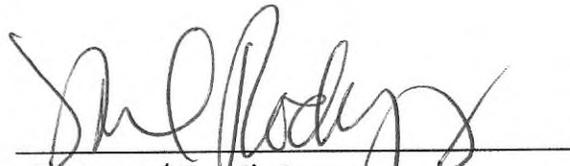
**NINTH ORDER OF BUSINESS**                      **Supervisor Requests**

- Mr. Crary discussed the following:
  - Communication with the residents in Brighton Lakes
  - Emergency exit
  
- Mr. Rodriguez, Jr discussed the following:
  - Issues with the recreation pool camera equipment
  - Software camera issues
  - Request Mr. Medina to reach out to a resident and explain the area behind her home is a wetland and cannot be touched.

**TENTH ORDER OF BUSINESS**                      **Adjournment**

On MOTION by Ms. Jennings seconded by Mr. Crary with all in favor the meeting adjourned. 5-0

  
Secretary

  
Chairman/Vice-Chair