

MINUTES OF MEETING

BRIGHTON LAKES COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Brighton Lakes Community Development District was held Thursday, November 26, 2013, at 6:00 p.m. at the Brighton Lakes Recreation Center, 4250 Brighton Lakes Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

Michelle Incandela	Chairman
Jennifer Palmer (<i>by phone</i>)	Vice Chairman
John Mastromarino	Assistant Secretary
John McGrath	Assistant Secretary

Also present were:

Gary L. Moyer	District Manager
Tucker Mackie (<i>by phone</i>)	Attorney
Paul McCartan	Keep Safe Security
Brian Smith	Field Manager
Residents and members of the public	

This represents the context and summary of the meeting.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Moyer called the meeting to order at 6:00 p.m.

Mr. Moyer called the roll, indicating a quorum was present for the meeting.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

Mr. McGrath led the *Pledge of Allegiance*.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the September 19, 2013, Regular Meeting

Mr. Moyer reviewed the minutes and requested corrections, additions, or deletions.

On MOTION by Mr. McGrath, seconded by Ms. Incandela, with all in favor, unanimous approval was given to the minutes of the September 19, 2013, regular meeting.

FOURTH ORDER OF BUSINESS

Audience Comments

A Resident stated I would like to know when you are going to increase the size of the parking lot? Will that be something you will discuss later on the agenda?

Mr. McGrath stated yes.

A Resident stated I want to find out the status of the playground at the end of Maracaibo Drive. It is in bad shape and is deteriorating. Someone will get hurt.

Mr. McGrath stated we will also be discussing the tot lots during our meeting. Some changes will be made in those areas, for sure.

The Resident stated I noticed a couple patches were done on the roadway but it is starting to break up again. I presume you will also talk about that under capital improvements. The other item I was thinking about was the situation with the staff person here and the security person here both at the same time. That seems to be redundant. I am just thinking about getting someone here earlier to do maintenance and overlap with security so there is wider coverage.

Mr. Smith stated that will be part of our report.

Mr. McGrath stated I believe that is how we are trying to do it now.

Ms. Incandela asked regarding the road patches, are you talking about existing patches and the ones that were already replaced are starting to come up?

The Resident stated yes, they look like new patches that are starting to break up and it is the area right before the ones you just patched.

Mr. Smith stated the ones we patched are fine, but there is more raveling on some of the roadway areas.

Mr. Gerry Frawley stated I have a list of items that I am sure Mr. Smith will cover in his report, but I will review them now. I am concerned about the turf condition, particularly from the bridge all the way to Sweetspire between the road and the sidewalk along Brighton Lakes Boulevard, the entire length. Sections have less grass than I have hair on my head. Not only is the turf so unhealthy, but as the mowers go by, it never recovers from week to week due to traffic of the mower. There are ruts in the grass. It is so unhealthy that some areas are just dirt. There are not even weeds anymore, just dirt. Obviously that is not being addressed, and it has been like that for many months. I have not said anything because I was waiting for the landscapers to do something about it, but that never happens. Mr. McGrath asked me the other day if I had seen the wet spot on the bridge, which I did. It is on the Huron side. I do not know where it is coming from, if it is the sprinklers overflowing or something else. The street light that we discussed last month was installed on a side street off Patrician. The curbing on the entrance to Brighton Lakes that Mr. Smith indicated previously had mold, there is another section that is broken off. As you come around that curbing all the way to the very right until the curbing comes around, right where it meets the wall is damaged, and there is a reason. At 6:02 one day, I saw one of the kids hopping on it with a skateboard going back and forth.

I just happened to be coming into the community. He was looking back and forth to see if anyone was looking at him. He throws his skateboard on the wall over the shrubs on the first level, climbs on top of there, stands on the shrubs and throws the skateboard onto the next level, then climbs up to the next level and disappears into the woods. I believe he is one of the kids that Ms. Palmer might be aware of from past incidents. That is not as damaged as the other section that is literally broken off, but that is being done on a regular basis. I presume they do that all the time. If you look way at the top, there is a trail where they finally get to the dirt, and you can see the trail going right through there. I have a question about the basketball hours. I do not mind that they were changed. Why was it changed from 10:00 p.m. to 9:00 p.m.? It is my understanding that it was just from one home owner complaining. We have 750 homes here, and we have changed the availability of the services that we provide to the community for one home owner who bought a house right next to the community center, knowing that there is going to be noise and lights and related issues.

Mr. Mastromarino stated that was changed for a couple reasons. That resident did not actually complain about the noise, but it was the lights. They have been on like that for years. With the time change and the kids back in school, these are the winter months and we can conserve some energy. The feedback we received was that it was not being used after that time. I made my own observations, even at 8:00 p.m. We could probably scale it back to 8:00 p.m. during the week.

Mr. Frawley asked will that change during the summer and seasonally we will go back to the previous time?

Mr. Mastromarino stated we have not discussed that yet, but I think that is probably the direction we will head in that regard.

Mr. Frawley stated I would like to know where we are going with the parking lot across the street. Whose responsibility is it to empty the doggie pot stations? Is that Mr. Smith's staff or the landscaping company?

Mr. Smith stated the landscaping company.

Mr. Frawley stated on Brighton Lakes Boulevard before you get to Sweetspire on the left side is one.

Mr. Smith stated there are a couple of them out there.

Mr. Frawley stated my wife wanted me to ask you to do something because she has to hold her nose as she goes riding by every day. I have fixed that one twice. The bags were

literally on the ground and the part that holds the bags was on the ground, along with the lid. I do not know what is causing that to happen, but when I was out there on my bicycle, I fixed it holding my breath as long as I could. That one is not being emptied on a regular basis.

Mr. Smith stated the same thing has happened with a couple of the regular trash cans where a couple of them were missed, so I came out and emptied them myself.

Mr. Frawley stated a couple sprinklers have been coming on at different times. I do not know if you changed the hours.

Mr. Smith stated we are working on it. The whole project was fertilized because of my push-back on many of the turf issues and other issues we have in the field. They did a site-wide turf fertilization along with pest control and weed control. They have also been working on the irrigation. Mr. Russ Simmons was here addressing some issues, and he has been adjusting it for the issues we are having out here.

Mr. Frawley stated I sent an email to the Board about flooding in the streets on Stargrass. That needs to get dealt with. The night that I spotted the flooding, I called Mr. McGrath while I was walking and asked how much rain we got. He has a rain sensor and said we had 2.15 inches. The sprinklers were on, and it had rained all day long. This was in the last two weeks. It was one of those days when it rained all day, and I went walking at about 8:30 p.m. It was 9:30 p.m. by the time I noticed the flooding and yet the sprinklers were on up and down Brighton Lakes Boulevard.

Mr. Smith stated we do have rain sensors out there, but they are not the most dependable. They are a mini-click, and they do work, but when they get wet, they stick.

Mr. Frawley stated I believe that we spend over \$1,000 a month just to inspect the sprinklers every month.

Mr. Mastromarino stated we spend over \$16,000 annually on irrigation.

Mr. Frawley stated that includes repairs. I am talking about the inspections. Do they not check that?

Mr. Smith stated yes.

Mr. Frawley stated then we are spending money on something that they are not doing.

Mr. Smith stated they turn on the system and they look for broken heads, which they repair. It is very difficult to check the mini-click, but they will check them. If a mini-click sticks, then it sticks from water or rain over a period of time when it rains and then stops. These rain sensors are not the most dependable thing. My concern is from the reviews, if

we have broken heads everywhere, then I have an issue with the reviews. If it is a mini-click where irrigation is running while it is raining, I am not as concerned. They are only measuring moisture, so it is not an exact science.

Mr. Frawley stated every one of us has those sensors.

Mr. Smith stated I will bet 95% of them are not working.

Mr. Frawley stated in the 11 years I have lived here, I have replaced it twice, but it works.

Mr. Smith stated I would say our irrigation system works 150 times better generally than the home owner systems. The system is watched and managed, and Mr. Simmons is very good about irrigation. It is not an exact science, so when it is raining, you will see irrigation going sometimes. It is almost impossible to stop that unless you install a very expensive system.

Mr. Frawley stated it works at my house. After 2+ inches of rain, I would expect them to work on Brighton Lakes Boulevard, even if they have been sticking.

Mr. Mastromarino asked how many gauges or rain sensors do we have?

Mr. Smith stated one is at each pump, so there are three that I know of. I will need to confirm that with Mr. Simmons since I turned the irrigation system over to him.

Mr. Mastromarino stated I brought to Mr. Smith's attention months ago, either in a meeting or by email, the rain gauge on Patrician Circle is covered by trees. I went by it the other day, and it is still covered by trees. There is so much growth over the rain gauge that it is totally ineffective.

Mr. Smith stated I will ask Mr. Simmons about it. He came out and looked at all of them. When he was here last time, he said they were all working, which was about three weeks ago.

Ms. Incandela stated if this is such a large issue, we should ask Mr. Simmons to attend the meetings.

Mr. Moyer stated I am results oriented, and I am listening to Mr. Frawley. But do not raise issues like that at a meeting. If it was two weeks ago, call him and ask Mr. Simmons to come out here and do something.

Mr. Frawley stated I send emails, and the Board members received them. These are issues that I have discussed.

Ms. Incandela asked have you sent the emails directly to Mr. Simmons?

Mr. Frawley stated no, I do not have an email address for him. I send them to Ms. Rosemary Tschinkel, and I presume she forwards them.

Mr. Smith stated yes, and we respond accordingly.

Ms. Incandela stated I have never seen anything that came back that was actually sent to him.

Mr. Frawley stated I never hear from them.

Ms. Incandela stated first, get Mr. Simmons's email.

Mr. Smith asked do you not receive responses from Ms. Maria Fuentes?

Mr. Frawley stated yes, and she says they will take care of it. But that does not happen, which is why I am raising the issues.

Mr. Smith stated I will have Mr. Simmons attend the next meeting and discuss the irrigation system. We can meet out in the field with Mr. Frawley and go through the whole irrigation system, including why the irrigation system is still running while it is raining.

Ms. Incandela stated I know Mr. Frawley classifies everything. Any emails that pertain to irrigation should be sent to Mr. Simmons directly with a copy to Mr. Smith, Ms. Fuentes and the rest of the Board so that everyone sees what is sent. Let us give him an opportunity to prepare for the questions and the issues so we do not spend time during the meeting explaining it to him but he can prepare in advance. He will attend the next meeting. We will figure out a procedure for any of these questions from then on. He may not need to attend any future meetings if we can figure out a better way of communicating.

Mr. Frawley stated I did not know Mr. Simmons did the repairs. I thought it was the landscape company who did that.

Mr. Smith stated they do, but Mr. Simmons manages that portion of their contract. I manage all the other aspects of the contract, and Mr. Simmons manages the irrigation for all our contracts.

Mr. Frawley stated most of the home owners do not know that the water for the District's irrigation does not come from Toho Water Authority, like it does for residents. That irrigation is pulled from the ponds, which the home owners cannot do. If it is pouring out onto the lawn, it will eventually work its way back into the pond, but it is an issue of looking silly when the irrigation is running during a rainstorm. We also use electricity running the pumps, which will wear out eventually.

Ms. Incandela asked has Mr. Simmons been having difficulty with the landscaping company with these issues the same way Mr. Smith has been having issues with them?

Mr. Smith stated no, not so much.

Mr. Incandela asked they have been responsive in that respect?

Mr. Smith stated yes.

A Resident stated the palm trees need maintenance, not just at the entrance but everywhere. The grass along Brighton Lakes Boulevard going down to Sweetspire has not been maintained well, either. They come and address the front of the community, but they do not maintain the rest. They are also using heavy mowers that make heavy loops on the lawn and destroy the grass. They need a lighter mower so they can easily maintain it. I have complained about people throwing debris into the ponds, but the ponds look much cleaner now. Someone was here about two weeks ago doing some testing, but I do not think he tested all the way down to the end. He stopped close to Stargrass. I do not know if they are working on that, but I have not seen them working at all. When I was here in 2005, I used to see a man coming here with a boat and putting it into the ponds to check the water and putting in fish. I have not seen him in a long time.

Mr. Mastromarino stated typically you will see someone here with a boat in the summer when they treat and check for weeds. Now this time of year, the weeds are not as bad, so you will not see him.

Mr. McGrath stated it seems to me that one of the big changes they made is using a four-wheel vehicle instead of a boat, so they can drive around and spray out into the pond instead of being in the water and spraying toward the shoreline. We receive a report every month that shows they are still spraying for weed control.

The Resident stated the pond at the end smells really bad. The others do not, but that one does.

Mr. Moyer stated that is part of living in Florida.

A Resident stated a couple years ago, the CDD imposed \$100 assessment increase for maintenance of the roads. Then we had another one this year. Is that additional amount of money put into an interest-bearing account?

Mr. Moyer stated the extra money that we levied for this fiscal year was primarily to pay for the security guard at the clubhouse as well as at the gatehouse. It was not for the roads.

Mr. McGrath stated every year, we pay that \$100 for roadways and capital improvements that we know are going to be coming.

Mr. Moyer stated we are building up monies for road replacement because it is coming.

Mr. Joe Klusko stated some areas out west are looking for alternatives to turf when there is a lack of water. I am not saying it is possible but perhaps it is something to consider along Brighton Lakes Boulevard perhaps using some artificial grass. There are recycled products available, and maybe we can look for some Federal grants. Instead of putting in grass, we can have an alternative that will also use less water. Then we would not have to waste pumps, electricity and water. Maybe we can put it in a playground instead of having regular grass and mulch. You should offer that to the home owners if they want the initial burden of doing this since it will cost a lot, about five times the cost of grass. But it would lower maintenance costs because you will not have to mow it and it will not need to be irrigated. A while ago I tried to push for a handball court. I sent an email to all five members and when I talked with one of you, you had not received it. I spoke to Ms. Brenda Burgess, and she said it was no trouble for her to forward it to you. When I emailed it to all of you, it went to her spam folder which is why you never received it. I printed it out and brought it tonight in case you did not receive it.

Ms. Incandela stated I received it.

Mr. Mastromarino stated I did, also.

Mr. Klusko stated it just took a phone from me telling her that I sent the email and to please forward it to all of you, which she did.

Mr. McGrath stated the email that Ms. Burgess sent explained why it did not come through was the same email she sent that we received. That system worked.

Mr. Klusko stated regarding the irrigation system that is running during the rain, perhaps the security guard can notice if it is pouring rain and sprinklers are running on various zones. It is a little more work and would require that they have some knowledge of the system. If it is pouring rain and you have a bypass switch, then he can press it and the irrigation will not be running. That would give you two check systems instead of just one and would address the rain sensors that Mr. Smith said are sticking all the time.

Ms. Incandela asked did Ms. Burgess forward that link I sent to Mr. Smith about artificial grass?

Mr. Smith stated yes.

Ms. Incandela asked were you able to look into it at all?

Mr. Smith stated yes, I will include that under my report.

Ms. Incandela stated it was after the last meeting when I emailed it.

A Resident stated on Brighton Lakes Boulevard before you get to Sweetspire, the striping on the street is just about gone because the cars that are turning from Sweetspire onto Brighton Lakes Boulevard never stay in their lane. It might be something to think about adding the striping in that area because it is pretty much gone.

Mr. McGrath stated roadway striping is included on the capital improvement plan. We appreciate the suggestion.

FIFTH ORDER OF BUSINESS

Vendor/Contractor/Third-Party Items

A. Keep Safe Security – Guardhouse and Security Services

Mr. McCartan provided an update on security services and responded to questions and comments from the Board.

Mr. McCartan stated there are no major issues that I am aware of. There have been some problems with the gates on Kariba and Volta Circle where someone took the barrier arms off. People were getting frustrated that they could not get through the gates, so they were pushing them and damaging them. I know this is part of the ongoing improvement to the system, and the CDD staff has helped us with it. Since the last meeting, we got the contract executed. Our service to the community is paramount, and fulfillment of the contract is paramount. If I receive information, regardless of how unpalatable it is, that the guard is not performing to the best of his ability or to what the Board and home owners expect, then there is no place for him here. The timing was unfortunate, and there was nothing subversive or malicious on my behalf. I was not hanging onto someone who was not liked by the community when we were discussing the contract. I had to act there and then. I have not received anything negative, and I have not received any comments, good or bad. He was with me for a number of years on a residential complex in Orlando before he came here. I know originally when we first started here, the Board focused on what type of person you wanted. You wanted someone who would fit in. He is still maturing, and his wife is a gospel recording artist and a fantastic singer.

Mr. Smith stated we want to bring Mr. Geinor Real here in the morning and then have the guard at night. Mr. Real will work all day as maintenance, and the guard will be here at night until 10:00 or 10:30. Mr. Real will begin at 8:00 a.m. which I think will work particularly with school in session. During the summertime, we will look at it again.

Mr. Mastromarino asked how much work is there for Mr. Real at 8:00 a.m.?

Mr. Smith stated there is a lot of work. What is nice now is he will do everything from painting to weed control to testing the pool. He will patrol the whole property. One of our biggest problems is trash on the roadways, so I will have him patrol up and down the roadway maybe once a week. I can look into getting him a pull-wagon.

Mr. Mastromarino asked do we not already pay the landscape company to do that?

Mr. Smith stated yes, but the landscapers are only here once a week.

Mr. Mastromarino stated I thought they were supposed to be here four days a week.

Mr. Smith stated it depends upon the landscaper. The contract does not require them to be here every day. It does include trash removal, but it is a constant problem. I will do a trash run at night, and the next morning, I will drive in again and there is trash everywhere. It is something that needs to be facilitated and added to as far as our staff. If he has time, then let us use him. My field staff picks up trash, the landscaper picks up trash, Mr. Frawley picks up trash, and home owners pick up trash.

Mr. McGrath stated I think it is a sensible arrangement for hours, as long as it fits for everyone and provides us with the coverage. If we can get added service beyond just the community center, that is a bonus that we should certainly pursue.

Mr. Mastromarino asked what will everyone's hours be?

Mr. Smith stated I will bring in Mr. Real from 8:00 a.m. to 5:00 p.m., and the security guard will come in from 2:30 to 10:30 p.m.

Mr. Mastromarino asked can we scale back those hours to save some money? I was in the workout room, and there is very little activity here at night. It gets dark at 5:00 p.m. now. Do we really need security when we are out of season?

Ms. Palmer stated my only concern with scaling back the security officer in the evening, especially if Mr. Real is working in the morning, is that we want it to continue to be slow. We do not want word to get out that there is no one at the recreation center in the evening hours because then the fitness room or basketball court will all of a sudden be a place for kids to hang out.

Mr. Mastromarino stated I agree, but if Mr. Real is working 8:00 p.m. to 5:00 p.m., then we do not need to bring a security guard here at 2:30 p.m. I agree that someone should be here for the period, but I am not sure if we need two people here during that period with the amount of activity.

Ms. Palmer stated as long as we are not cutting hours in the evening.

Mr. Smith stated we will work with Mr. McCartan. Depending on the hours out here, they could do a double shift. He could work at the recreation center until 10:30 p.m. and when he leaves here, he could maybe go to the guardhouse and work for a couple hours, and then the next guard can come in after that. I know that is a fairly long shift. We will work with Mr. McCartan, but we should have an hour overlap with Mr. Real and the security guard. The guard can come here at 4:00 p.m. and Mr. Real will be here until 5:00 p.m.

Mr. McCartan stated Mr. Real is not a security officer, and the security officer is not a maintenance person.

Mr. McGrath stated that is correct; they provide different functions.

Mr. McCartan stated sometimes the problem is with regard to people just hanging out. Mr. Real is a proactive person, and he sometimes looks to deal with issues that he should not be dealing with. I am concerned about the consequences if he is not a uniformed and licensed security officer.

Mr. Smith stated we are only dealing with that from 2:30 to 4:00 p.m. so we are not missing too many hours.

Ms. Donna Slack stated that is when the bus comes.

Mr. Smith stated Mr. Real has been here a long time. If there is a problem, we can look at this again and see about changing the hours.

Ms. Slack stated the elementary school drops kids off just after 3:00 p.m.

Mr. Smith stated the earlier bus drop-off is 3:00 p.m.

Ms. Slack stated there might be something before then. I get out of work at 3:00 p.m., and normally kids are being picked up just a little before. I will pass here going home, and he will be standing here, watching for the buses. We have had problems with some of the buses.

Mr. Smith stated then 2:30 p.m. is the right starting time.

Ms. Slack stated he has been standing out here and talking with parents.

Ms. Incandela stated we raised the assessments to budget for the increase. It seems that the home owners are very satisfied in having someone here for those hours, especially when there are kids. For the savings for those 90 minutes, it would probably not amount to what we are sacrificing.

Mr. Mastromarino stated I have seen buses come in over the last month on at least four different occasions, and I have never seen security at the bus stops.

Ms. Slack stated I see him most of the time when I come through around 3:10 and 3:15 p.m.

Mr. Mastromarino stated I have not seen him between 3:00 and 4:00 p.m. when I have been here. I think it is a good idea as opposed to staying in the clubhouse. I think part of his duties could be to monitor the bus activity.

Mr. Nestor Olmo stated I have seen him here on a number of occasions.

Mr. McCartan stated there was an incident that happened, and both Mr. Real and the guard worked together. There was a miscommunication where we thought someone was at the guardhouse, but no one was there. After that, he communicated with the mother of the boy involved. By all means, utilize the guard here where he is needed. If there is a light out, which is a maintenance issue, but Mr. Real is not here to fix it because it is not dark enough to notice, then the guard's time can be utilized so they can both work together on those types of issues.

Mr. McGrath stated perhaps this is already being done, but on an annual basis, we should be provided with a copy of the licenses that that guards have. We will make that an ongoing update for Mr. Smith's office.

B. Consideration of Proposals for Landscape and Grounds Maintenance

Mr. Smith stated we provided a summary of these proposals in your agenda package, but there was a change to the number for Girard, which is a slight increase. It is a little higher than our current contract amount, but it is still under our budget amount.

Ms. Incandela asked is Austin Outdoor our current contractor?

Mr. Smith stated yes. We have had some issues with Austin Outdoor. They are a very good company, but I think they had some problems getting the right supervisor out here, which is always key, as we have discovered over the years. We have had some companies here who have had great supervisors and everything is great. Then they change the supervisor on us, and we have problems. The scope of services for the contract is pretty good, if they will follow that. What is also good is if they are a company that will go a little further and cares about the property. Girard Environmental is the lowest bid. We also received bids from Servello & Son, Blade Runner, Austin Outdoor, PROscape, and Stelley Lawn Service. Stelley is a local company who does The Oaks and does a really good job. His bid indicates he had a little trouble getting the scope of services under control and understanding it. I am pleased with the bids. Most of the bids are pretty close. I feel confident with any of these companies.

Ms. Incandela asked have you worked with any of the top ones directly?

Mr. Smith stated I have worked with all of them.

Mr. Mastromarino stated representatives are here from Girard and PROscape. Could we ask them to provide us with any information at this point?

Mr. McGrath stated we appreciate you attending tonight.

The PROscape Representative stated we only do landscape maintenance. When I was pricing this project, I walked the whole property. I can tell you how many acres of turf you have with Bahia, St. Augustine, and mixed turf. I can tell you how many acres of planting beds you have, how many large trees, how many small and medium trees, how many palms, and how many linear feet of hard edge. I put a lot of time into the proposal just because I think that a project this size needed a lot more time put in to provide the price and do it right because of what has happened here in the past where it has been underbid and people cannot perform to that number, and then they end up walking out on you. I took that into consideration, also, for the number that I came up with. That is a number that will work for us, and we know that because of the amount of time that I spent out here measuring the property and getting an idea of what is actually here. It was not a number that I just looked to see what you are already paying based on invoices or budgets. It is based on experience and how we use measurements. It is not rocket science, but it is science. That is what all the companies bring to the table, which is our expertise in doing projects this size. We have been in business since 1995. We have been maintaining Poinciana and Solivita for a number of years. We just lost that contract due to price, not because of performance. We maintain a lot of HOAs and commercial properties as well as CDDs. We have a lot of experience and expertise in that field.

Mr. Mastromarino stated you indicated you measured all the turf. What are they?

The PROscape Representative stated you have about 90 acres of St. Augustine and about 34 acres of Bahia. Total green space is about 43 acres.

Mr. Mastromarino asked where will your equipment be based?

The PROscape Representative stated it depends on what we are doing when we are here, such as fertilization. We have a local location here. Lawnmowers and those types of maintenance equipment will come from Kissimmee or out of our office in Orlando. It depends on what we are doing at the time. Larger mowers are located in Orlando and smaller ones are located locally.

Ms. Incandela asked how many days a week would you be here?

The PROscape Representative stated we figured out to be here four days a week, more on the days when we are mowing and edging and less on some of the other work we would be doing, such as trimming.

Mr. McGrath asked do you have a plan right now who specifically would be managing the day-to-day activities for us?

The PROscape Representative stated yes. That is one of the things that I consider when I do my costing. The program prints out a sheet that tells me exactly what mowers I need, how many crew members, and so forth. We have a person in mind to be the account manager and the project manager as well as how many people we need to trim the edge, how many to prune the shrubs, how many for weeding, how many for palm pruning, how many to police the grounds, and so forth.

Mr. McGrath asked would you agree that the main thing is the person who will be on the ground making sure everyone does the job?

The PROscape Representative stated that is the most important part. We will use some of the same crew members that we have had in Solivita for 13 years. That is one advantage that we have right now because we have that longevity with some of our people available to us.

Mr. Mastromarino asked when we put the contracts out for bid for the scope of work that is defined in the contract, do we look at the fact that during the off season, far less maintenance is required? I know typically a contract is good for an entire year for the term of that contract. Obviously, the scope of work this time of year is not that great.

Mr. Smith stated mowing is not done as often, but this is when we start using them to do other things, such as plant replacements, tree pruning, palm pruning, and that type of thing while they are not mowing every week. They will stay busy all year.

Mr. Mastromarino stated my own personal observation is that the last month or so, other than picking up litter, there really has not been much activity.

Mr. Smith stated they do staff down in the wintertime.

The PROscape Representative stated our bid was for 42 mowings, with two during the winter months. There may be approved special projects, which we have done in the past with Mr. Smith, where we can utilize the hours when we are here.

Mr. Mastromarino stated in the landscaping business of the world, not on the grand scale of Brighton Lakes, some people charge by the number of cuts and some people

charge by the month, regardless of what is done whether it is one cut a month or four cuts a month.

The PROscape Representative stated ours is a monthly charge.

The Girard Representative stated a lot of us have done the same thing as the PROscape representative. A lot of us came out to the property so we are familiar with it. We bid the property in the past, so we looked at our numbers again and the property to make sure nothing had changed. We have done work for multiple large HOAs and CDDs throughout the area, Celebration being one where we work with Mr. Smith, and we are very successful at it. We have a number of clients that we have had for multiple years that are happy with our services. One of the reasons we are successful with that is we do appoint an account manager to the property. That account manager is the sole person who is responsible for it. Above him is the branch manager or myself. Between us two, we coordinate to make sure that we are fulfilling our contract. The branch manager makes sure we fulfill the operations, and I address customer service issues. I look at the property and pull the information together with operations to make sure we are all comfortable with it, but I am not going anywhere. My obligation is to stay in touch with the jobs we acquire to build long-term relationships. That is our goal: long term. Our renewal percentage this year is 94%. Out of those, the cancelations that have occurred were price changes. We did have one quality issue, and we do not take that lightly. We made some serious changes on that. We are the largest, privately held landscape company in the State of Florida. We cover Jacksonville down to Miami and have clients in central Florida, Orlando, Tampa, Fort Myers, and Ocala. With that geographic range, anyone can get in touch with you. The owners are very involved in the business. I am the regional director, and above me are the owners. If there are any issues with work that is being done, they will address it quickly. The account manager is the goalkeeper and he is to make sure we are doing exactly what we are supposed to do pursuant to the contract. Underneath the account manager are many different departments. He does not manage them directly, but he manages them to make sure that we are completing each job operation as we need to. The departments include horticultural, and all they do is maintain the turf program. We have an arbor care department, and all they do is maintain tree pruning, palm pruning, structural pruning, and anything related to trees. We have an enhancement crew that comes in and takes care of annuals and mulch. We have an irrigation department with a new irrigation manager. He is a certified contractor in the State of Florida, and he

oversees our irrigation to make sure we are performing the inspections correctly. When you get into bigger projects, we have a construction department that will come in and can do large renovation work. We do select an account manager who is skilled in this trade and has been with us for a while. This is a bigger property, so we will assign a seasoned account manager on it. He will be the point person and is responsible to make sure we are completing what the documents have told us to do.

Mr. McGrath asked just to clarify, is the account manager the person who is here when the work is being done, or is that someone at a level below the account manager?

The Girard Representative stated the foreman is the one who is here from start to finish. The account manager shows up on property and meets with the foreman and provides the group with a punch list. He might go off to a couple other properties in the area and make sure those are taken care of. When the work is done, the account manager then comes back to the property and does a run through to make sure we have done everything. He will make sure they edged everything. He will make sure they are not rutting up the turf, and if he sees it, he addresses it with the foreman and tells him it is the wrong machine for that area.

Mr. McGrath asked would you agree that it will work because of the foreman? If the foreman knows and makes sure the employees do their work, then it is a pretty easy job for the account manager.

The Girard Representative stated yes, absolutely.

Mr. McGrath stated on the other hand, if the foreman is not doing his job, no matter what the account manager does, it will not work. I think our past history has been when the person who is here is doing it right, then we do not have a lot of issues to talk about.

Mr. Smith stated it is actually the account manager who is key. It is his responsibility and their responsibility to get a good foreman and a good crew. The account manager is the person I deal with. I do not deal with his foreman. That is where his scheduling comes in. Austin Outdoor was doing a really good job for a period of time, and they it tailed off. Before it tails off really bad, I will step in, and they know that. Both of these companies are very good at what they do. I am sure they will put a good account manager here.

Mr. Mastromarino asked how many days a week would a crew be here? Would the account manager also be here that same number of days?

The Girard Representative stated yes, for the most part. The account manager might have something that ties him up for a day, but our account managers are required to start

the crews and then do a follow through. We have scheduled our crews to be here two days a week.

Mr. Mastromarino asked based on the contract proposal, is the contract adequate enough to bring our community up to what Celebration looks like?

The Girard Representative stated yes. The fertilization program is lacking, so that needs a step up. Fertilization is key to bring the property back to Celebration's condition. We will make sure we have a good fertilizer program that is consistent. It will not be one shot. You will not see us come in and all of a sudden it will look nice. A consistent program after the second or third application is when you will really start seeing the color come up. The other issue is irrigation. As I drive on Brighton Lakes Boulevard, there are moderate issues with the turf. It may not necessarily be the irrigation; it might be soil conditions. Some areas that I am looking at appear to be soil conditions where it is muck. When we get on board, we will become familiar with the areas and we will start addressing problem issues. Then we will be able to identify irrigation issues that we can correct right now, perhaps by adjusting the timer to make sure everything is coming on properly. If we have exhausted everything and addressed soil conditions, then we will determine the next steps to improve that area. Some areas here are like that. If we are hired, then we will help address those issues and offer solutions for the problem areas.

Mr. Mastromarino asked does your proposal take all that into account?

The Girard Representative stated the proposal does not take soil conditions into account. If you have an area where it is a lot of muck and holds water, you will have a couple things to do. One is to put in drainage to help percolate the soil with a French drain, and the second option is to remove that soil and bring in a different soil. Some of those areas might need to have some upgrades.

Mr. Mastromarino stated I would like to ask that same question to the representative from PROscape, if the proposal that was submitted takes into account current conditions to make them better or just to maintain the existing conditions.

The PROscape Representative stated the proposal takes into account making it better. I observed the same thing as the Girard representative did; there are a lot of issues with the soil. I was an account manager on this property in the past for a while, and I did observe the same thing he did. There are issues with the soil and issues with the water. There are some additional landscape improvements to consider. We took four soil samples, so I am familiar with what it is. Our proposal does take that into consideration.

Mr. Smith stated they all bid off the same scope, which is very in-depth. It is a good scope of services.

A Resident stated it is not fair to have two companies discussing their proposals. It is not right.

The PROscape Representative stated this happens all the time.

The Resident stated I have been in the landscaping business for 35 years, and I have never had anyone come to my office to ask what we are doing.

Mr. Moyer stated the difference is you are a private company, and we are a government. We have to have this type of dialogue, or it can never take place.

Mr. Smith stated this is a public meeting. They can come if they want, and they may speak if they want. There is nothing we can do about that.

The Resident stated he just said he has done soil testing and says his proposal covers that.

The PROscape Representative stated that is why there is a difference in price.

The Resident stated one company will be here four days a week and the other will be here two days a week. This is a large community. Does it sound reasonable to only be here two days?

The Girard Representative stated it is not a matter of the number of days; it is the amount of manpower.

Mr. McGrath stated we appreciate the contractors attending our meeting tonight.

Ms. Incandela stated before Austin leaves the property, I mentioned at the last meeting that the area behind the houses on Chapala Drive where there is the buffer between the home owners' property has not been touched since they have been here.

Mr. Smith stated there are several things that Austin is dragging their feet on, and that is another conversation I will have with them. I am writing them a letter and I will list the things that they need to do before they go. If they do not complete them before they leave, then I will hold their last check. I will have someone else come and complete that work and deduct that amount from their last payment. I will meet with them on that issue as well as the sod. The sod from the bridge down has never been in great shape; it has been struggling. It is coming in a little from the last time they fertilized it, so I think that area will come back. There are other locations where it was really nice sod and has gone to chinch bug and disease and other things that I will have them replace.

Mr. McGrath stated I think it is also their responsibility to remove the landscape waste by the new school location.

Mr. Smith stated yes.

Mr. McGrath stated that is not our property and it is their responsibility to remove.

Mr. Smith stated my conversations with them up to this point were for them not to burn their bridges. I bid out contracts constantly. They are a good company. I have seen their work, and they are doing some projects in Celebration where they are doing a wonderful job with their irrigation technicians. I want to continue to have them bid on projects in the future, and I think they will take care of that right before they go. They are a good company.

Ms. Incandela stated there is a really big price difference between Girard and PROscape. I know they both discussed the amount of manpower. Is it an apples-to-apples comparison in terms of the amount of manpower included in their bids working here? One will be here four days a week and the other will be here two days. Is there a significant difference in the crews? I am having a hard time understanding the difference of \$70,000.

Mr. McGrath stated if I understand it right, they provided a bid based on information we gave to them, whether they complete it in one day or seven days.

Mr. Mastromarino stated it is the number of people they assign to the project.

Mr. Smith stated let me give you an example. Celebration used Davey Tree and their contract was \$1.5 million. Girard bid it at \$800,000. Davey was doing a decent job, not a great job. Since then, Girard at \$800,000 has done a much better job than Davey was doing. Once again, it is because they are keeping good people in the field and having a good account manager. They manage their people very well. The two of us work together to try to make it so that it is easier for him to maintain. He manages the mowing so they do not have to mow around every tree but you create beds around trees and make it so the mowers can go faster. They are happy and I am happy. I am thrilled that their bid came in low because they have bid on this project four times and have always been high. Now they are low. Because they are working on other contracts, I have spent a lot of time with them. That is helpful for me.

Mr. Mastromarino stated I think follow-through is our fear, which is why I asked the question. Celebration is a well-kept community. When we hired Austin, I think they maintained Reunion or some other high-profile property.

Mr. Smith stated it was Reunion.

Mr. Mastromarino stated our hope is not to see it as it currently is but to get it back to its better potential. To Mr. Frawley's point, the place is certainly deteriorating. It was marginal when Austin took over, and it has gotten worse. With the amount of work that we think they have to do yet, is it enough to hold back their last payment? Replacing sod is not cheap. I do not know how they will fix these ruts that are everywhere.

Mr. Smith stated the ruts are because they follow the same mowing pattern. It is easy to get rid of the ruts since you just change your mowing pattern every time you mow. Once the grass grows back, that will go away. There are some areas where the turf was marginal, and it will be very hard to go back and tell them they have to replace all this turf. They will respond by saying it was bad when they got here, even though their job was to make it better and they did not do it. That will be a tough argument. Where good turf has gone bad is what I will get them to replace. From what we pay them on a monthly basis, I think that should cover it. I think they will do most of the work.

Mr. Mastromarino stated after a review of their contract, they were to replace the annuals four times a year.

Mr. Smith stated no, the annuals are not bid. There is a note on there because we do not have any annuals. We just put that on there in case the Board decides you want annuals at a later date. Then we have that scope in the bid, but there are no annuals in Brighton Lakes.

A Resident stated on the two days versus four days, if you notice Brighton Lakes Boulevard, the worst part is down to Sweetspire. Why is that? Because they do not have enough time to do the whole property. We need to be careful if you choose the company who will only be here two days a week.

Mr. Mastromarino stated they have committed to be here four days a week, and they are. This time of year is a little different. The problem down toward Sweetspire is that it gets very wet.

The Resident stated it is not Sweetspire; it is on Brighton Lakes Boulevard.

Mr. Mastromarino stated that part of the boulevard gets very wet.

Mr. Smith stated we went from weekly mowing in September to three times a month in October then to bi-weekly in November. So they only mow twice a month starting in November. With the temperatures being warm and getting rain, the grass is still growing as well as the weeds. November is always a difficult month because it is so warm and the

grass still wants to grow, but yet they are mowing only every two weeks pursuant to the contract. It looks rough, and it always does in November unless there has been a fresh mow when it looks great. But two weeks after that fresh mow, the day before they mow again, it looks terrible.

Mr. Mastromarino stated we have an issue where it rained heavily for a two-week period, and they did a tremendous amount of damage creating ruts along Sweetspire and Brighton Lakes Boulevard. I am not sure if that has even come back yet. Once you make a rut, it is three to four inches in the ground.

Mr. Smith stated I have looked at the ruts, which is an unfortunate thing after it rains. We get a lot of rain, and landscapers have a tendency to rut out the turf.

Mr. Moyer stated it is not so much an issue of money as it is of quality, but later on the agenda, we will be discussing capital improvements. I can tell you that our budget is pretty tight and has been for years. I reviewed each line item in the budget and came up with a number. That number, based on Girard's bid, ended up to be \$50,000 that is available. Part of that is \$20,000 for Girard and \$18,000 in contingency and another \$11,000 in a miscellaneous account. That is the number you are looking at for capital projects unless you go into reserves and start taking money out of reserves. If you go with PROscape because you think they will do a better job, then that number is reduced from \$50,000 to \$30,000.

Ms. Incandela stated unless someone else has a different opinion, it does not seem to me that we are under budgeting in terms of the amount of money we are awarding the contract. That being said, only two of the contractors attended the meeting tonight. I think it is very important that they showed up and no one else was interested in coming to the meeting to present themselves before the Board. Mr. Smith has worked with Girard before and they are the lowest bid. It does seem that it is more of a management issue, and they have worked in Celebration where the home owners and the staff are pretty specific and picky about the quality of their contractors. I am comfortable with Girard if the rest of the Board is in agreement.

Mr. Mastromarino stated I asked the representatives what it would take to bring this property back up, and I trust both of them in their statements. Girard said that there would be additional work required. PROscape said that he had already accounted for that in the bid. Based on what you have seen on the property with what it will take to get it up to where it needs to be, is Girard's bid still lower than PROscape's?

Mr. Smith stated yes.

Mr. Mastromarino stated then I concur with Ms. Incandela's recommendation.

Ms. Palmer stated I will abstain from the vote since I do not have the proposals in front of me and I was not able to interact with them. I do not think it is right or fair for me to vote on this one.

Mr. Mastromarino stated we can share the numbers if that will help.

Ms. Palmer stated it is difficult without seeing the bids. I have listened to the questions. I have sat through these decisions previously with Ms. Incandela and Mr. McGrath. I trust both of them. We have gone with the lowest bidder before, and we have gone with someone higher than the lowest bid. At this point, in my opinion, I think it really has to be a lot of what Mr. Smith has to say about his past experiences with these companies and our expectations. He is the person who will be working with them on a daily basis.

Mr. McGrath stated Mr. Smith is comfortable with Girard. We always have a 30-day termination provision available to both parties if they are not performing. I think we all concur with hiring Girard.

Mr. Mastromarino stated yes. What is the contract term we are considering, one year?

Mr. Smith stated yes.

Mr. Moyer stated it has renewal options. We do not want to lose them if they are doing a good job.

Ms. Mackie stated when the Board is ready to consider a motion to award a contract to Girard, I would ask that you also provide direction to terminate the existing agreement with Austin Outdoor. The termination provisions provide that for cause, the District can terminate the agreement at any time, and without cause, the District can terminate the agreement with 30 days' written notice. I do not know which provision the Board would like to pursue.

Mr. Moyer stated the contract expires at the end of December, so we do not need to worry about termination provisions. We are basically not renewing the contract.

Ms. Mackie asked so Austin Outdoor will be done December 31, 2013, and Girard will begin January 1, 2014?

Mr. Smith stated yes.

Ms. Palmer stated since Ms. Mackie raised the issue of being able to terminate for cause, I think we certainly have cause with Austin. What do you think the damage to the

property will be in the next 45 days or so with them still having the contract before Girard takes over? Would we be wise to terminate Austin as of November 30, 2013, and have Girard take over as of December 1, 2013, if they have the capability of mobilizing by then?

Ms. Incandela stated we should give them the opportunity to fix some of these issues.

Mr. Smith stated Austin is a good company and I would like to give them the opportunity to leave gracefully and do what they should. I have full confidence that they will do that. They may not do every single little thing we want, but I am sure they will do their best to leave on a high note.

Mr. Frawley stated PROscape said something to me that caught my ear but Girard did not address this at all. PROscape has spent 13 years in Solivita. The longest we have kept anyone here is about three years. No one left because they were under bid; we terminated all of them, including Austin Outdoor. Has Girard been with other clients for a while?

Mr. Mastromarino stated I would be interested in how long they have been in Celebration because that is how I am gauging their ability.

Mr. Smith stated they have been in Celebration for five years.

Mr. Frawley stated that was impressive to me, 13 years. Our community is not even 13 years old.

Mr. Moyer stated PROscape may have been doing the landscape maintenance work for the HOA in Solivita. The contract they had with the District was to mow canal banks.

Mr. McGrath stated that is a different service than they would do here.

Mr. Moyer stated it was not inclusive of all landscape maintenance.

Mr. Smith stated PROscape is no longer in Solivita.

Mr. Mastromarino stated I caught that.

Mr. Frawley stated he said they lost that contract because of price, not necessarily because the Board was not happy with their quality of work. I was waiting for the Girard representative to share how long they have been with certain clients. No company has lasted here longer than three years before we terminated them.

Mr. Moyer stated to put it in perspective because Mr. Smith and I do a lot of these, your experience is typical. It is somewhat humorous to me because I go from Board meeting to Board meeting. The company that CDD 1 got rid of is now the new contractor for CDD 2. It is like a circle where the companies keep moving around the circle of clients.

Mr. Frawley stated some of these companies I have never heard of. How many more names are out there if we keep firing them? There will be no one left to hire, and we will need to start all over again.

Mr. Mastromarino stated I went online and looked up all these companies. They are pretty large operations.

Ms. Incandela stated many times the managers switch from company to company. Sometimes you have a good manager who left that company and went somewhere else.

Mr. Smith stated the representative from PROscape was the account manager here years ago with another company, but I do not remember which one, and we let that company go.

Mr. Frawley stated we have let them all go.

On MOTION by Mr. McGrath, seconded by Ms. Incandela, with all in favor, unanimous approval was given to award the landscape maintenance contract to Girard, beginning January 1, 2014, as discussed.
--

Mr. Moyer stated you just heard Mr. Smith tell you the story of how Girard picked up the Celebration contract. They badly underbid that contract, yet they have honored the terms of that contract. They did not walk away and they really have not slacked off on performance. There are people in the community who do not understand how they can even do it for the price that they bid. The nice thing was that they kept performing pursuant to the contract. I feel pretty good about Girard coming into the community.

SIXTH ORDER OF BUSINESS

Public Hearing to Consider Adoption of Rules of Procedure

Ms. Mackie stated we provided a memorandum for the Board at your last meeting requesting that the Board adopt a new version of the District's rules of procedure for two reasons. One is to bring the rules of procedure current with the Florida Statutes on which they are based. Two is to provide greater efficiency in the operation of the District. We have learned things that have made operations easier, and we incorporated those into the version of the rules that is included in the agenda package. In the memorandum, I identified some substantive revisions, some of which are already incorporated into the policy that the Board adopted at its last meeting regarding public commentary at meetings. Those were the major substantive revisions to the rules of procedure. We made various textual changes that are not really substantive in nature but provide for greater

efficiency in the operation of the District. You may remember that we set the public hearing for November 7, 2013. That meeting was not held; however, I confirmed with the District Manager that we received no requests to hold a public hearing. That being said, in an abundance of caution, I think the Board should hold one at its meeting today. The District Manager did not receive any comments from the public regarding our request to hold a public hearing.

Mr. Moyer stated this is more for housekeeping purposes. The rules of procedure basically follow State law, and in many cases, we state what State law is. That is the primary purpose of these amendments. I will open the public hearing to receive any comment from the public regarding these rules. Hearing none, I will close the public hearing.

On MOTION by Ms. Incandela, seconded by Mr. McGrath, with all in favor, unanimous approval was given to adopt the amended rules of procedure, as presented.

Mr. McGrath asked will these rules be posted on the website so everyone will be aware of them?

Mr. Moyer stated yes.

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements

Mr. Moyer reviewed the financial statements as contained in the agenda package, which are available for public review at the District office during normal business hours.

Mr. Moyer stated our fiscal year ended September 30, 2013, and the financials show where we ended up. We collected a little more in revenue than budgeted, primarily from people paying later and not taking advantage of their discounts. We were \$4,400 ahead on that line item. We received a contribution from the HOA of \$3,333 and a couple other miscellaneous things, as well as \$1,300 in interest earnings. On the expenditure side, we undertook some capital projects. We added the security guard for the pool that is reflected. Having done all that, we were still able to bring the budget in \$78,000 under budget. I will highlight that \$75,000 of that \$78,000 was anticipated to add to reserves because we budget for that. In the total scheme of things, we brought it pretty much right at budget. Farther back in the financials is an analysis of the fund balance that we are carrying. The balance sheet shows an operating reserve of \$164,000, which carries us

from October through December until we receive monies from the tax collector. We have a reserve for landscaping of \$50,000. We have a reserve for recreational facilities, primarily roof replacement, of \$54,000. We have a reserve for roadways of \$216,000. The \$75,000 that we added this year will be allocated back to roadway reserves. The unassigned balance is \$183,000, which will be reduced by the \$75,000 that we will move to roadways reserves. We had a good fiscal year and brought the budget in almost exact.

B. Check Register

Mr. Moyer reviewed the check register as contained in the agenda package, which is available for public review at the District office during normal business hours.

Mr. McGrath stated my problem with legal advertising is we have to spend that, and there is no way to reduce those costs any further.

Mr. Moyer stated that is correct.

On MOTION by Ms. Incandela, seconded by Mr. McGrath, with all in favor, unanimous approval was given to the check register and invoices, as presented.

C. Consideration of Fiscal Year 2014 Meeting Schedule

Mr. Moyer stated we are proposing to meet on the first Thursday starting in January on odd months. I do not know how the Board feels about meeting on January 2, 2014, but you could move that to the following week and meet on January 9, 2014. That might be better for everyone, and we will change that date on the schedule.

Mr. McGrath stated there were conversations about changing the day from Thursday to another day. Is Thursday still a good day?

Ms. Incandela stated Thursday is fine as long as we moved it from the third Thursday that conflicts with Ms. Palmer's school parent-teacher meetings. Tuesday was an issue for Mr. McGrath with his wife being off work. Thursday works fine.

Mr. Mastromarino stated the July meeting is scheduled for July 2, which is close to the 4th of July holiday.

Mr. McGrath stated that could be subject to change.

On MOTION by Mr. McGrath, seconded by Ms. Incandela, with all in favor, unanimous approval was given to the meeting schedule, as revised for January 9, 2014.

Mr. Frawley stated July 2 is a Wednesday.

Mr. Moyer stated you are correct; the date should be Tuesday, July 1.

Mr. McGrath stated someone should review the dates before they are published to make sure they are correct for Thursdays.

D. Consideration of Engagement Letter with Carr, Riggs & Ingram to Perform the Audit for Fiscal Year 2013

Mr. Moyer reviewed the engagement letter from Carr, Riggs & Ingram to perform the audit for fiscal year 2013 in the amount of \$4,500, which is under budget.

On MOTION by Mr. McGrath, seconded by Ms. Incandela, with all in favor, unanimous approval was given to the engagement letter from Carr, Riggs & Ingram to perform the audit for fiscal year 2013 in the amount of \$4,500.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Mackie stated the Legislature is beginning committee meetings, so as Session progresses, we will provide an update to the Board as to any changes to Chapter 190, Florida Statutes or others that would affect Brighton Lakes CDD.

B. Engineer

There being nothing to report, the next item followed.

C. Field Operations

i. Consideration of First Amendment to the Agreement by and Between Keep Safe Security and the District

Mr. Smith stated the Board already approved this amendment to the agreement, so this is just for your information.

ii. Field Management Report

Mr. Smith reviewed the field management report as contained in the agenda package, which is available for public review at the District office during normal business hours.

iii. Action Item List

Mr. Smith stated the Board requested a pricing comparison between Pinch-A-Penny and Spies (pronounced *speez*), and as you can see, Spies is lower. We looked at a couple other companies, but Spies was still lower. Everything on the action item list has been completed. We will discuss the yellow lines as part of the parking lot issue.

Mr. McGrath stated the back gate needed to have some welding done. Was that just from heavy vehicles bumping into it?

Mr. Smith stated it is from heavy usage. We also provided pricing on speed tables that was included in the agenda package for asphalt versus rubber speed humps.

Ms. Incandela asked was the asphalt option considerably higher?

Mr. Smith stated no. If you review the proposals, you will note that it was a higher quantity. That is why it was so expensive. To compare them equally, they were pretty close in price.

Mr. Mastromarino asked in terms of durability, which would last longer?

Mr. Smith stated they are both pretty durable, but the asphalt would obviously last longer.

Mr. McGrath stated the speed hump people have a two-year warranty for their product and project that it will last four to five years. That does not seem like much of a lifetime but maybe their attorney made them write it that way.

Mr. Smith stated a lot of it has to do with the amount of traffic you get.

Mr. McGrath asked was the location for this at the guardhouse?

Mr. Smith stated I do not think we really determined where to place it. Before we make that decision, I think we need to review the capital improvement budget and discuss the parking lot. We need to find out where we have money and how we want to spend it. We have a lot of projects that we want to make decisions on.

Mr. Mastromarino stated the pool furniture numbers are a little scary.

Mr. Smith stated that was mislabeled. It should be for pool resurfacing, not furniture.

Mr. Mastromarino stated it is still a high figure.

Mr. Smith stated I will distribute information on the artificial turf, which is \$10 per square foot versus \$0.55 for mulch.

Mr. Mastromarino asked what tot lots are identified in this proposal? Obviously it will include the one here at the clubhouse.

Mr. Smith stated Brighton Lakes Boulevard, Sweetspire Circle, Biel Court, Maracaibo Drive, and Volta Circle.

Mr. McGrath stated I did not think we were going to improve Biel Court.

Mr. Smith stated we were trying to get some ideas of square footage and how much it costs. The artificial turf is very expensive for us to consider doing in our current budget.

Mr. McGrath stated I cannot see doing it in our current budget.

Mr. Mastromarino stated I agree.

Ms. Incandela asked is the mulch price a one-time cost? Or does it have to be done a few times a year?

Mr. Smith stated it would be done annually. We would add three inches annually. It depends on the usage. Some playgrounds are used every day and some not as often, but we would refresh it annually.

Mr. Mastromarino stated we discussed at a previous meeting of doing away with two tot lots: Biel Court and Maracaibo Drive.

Mr. Smith stated those are on the schedule. The one on Maracaibo Drive has to come down.

Mr. McGrath stated maybe we should decide that now. Can we knock it down and temporarily not have anything there? Is there a safety issue?

Mr. Smith stated I just want to remove it.

Mr. Mastromarino stated it is a safety issue now. There are boards that are broken in half and standing up.

Mr. Smith stated yes, it has to come out. The one on the end of Biel Court also needs to come out. The one on Chapala is getting close, but I am going to make some repairs to it to keep it going. We are constantly repairing the one here at the recreation center.

Mr. Mastromarino asked is any of that equipment salvageable? Someone mentioned that some swings were stolen off this one.

Mr. Smith stated I do not want to reuse old equipment. That is a liability issue. It just needs to be removed because a lot of it is cracked. You do not want anyone to use it.

Mr. Frawley asked can Biel Court and Maracaibo Drive at least have swings?

Mr. Smith stated first, I need to get the existing equipment out of there. As we review the capital improvement budget over the next year, we can see where the Board wants to spend money.

Mr. McGrath asked will we be able to have it removed before the end of the year?

Mr. Smith stated yes. I will have it removed as soon as I can. I just needed approval from the Board. I will proceed to remove the equipment on Biel Court and Maracaibo Drive. As you get phone calls from residents, you can let them know that you will be making plans on future improvements.

Mr. Frawley asked was the one out here broken or stolen?

Mr. Smith stated I am not sure.

Mr. Mastromarino stated I saw that it was missing.

iv. Complaint Log

Mr. McGrath stated this is the first time we have received this, and it is a good document. One of my neighbors needed an access card. I went down to the office because that is what you have to do to get a card. The information they gave me clearly said that you need a check or money order, and I only had a credit card and cash, which are not accepted. Of the 19 items on the phone log, six of them have to do with access cards. Would it make sense to having a credit or debit card system so when people come to get the cards would be able to pay for it, with the understanding that any expense for that would be paid for the people who use that service?

Mr. Smith stated we can look into that but there would be a cost associated in setting it up.

Ms. Incandela asked is there an issue as to what the complaints are? When people go to the office, they are not able to pay for the cards? Is that the issue?

Mr. McGrath stated no, that was my experience. Today, we are warned not to carry our social security card or a blank check. The office was very helpful and patient. It is almost 2014, so maybe it is something we could upgrade to making it more user friendly. That was my own experience. Maybe no one else has had that, but I appreciate Mr. Smith looking into it.

v. Capital Improvement Plan

Mr. Smith stated we can consider perhaps scheduling another workshop when everyone can attend. I will distribute a list of things that we need to get done. One item is replacement of the fitness equipment. I provided pricing for the equipment for the fitness room as well as for the playgrounds. I will provide a report for the next meeting showing what we got rid of, what has been repaired, and what we think the lifespan will be for those items. I will have that available for the workshop.

Ms. Incandela stated I had seen playground equipment prices circulated before for the various styles of playgrounds. Because there are so many playgrounds, we discussed not replacing everything for all of the equipment. We discussed getting prices for just swing sets. For the workshop, I would like to see prices for swing sets. Another idea was to put in permanent soccer goals and make one of the areas a soccer field.

Mr. Mastromarino stated we discussed doing that on Chapala where there is enough space.

Ms. Incandela stated if we installed soccer goals, then one playground could be a soccer field. Another one could have just swing sets, and others would be equipment.

Mr. Mastromarino stated once the equipment is removed on Maracaibo Drive, there should be enough area to put in a small soccer field if you want to put in a soccer net.

Mr. McGrath stated several years ago, we discussed putting in a soccer field on the corner of Chapala and Maracaibo. We contacted the home owners who would be impacted. Is that something that should be considered before we just proceed to do it? Or should we just go ahead and do it?

Mr. Mastromarino stated my recommendation for Maracaibo and even Chapala would be one net. I do not think there would be as much of a crowd, but I can see Mr. McGrath's point about contacting the residents.

Mr. Frawley stated we are making a recreational area out of an area that was already a recreational area.

Mr. Mastromarino stated it is also an activity for daylight hours.

Ms. Incandela asked for the fitness room, is there equipment that needs to be replaced now?

Mr. Smith stated no, everything is in pretty good shape for now. At the workshop, I will provide a list of existing equipment and the condition, and I will have prices for what is in there.

Ms. Incandela asked should we schedule the workshop prior to our next meeting or should we schedule the workshop on a different date?

Mr. Moyer stated you can schedule the workshop before your next meeting. We will advertise the regular meeting as following the workshop, so the workshop can start at 5:30 p.m. and the regular meeting will follow.

Mr. McGrath asked will we need 30 minutes or an hour?

Mr. Smith stated probably an hour.

Ms. Incandela stated I agree.

Mr. McGrath stated so the workshop can start at 5:00 p.m.

Ms. Incandela asked are the funds we have available to do these projects \$54,000?

Mr. Moyer stated \$50,000.

Ms. Incandela stated we have about \$200,000 worth of equipment to replace.

Mr. Moyer stated for some of these items, such as plant replacement, you have a reserve for plant replacement. We need to get all the numbers on there and then look at what categories of reserves you have. Then we will start funneling money into those accounts to lower your annual expense to try to get it back down to \$50,000.

Mr. Smith stated pool resurfacing is budgeted at \$30,000, and we have to resurface the main pool and the kiddie pool. I will get proposals and meet with the contractors, and hopefully the proposals will be less than \$30,000. From our initial thoughts on a budget number, \$30,000 should be pretty close.

Ms. Incandela stated we are talking about maybe \$25,000 to cover all of our playgrounds, the speed bumps, bus stops and parking.

Mr. McGrath asked with the changes to our rules of procedure, are we required to do a request for proposal under that circumstance?

Mr. Moyer stated no, they are all under the bid threshold. As part of good business practice, Mr. Smith will get several proposals.

Mr. Mastromarino asked if we remove two of the tot lots, will the long-term plan be to replace those areas with turf? Or would we put a swing set in one and make the other a soccer field?

Mr. Smith stated I would like the Board to review the list of improvements and identify where the dollars will come from. We can use it as a tool for the workshop and have a more efficient workshop to go through the items on the list.

Mr. Mastromarino asked will we get those numbers ahead of time for the workshop?

Ms. Incandela stated you have that information now. Mr. Smith will bring a list of the current status of the equipment and facilities in the community. This may be a very short workshop. Outside of pool resurfacing, we have \$25,000 left. If I remember the playground equipment prices, that would cover two playgrounds and would leave us nothing for anything else.

Mr. Smith stated swing sets cost about \$2,500 for a six-person swing set.

Ms. Palmer stated at this workshop, we can also determine what money we have available and what we want to do this year. Then we can allocate a plan for future years. Even if there are things that the Board or residents want to do, we can let them know what we chose to do with the money available this year and how we are choosing to move forward for future years.

Mr. Smith stated included is \$5,000 for drainage at Stargrass. We took a truck over there and cleaned out a lot of construction debris, but we still feel there is an obstruction. We wanted to wait and see if it will drain, but it did not. So we may have to get a diver in that pipe to see what is going on, and that is not cheap. Mr. Simmons is looking at ways to try to figure out what the problem is, but it is something we definitely need to address.

Ms. Incandela asked if we find that it is some sort of defect in the construction, would there be any warranties?

Mr. Smith stated no. When they built them, they may not have taken out all the brick and sometimes there is just a small hole in it because they try to bust out the brick or do it from a different place. There may be a small hole that backs up but eventually it does drain, which tells us it is flowing but there is an obstruction.

vi. New Parking Lot

Mr. Smith stated I provided drawings in the agenda package, and I have better drawings to distribute. I included two options. Option one is our current idea of putting parking farther down the road. The engineer, Mr. Mark Vincutonis, has some emails on this item that I included. The right-of-way we have from the sidewalk back to the buffer is 25 feet. Option one is to put the parking lot on grass, which is where the existing driveway is with angled parking all the way down the buffer or using the space next to the home owner.

Mr. McGrath stated one of the options is not the boxed-in area across the road.

Mr. Smith stated no, none of our options include that since it was just temporary. We would need a driveway on the other side of the lot. You need 29 feet and we have 25 feet. We would need to encroach a little into that buffer, which would be the front end of the car would go over that edge, which is fine.

Mr. Mastromarino asked how many parking spaces are in option one?

Mr. Smith stated it depends how far you go down. We can get at least 20.

Mr. McGrath stated I think that was the target we had.

Mr. Smith stated we would end up having the driveway along the edge of the sidewalk. We will also have maintenance issues and mud. Option two is where the engineers looked at doing on-street parking on the same side of the road as the recreation center and doing striping to create the parking. In the long run, that is more acceptable in an engineering respect.

Mr. McGrath stated we then lose a full lane of the three lanes.

Mr. Smith stated you lose the suicide lane, which is in the middle, which you lose anyway. Now there are two travel lanes and the suicide lane in the middle, which you do not currently use. By having on-street parking, you also create a situation where traffic would slow down. With cars parked along there, that narrows the roadway and puts the two travel lanes closer together.

Mr. McGrath stated on-street parking would probably be the most economical option.

Mr. Smith stated they are similar in price. Option two includes new striping but option one includes another driveway as well as ongoing maintenance in the lot when it gets wet and muddy.

Mr. McGrath stated on the east side, we have existing road now but we just need to stripe it and we are done.

Mr. Smith stated that is correct. You want to restripe this road anyway. You will have people parking on the same side as the recreation center so they are not crossing the street. You could create the bus stop on this side of the street, as well.

Ms. Palmer asked are you saying to use the existing center lane for parking?

Mr. Smith stated no, the center lane will become a travel lane. The northbound lane would become the parking area.

Ms. Palmer stated I see that becoming a nightmare. I know the home owner across the street is not pleased in having parking in their backyard area, but it has an entrance and exit where people will be coming out into traffic. If you use the other lane, my fear is people will be doing u-turns in the middle of Brighton Lakes Boulevard with traffic and kids coming from both directions.

Mr. Smith stated that could happen with either parking option.

A Resident stated I have been studying this issue. All of Brighton Lakes Boulevard has some sort of a buffer or something in the middle between the travel lanes. If you take away that lane right here, then the two travel lanes are right next to each other going in opposite directions.

Mr. Smith stated it is like two travel lanes like anywhere else.

The Resident stated but we have the buffer in the middle now.

Mr. Smith stated yes, but if you drive anywhere else, there are two 12.5-foot lanes next to each other with a stripe in the middle. We have 60-mph highways that are just like that. In talking with the engineer, this setup will reduce the speed of traffic because people will be parking along one side. Cars have a tendency to slow down just because there is a car on the side of the road.

Ms. Palmer asked is it angled or parallel parking?

Mr. Smith stated parallel parking.

Ms. Palmer stated I understand that we are trying to create a solution to the problem, but now you are going to encourage people to be parallel parking and backing up to park. Kids are out in that area. I see it being a nightmare.

Mr. Smith stated this is typical roadway engineering anywhere you go in the State or the country.

Mr. McGrath stated it is even in Celebration.

Mr. Smith stated that is correct, all we have is parallel parking along the roadway. It creates a situation that calms traffic rather than having a high-speed roadway.

A Resident stated this is for a bus stop for kids getting on and off the bus, which makes it a little different.

Mr. Smith stated when the bus comes in, it can park in the front parking spaces right in front of the driveway to the recreation center. We can block off that section of spaces for the bus to pull in, kids can get out of the cars and go up the sidewalk up to the bus.

The Resident stated that is the way it is now and it is not working.

Mr. Moyer stated you cannot pass the bus when it is stopped with the lights flashing.

The Resident stated that is correct, but this is not thought out. Like Ms. Palmer said, people will be making u-turns and other issues, which is pretty much the way it is now. They are parking along the street, and it is not working.

A Resident asked can we pave that parking lot across the street?

Mr. Smith stated yes, you can pave it and make it a parking lot, but you are still going to need two entrances. Now we have traffic running along the edge of that sidewalk. There is no curb or anything. There is the sidewalk with cars driving on the roadway on one side and cars pulling in and out of parking spaces on the other. In talking with the engineer, he said that is worse than what we have now. A roadway engineer knows what works, and what we are trying to create across the street is a parking lot that does not necessarily work because it has a sidewalk right next to a travel lane. You do not have any curb or any protection for that sidewalk.

Mr. Frawley asked instead of angling the spaces to go into the woods, why can you not angle them so they point toward the sidewalk? Then the travel lane will be behind it.

Mr. Smith stated you need those extra feet for the front end of the cars. You could do parallel parking in there rather than angled parking, but then you have the sidewalk next to where people are backing in and trying to parallel park.

Mr. Frawley stated I am saying to have the cars park on the other side.

Mr. Smith stated you then need extra space for traveling.

Mr. Frawley stated the car would be hanging over the buffer area.

Mr. Smith stated that is correct. If you turn it the other way, then the cars will be hanging over the sidewalk.

Mr. McGrath stated option two projects that we begin parking on the east side—the side closest to us now—immediately after the access to the community center and go all the way to Sevan Way. So this starts at the curb. We will really need to make people aware of the change.

Mr. Smith stated we can put up signs.

Mr. McGrath stated at the Sevan Way end, which is the south end of this project, you have an existing turn lane that disappears.

Mr. Smith stated that is correct.

Mr. Mastromarino stated if we were to go with option two, I would not even consider having any parking spaces around a curve.

Mr. McGrath stated maybe start at Huron Circle.

Mr. Smith stated that will work also.

Mr. Frawley asked what about all the empty space where we have the corral now? You do not have any cars there. Where you come off Brighton Lakes Boulevard up the little ramp you built, there are no cars parked in there.

Mr. Smith stated you can put parking spaces in there if you put a fence along the home owners' properties. You can have additional parking over there. You will not be able to put very many spaces in there.

Mr. Frawley stated if you parallel parked along where we previously discussed instead of angled parking, and then add parking in this area, you would be able to accommodate the same number of cars.

Mr. Smith stated yes.

Mr. Frawley stated then the driving lane would be down the woods side of where the cars are, as opposed to the sidewalk.

Mr. Smith stated you can put parallel parking along the edge of the sidewalk, but you will still have cars pulling in along the sidewalk, which is not an accepted practice without a curb. If you have some sort of railing there that goes all the way down, then that might be a consideration. You would need to put up something.

Ms. Incandela asked what is the price for these options? An estimate is fine.

Mr. McGrath asked is there a big difference between option one and option two in dollars?

Mr. Smith stated the startup costs for option one would be less. You will have a fence and landscaping along the fence as well as the other driveway. It is probably \$5,000 for the other driveway. The fence is another \$3,000, so by the time you are done with everything, it is probably \$10,000 or \$12,000 up to \$15,000. Striping is probably \$15,000 to \$20,000.

Mr. Mastromarino asked in option one, if you define it as angled parking lines on the blueprint, how would you do that on the existing lot?

Mr. Smith stated you would not. You would just hope they park that way, which is another problem, trying to define parking without any striping in the parking lot. On the road, you would have striping to control traffic. This grass parking lot will not control traffic. I am telling the engineer what we are really trying to do, and he keeps saying we have no control. If we do not define parking in the lot, then people will park wherever they want.

A Resident asked if you can put lines on the street, why can you not put them in the parking lot?

Mr. Mastromarino stated we are not including that in option one.

A Resident asked what would the hours of parking be? Is it only when the clubhouse is open, until 10:00 p.m.?

Mr. Smith stated you can restrict parking just to daytime hours.

The Resident asked if I park my car there at 4:00 p.m. when I leave for work and then I return at 9:30 or 10:00 p.m., is the car safe to be parked along the street?

Mr. Smith stated it depends what the Board wants to do.

The Resident asked what do the DOT rules say? Is it public parking? If I am at the clubhouse, then I can park there for six hours.

Ms. Incandela stated if this is roadway parking, then this would come under public roads. It is not a private roadway.

Mr. Smith stated you own the roads, so you can make the rule what you want it to be.

Ms. Incandela stated I do not think we can.

Mr. Smith stated it is just like the deed restrictions for a HOA that owns a roadway. You own the roads so you can adopt rules for parking.

Mr. Frawley stated we have rules right now that say we cannot park in the street, but we cannot do anything about it. We cannot tow them or fine them or anything. They are parked up and down every single street in this community. We have had rules in writing since the beginning in our covenants that say you cannot park there, but we cannot do anything about it.

A Resident stated if I am at the clubhouse for five hours working out or swimming in the pool, then I am taking up a parking space in this parking lot for that length of time.

Mr. Mastromarino stated that was the idea behind the parking spaces anyway. If you are here using the facilities, then you can leave your car parked here.

Mr. Frawley stated the guys playing basketball leave their cars parked here for that long.

Mr. McGrath stated also school bus parking was an issue. There were three issues we considered.

Mr. Smith stated the other option would be to take the triangle area and not create a road down here along the sidewalk, which would have a minimal number of cars parking in it. Once again, you have no control of how they park. They will just go in and park.

Mr. Mastromarino stated I think it is easier to monitor an enclosed area. If you allow parking in the street, if someone parks a car there or it breaks down and they cannot get it started, now there is a car on the street. Are we going to have signs that say parking is allowed until 10:00 or 10:30 p.m.? What do we do if a car is parked beyond that?

Mr. Smith stated it is the same thing if a car is parked anywhere else on CDD property. You put a notice on it and tow it, just as if it was out here in the parking lot

Ms. Incandela stated I still want clarification on that issue with respect to parking along the roadway. I think there is a difference between the roadway and the private lot. I do not know if we will have the choice of being able to limit it to daytime parking only if we are expanding the road.

Mr. Frawley stated you cannot tow it off that road if you go with option two.

Mr. Smith stated I do not understand why we cannot tow cars.

Mr. Frawley stated we own the land that it is on and it is a public access road. If we could do that, then we could tow a lot of cars up and down every street that are parking along the road, but we cannot do that.

Ms. Incandela stated if we are going to provide extra parking, there will be issues with people parking where we do not want them. It comes with the territory. There will

be parking on the street. Vehicles will be left there. I do not see that as a major issue if it will correct or improve the other problems that we have currently. I do not like the idea of parking so close to the sidewalk. I do not like the fact that we do not have the budget to be able to do any sort of asphalt or anything to define that lot. Either one will come with its share of problems. We really need to give consideration as to what we are fixing because it has a cost and it will have issues in and of itself, no matter which option we choose. Right now, I am not comfortable with either of them, but I am more comfortable with the proposal from the engineer just in terms of the flow of traffic and the design of these two options. Both will have problems, but I do not know that we have the budget right now to do either of them.

Mr. McGrath stated it is not shown as an option, but if we just begin to utilize that existing corral, we would be improving things. We already spent the money to install the curb. What additional costs would we have? We would just have to remove the sign that says it is only for school bus parking, and we could begin to use it, with limited parking spaces, admittedly.

Mr. Frawley stated option one includes a couple light poles. Where your corral is now, does that go over this area here? It seems to me that the corral goes down farther.

Mr. Smith stated we have the driveway coming in with the arrow where there is a half fence, the corral is right there.

Mr. Frawley stated it looks as you come into that area and take a left and go all the way to the left side of the corral, it is actually down farther than where this elbow is.

Mr. Smith stated no.

Mr. McGrath stated just above the drawing where it says "add fence," that is the property line for the home owner.

A Resident asked why do you not just leave everything the way it is until you have the budget to do the proper improvement?

Mr. McGrath stated I think there are more pressing issues than this, although we want to fix some of them. We already have spent money on the corral project. Do we then decide to just forget it?

Mr. Mastromarino stated if we do nothing else, I think we really have to look at putting a light out at the bus stop. It is pitch black there.

Ms. Incandela stated I thought we added the extra lighting by turning them on earlier. Did that not fix the problem?

Mr. Mastromarino stated no. Are you talking about at the basketball court?

Ms. Incandela stated yes, I thought we turned the lights on earlier.

Mr. Mastromarino stated no, we decided not to because kids would be playing out there in the morning. As I have observed, when it is daylight, kids are out there.

Mr. Smith stated show me exactly where you need a light and I will put one out there.

Mr. Mastromarino stated I can show you tonight how dark it is. Where the bus stop is at the break in the walkway, if you illuminate that area, the bus stops right before that lift station.

Mr. Smith stated I can put a pole and a light there and shine it toward that area.

Mr. Mastromarino stated if we do nothing else, we should at least put in that light. It was an issue that a couple home owners raised.

Mr. Smith stated I can expand the corral, as well, temporarily. I can move it down as far as I can go in either direction and expand it and go back a little to make it bigger for now if it needs to be bigger.

Mr. Frawley asked can you do some kind of marking on the poles in the corral to show where the parking space ends?

Mr. McGrath asked are people using it now?

A Resident stated yes, some are but it is too small.

Mr. McGrath asked if you expand it, can you get another third or could you double it?

Mr. Smith stated I can probably double the size.

Mr. Mastromarino stated if you double it, that is an option. I think we are just spending money.

Mr. McGrath stated that would not be much of a cost. The ground is already there.

Mr. Smith stated I do not charge for my staff to come out and do it. I can send two people out here and they can get it done in a day.

A Resident asked is the back end where it is now as far back as it can go?

Mr. Smith stated no, I can probably go back a little farther. I cannot go back much, though. It is a lot of labor to go back and we would not get much out of it. I can go farther south so when people come in, they would not be parking on the ends or toward the sidewalk. They would just pull all the way in and go all the way to the back. I could probably double that size.

The Resident stated take the sign out unless you are letting them park there whenever.

Mr. McGrath stated due to the impact to that home owner, perhaps we can send them a letter giving them an option. Perhaps their preference would be a fence to block off their view or the view that they would see, or perhaps landscaping would be an accommodation. I do not know if it is necessary because it is our property. If we think it is a good thing for the community and if we can make an accommodation to the home owner, then we will make that decision.

Mr. Moyer stated if there is a sidewalk on both sides of Brighton Lakes Boulevard, and if you force people to cross here and use this part of the sidewalk, you can take out this side of the sidewalk and make it all angled parking as part of the road. We have all seen angled parking right next to a road.

Mr. Mastromarino stated it sounds good, but the driving habits of the people in this community are poor, at best.

Mr. Smith stated he is saying to take the sidewalk on the other side, the west side, and use that as the one-way road and remove the sidewalk on either end. Turn that into the road and use it to angle the parking, but you will lose the sidewalk on that side of the road.

Mr. McGrath stated people who want to walk can just go through the parking lot.

Mr. Mastromarino stated that sounds costly.

Mr. Moyer stated there is no question that you would have to pave it.

Mr. Smith stated I think it is an eight-foot sidewalk since it is part of the trail.

Mr. McGrath stated no, the east sidewalk is the wider of the two.

Mr. Smith stated you would have one run of paving on top of it, and you could turn that into the road, making it a 10-foot-wide alley-type road.

Ms. Incandela asked can you bring the pricing proposal for that option to the workshop?

Mr. McGrath stated it is a good idea.

Mr. Mastromarino stated then that roadway becomes the parking area.

A Resident asked are you going to cut into the sidewalk to make angled parking in the street?

Mr. Moyer stated yes, that is my suggestion. It would be like Sycamore Street in Celebration where we have angled parking across the street from the office building. Do exactly the same thing. Just reproduce that over here.

Mr. Smith stated the problem is now we are tearing out that right-of-way and we will have to put in base and curbs. It will cost a lot of money. What I am thinking of is using the sidewalk and doing one pour of asphalt covering the sidewalk from Huron all the way down to Maracaibo and closing the sidewalk. People will need to use the sidewalk on this side.

Mr. McGrath asked all the way to Maracaibo?

Mr. Smith stated you would have to because there is no crosswalk until there. You would have to take it down to the crosswalk.

Mr. McGrath asked what about Sevan Way?

Mr. Smith stated there is no crosswalk at Sevan Way that goes across the street.

Mr. Moyer stated obviously we are not going to come to a conclusion tonight. I just offered something that I thought would work. Mr. Smith and I can discuss it further, and he can get prices for it. I hear the struggle going back and forth, that there really is no good solution to the problem. If there is a solution and it just costs money, then we budget for it and figure out how to handle it.

Mr. McGrath stated we also have a parking lot here with a green area in front of it. With the dollars we are looking at, maybe that becomes a new option.

Mr. Smith stated those home owners already have a fence. If you look at the drawing, we would actually have more room there. We could look at the area across the street on Chapala.

Mr. Frawley stated it does not address the basketball court parking.

Mr. Smith stated no, and that is the reason we did not consider it.

Mr. McGrath stated also because of the school bus. We will continue to discuss this at the workshop. Mr. Smith will look for other ideas and their associated cost for us to consider. That will help us make the decision more than anything else.

Mr. Mastromarino stated I think it is a budget item. I think the intermediate solution is the lighting over there, at least for now.

vii. Miscellaneous Field Issues

Mr. McGrath stated over a year ago, the property that was going to be the school was sold. About a month ago, I read in the Osceola newspaper that there are going to be new schools starting, one of which is going to be called Brighton Lakes Charter School. Two weeks ago or less, I saw surveyors in that area. Last week or thereabouts, Mr. Frawley and some of the neighbors saw some activity back in that property. I do not know

anything except maybe that means someone is going to use that property. I do not know what impact it will have on us, if any. If it looks like the school at the end of Pleasant Hill Road or Hoagland, the parking will need another lane. I just bring this up to say we could have someone building a school here.

Ms. Palmer stated if something is built in there, it is within the District. Will they pay assessments, the same as the residents?

Mr. Moyer stated I will need to check with another attorney friend who counsels Remington, in which there was a charter school. That case went to court because the charter school said they did not have to pay assessments. I do not recall what the outcome of that case was, but I will check and let you know whether or not we can force them to pay assessments.

Ms. Palmer stated especially if they are going to be utilizing our roads. There will be so many cars using the roads who are not residents.

Ms. Incandela stated it will create more of an issue with traffic and an issue with the gatehouse and maintenance and trash.

Ms. Palmer asked is there a way to find out if there will be a school going in there?

Mr. McGrath stated I do not know.

Mr. Mastromarino stated even if it is not a school, if anything goes in there, it will create more of a burden for Brighton Lakes.

Ms. Palmer stated I agree.

Mr. McGrath stated perhaps someone else may know who to contact, if there are zoning issues or a public hearing.

Ms. Palmer stated if it is a charter school, we should be able to contact the Osceola County School Board to see if they have approved the charter for that area.

Mr. McGrath stated I will try to find out.

Ms. Palmer stated all charters have to be approved by the Osceola County School Board.

Mr. McGrath stated it seems to me that in the article, they were talking about 2015. I will see what I can find out. We need to be thinking about it. If it is something that will impact us, we need to know about it ahead of time if there is any mitigation we can make before it is built.

Ms. Incandela stated if that is zoned for a school, there really is nothing we can do.

Ms. Palmer stated it is zoned for a school, and it makes sense because that is what it was originally zoned for and what we originally talked about. If they wanted to change it, they would have to go back to the zoning committee to get the use changed to something else. They can put a school in there. It is now a matter of whether or not we can charge them an assessment and what the impact would be on our roads.

Mr. Mastromarino asked if they built a school or something, would that pond be used by them or would they have to build their own pond?

Mr. McGrath asked would they even need a pond?

Mr. Smith stated both of the ponds on either side have capacity for that development. I would be surprised if they even built it that way.

Mr. McGrath asked is the pond CDD property or part of the 11 acres?

Mr. Smith stated it is a CDD pond.

Mr. McGrath stated then all they have is land.

Ms. Incandela stated anything we would need to give in terms of easements or anything they need from us in order to move forward, whether they have to use those ponds as overflow for buildings, they will need to contact us.

Mr. Smith stated they would need to provide us with a set of drawings. They would need to show how they would use the pond, where they are going to put the pipe and how they are going to connect to our pond. We would get information from them and pass it to our engineer for review. Once he reviews it and approves it, then they are authorized to do the work.

Ms. Incandela stated we would have two ponds located very close to where a school is located. Do we have any concerns about liability with respect to those ponds? Do they have to be fenced off or monitored?

Mr. Smith stated I think the school would have to do that.

Ms. Incandela asked do we absolutely have to give them the ability to use those resources?

Ms. Mackie stated my initial response is no. If there is no existing drainage easement on a plat from that property running into the District's existing pond, there would not be a requirement that we provide them drainage access to existing ponds. We would need to check the plat.

Ms. Palmer stated I do not think there is anything in there because they were stopped almost immediately when they started building on that property because eagles were

there and there was an eagle's nest. I heard the nest was not viable after a while, but the fact is, at that time, no building could occur because of that nest.

Ms. Incandela stated I do not think it is in the best interests of the community to have a charter school there now. I would be concerned about any permission that we would have to give them. I would like to know in advance if we are approached what we need to do in terms of being required to grant them access to any of our resources, including ponds for drainage or anything they would need that might give us the opportunity to prevent them from building there.

Mr. Mastromarino stated irrigation, as well.

Ms. Incandela stated if they are going to build there and we cannot prevent it, we need to know what to do in terms of assuring that we do not have liability issues with respect to kids near those ponds, which are really close to that structure.

Ms. Mackie stated I am happy to look into that. The District is not forced to provide access easements for drainage if the drainage improvement was not built to provide drainage to that facility as a public improvement. I will look at the plat. Your concerns are valid. I will look into that and report back to the Board at the next meeting.

Mr. Frawley stated I saw the well truck there myself, and then later they brought in a huge rig. I did not see it myself but a neighbor saw it and told me where it was and what they were doing with it. Do they need a permit from the County to drill a well?

Mr. Smith stated he is not drilling a well. He is drilling a core sample.

Mr. Frawley asked do they need a permit to be able to do that? If so, then we can go to the building department and find out what it is for.

Mr. Smith stated they have probably already gone to the County and this is part of their permit process that they have to get these core soil samples to go through the process. If they own the property, they probably already contacted the County and told them what they were doing as part of that process. That is one of the steps they have to do, so they probably have a permit.

Mr. Frawley asked can we go to the building department and get information about who these people are and what they are doing?

Mr. Smith stated I imagine you can call your County Commissioner and ask who is building out here.

Ms. Incandela asked what is the issue? If they do not use any of our resources to put that building there, would they be able to create their own drainage and still have enough room to do what they need to do on the property?

Mr. Smith stated they have a wetland behind them, so they will probably build a retention pond in the back of their property that goes into that wetland if they cannot use our ponds.

NINTH ORDER OF BUSINESS

Submitted Resident Questions and Audience Comments

There being none, the next order of business followed.

TENTH ORDER OF BUSINESS

Supervisor Requests and Comments

Ms. Incandela stated the agenda says that our next meeting is scheduled for January 28, 2014.

Mr. Moyer stated that is a mistake.

Mr. McGrath stated I think it would be a good idea for us to either buy new chairs for our meetings or get pads for these chairs. The Board members have cushioned chairs, and we have many meetings here for crime watch and others. It is something to consider. Thank you for putting in the bicycle rack. As I drove up, I did not see any bicycles attached to trees, but I did not see any in the rack, either. Is it for six bicycles?

Mr. Smith stated probably for six.

Mr. Frawley stated you could get eight in there: three going one way, three going the opposite way, and one on each end.

Mr. McGrath stated I propose that we prepare a little sheet of paper that we can attach to the bicycle if it is parked against our trees or anywhere other than the bicycle rack that says simply please use the bicycle racks. If that does not work, if they are parked on our property, then we can cut the locks off and do whatever is legal to make people use the bicycle racks.

ELEVENTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

TWELFTH ORDER OF BUSINESS

Adjournment

The next workshop is scheduled for Thursday, January 9, 2014, at 5:30 p.m.

The next meeting is scheduled for Thursday, January 9, 2014, at 6:00 p.m.

On MOTION by Ms. Palmer, seconded by Mr. McGrath,
with all in favor, the meeting adjourned at 8:30 p.m.

Gary L. Moyer, Secretary

Michelle Incandela, Chairman