

MINUTES OF MEETING
REMINGTON
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Remington Community Development District was held on Tuesday, March 30, 2021 at 6:00 p.m. at the Remington Recreation Center, 2651 Remington Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

Kenneth Soukup	Chairman
Pam Zaresk	Vice Chair
Brian (Ken) Brown	Assistant Secretary
Tim Mehrlich	Assistant Secretary
Diego Benson-Valdes	Assistant Secretary

Also present were:

Jason Showe	District Manager
Scott Clark	District Counsel
Pete Glasscock	District Engineer
Alan Scheerer	Field Manager
William McLeod	DSI Security Services
Rich Hunter	DSI Security Services
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Soukup called the meeting to order at 6:00 p.m. and Mr. Showe called the roll. A quorum was present.

SECOND ORDER OF BUSINESS

Modifications to Agenda

Mr. Showe: We have none.

THIRD ORDER OF BUSINESS

Security Report from DSI Security Services

Mr. McLeod: This is the report for this month. The Partin Settlement Road gate had 1,480 visitors and 4,325 residents. The E. Lakeshore Boulevard gate had 1,395 visitors and 4,135 residents. Security rovers issued a total of 66 citations. We had 0 tows and 0 repeat offenders. We

had some challenges this month in particular with training. Once we train officers sometimes they go off on their own and do what they are used to doing. This proves to be a little challenging sometimes. Security officers tend to show up early for a shift and think that they can leave early. That poses a problem. We had a couple of instances where they were leaving the Partin Settlement Road gate a little early. We retrained them and told them that the Partin Settlement Road gate cannot open until 6:00 a.m. Both gates cannot open until 6:00 a.m. They haven't had an issue since. We also had no officer being trained on the roving patrol. That was causing an issue by going to residents' houses that were parked in the road. Instead of issuing citations, they talked to them first about it. This officer comes from a different environment where we deal with a lot of customer service and tend to try to reach out and resolve the situation before we take it to the next step. So, in his mind, giving the ticket was the final step and he wanted to ensure that we gave the resident every opportunity to move the vehicle. He has since been trained and we haven't had an issue since then. That's all I have to report.

Ms. Zaresk: On Friday night, I received a phone call at Midnight from a resident that said they came through the E. Lakeshore Boulevard gate at 11:00 p.m. and no one was in the guard shack and the gate was up.

Mr. McLeod: Really?

Ms. Zaresk: Obviously, I didn't bother calling you, but I'm just simply saying.

Mr. McLeod: By all means, if there's a question as to whether or not an officer is there or not, please call me.

Ms. Zaresk: You had no report of anybody not being there?

Mr. McLeod: No ma'am. Our officers have to log in by using a telephone system that is log tight. They can't not be in the area that they say they are in. They could've been in the restroom. It could have been a number of things. If there is ever a question, please feel free to call me.

Ms. Zaresk: Okay.

Mr. McLeod: You said it was the E. Lakeshore Boulevard gate?

Ms. Zaresk: Yes.

Mr. McLeod: On Friday around 11:00 p.m.?

Ms. Zaresk: I think it was either Friday or Thursday night. All I know is I was at my parents' house and I received a phone call at Midnight. This person, I'm not overly concerned with, which

is why I didn't call you, but I wanted to ask if something happened on either one of those nights that might have made that situation.

Mr. McLeod: By all means, if there is ever a question or a doubt, please call me.

Ms. Zaresk: Okay, but your records show it was covered, unless they were in the restroom.

Mr. McLeod: Yes ma'am.

Mr. Scheerer: We didn't see anything either.

Ms. Zaresk: Okay. Thank you.

Mr. Benson-Valdes: Last month, there was an issue of them not being at the gate or leaving early. That was brought up in your educating the guards. It happened this month as well because I caught them. That's why I emailed Jason. One of them was actually out 30 minutes prior. She was in her car away from the gate. That is what someone said.

Mr. McLeod: Right. I'm familiar with that incident.

Mr. Benson-Valdes: Regardless, that's wrong.

Mr. McLeod: We addressed that.

Mr. Benson-Valdes: So, we should not expect this to happen again. Correct?

Mr. McLeod: Right.

Mr. Benson-Valdes: This is the second month in a row that's happened. Now, my next question is related to the parking violations and repeat offenders. The tracking system that you use, should use unique identifiers to determine if somebody is a repeat offender, as you are calling it. Correct?

Mr. McLeod: They are writing down what they do. They are logging down the people they issue tickets to.

Mr. Benson-Valdes: So how do you or someone determine if these individuals are repeat offenders? There have to be unique identifiers. You go into the system and click on, "Address," and it generates who is at that address.

Mr. McLeod: We don't have a system like that.

Mr. Hunter: What we are doing is writing information down and uploading it on an Excel spreadsheet and each ticket. It will have their license plate, name and location. So, we can identify through Excel if that person is a repeat offender.

Mr. Benson-Valdes: There is a certain reason why I ask this. After what happened with that officer going inside someone's home, I requested the logs from you that were being generated

every day and the tickets. Jason is my witness that I read them all. I noticed a pattern that may be inconsistent to determining whether someone is a repeat offender or not. Your officers, are not writing in areas where there are unique identifiers like location. There's nothing. Now the description, tells me everything that happens including the address. To me, we need that in order to determine that individual is a repeat offender. That should be in the location.

Mr. McLeod: It can't be in "*location*." The location is generated where we would have to go in each individual address of all 1,800 houses in here. What's in there are streets.

Mr. Benson-Valdes: So, it's a drop down.

Mr. McLeod: Right. The only identifier you can really put in there is what street they are on.

Mr. Benson-Valdes: There's nothing being written there. Everything is written in the description. I'm trying to point out a possible flaw. You are using someone's memory in order to determine a repeat offender.

Mr. McLeod: Right.

Mr. Benson-Valdes: It should be automatic. You are using the software. I use software all the time and you should not use your memory to tell you, "*Hey, this person or thing happened a lot.*"

Mr. McLeod: With this particular software, I haven't seen where I can particularly track an individual license tag unless we go in and put in all of these addresses or a specific address.

Mr. Benson-Valdes: I think we are definitely issuing more citations, but not having more repeat offenders. It looks like that is the disconnect.

Mr. McLeod: Correct.

Mr. Benson-Valdes: There are people who are repeat offenders because they have been here for a couple of years. For me not to see a repeat offender is inconsistent. There has to be a flaw in generating the information, because a system has to be user friendly in order to generate that request. I'm just putting it that way. The other thing is by seeing all of these daily reports, at the last meeting, it was determined that all of the checkpoints were going to be put in.

Mr. McLeod: Yes.

Mr. Benson-Valdes: So, all of the checkpoints are in. Right?

Mr. McLeod: Yes.

Mr. Benson-Valdes: You said it was going to be a week from the last meeting. One of the things that I determined when I was reading the daily logs, is at certain points, depending on who the officer may be or not, it stops at 10:00 p.m. and there are no more roving checkpoints.

Mr. Hunter: They are still roving. I don't know if you can see it. We can go in and determine where the officer is at all times during the night. He has a GPS. When we set up the tours, there are only three tours set up. So, each time the officer repeats that tour, that is when it stops for that particular tour. So, you might have only a total of three tours that happen on a particular night.

Mr. Benson-Valdes: So, they are still roving around.

Mr. Hunter: Absolutely.

Mr. Benson-Valdes: But we are not able to determine that by any report. That is a possible flaw there. I am telling you that it looks like your roving guard stopped at 10:00 p.m. I think this was yesterday too. There was nothing going on.

Mr. Hunter: There was a tour set up from 6:00 p.m. to Midnight. There was another tour from Midnight to 3:00 a.m. and from 3:00 a.m. to 6:00 a.m. or 7:00 a.m.

Mr. Benson-Valdes: Alright. So, from this point on we should see them.

Mr. Hunter: We will get it taken care of.

Mr. Benson-Valdes: Alright. The next one had to do with the broken gates. That didn't have to do with them.

Mr. Scheerer: They are all fixed. Right?

Mr. Benson-Valdes: Yes. I just wanted to make sure. One of the reports was there was a broken gate. We have cameras. Can we determine who broke the gates?

Mr. Scheerer: We checked the cameras of the DVR at the Partin Settlement Road gate, but when we tried to retrieve the information the next day, the DVR wouldn't boot up. Unfortunately, it just got replaced yesterday.

Mr. Benson-Valdes: Okay, from this point, we should be able to go after anyone who breaks the gate.

Mr. Scheerer: Yes.

Mr. Benson-Valdes: This month, if I remember correctly, it broke four times.

Mr. Soukup: One was a maintenance issue. I think.

Mr. Scheerer: One was a maintenance issue and it was just a matter of putting the gate arm back on. There was no damage. Each gate did require a brand-new gate arm because they use nylon

nets on those gates and when someone hits it, they just pop off. The majority of that was us going back in there. Like the other day, I received a text and the next morning I was here and just put the gate arms back on. There was one at the E. Lakeshore Boulevard that I did this morning or yesterday. It was just a matter of popping it on. There was no damage. We didn't need to go after anybody for insurance or restitution.

Mr. Soukup: One of the issues that we had with the previous security company was some of these houses constantly have parties. We have one on our street where four or five times a month, they have 10 to 15 cars. They do what they are supposed to do and call it in. Is there any way for your staff to be able to flag that? You've done this so many times when there's a call for cars on the road. It's to the point that it's down to the other houses on the street.

Mr. Hunter: Do you want me to notify the Board?

Mr. Soukup: I don't know. The problem is we discussed before that if we felt that someone was abusing the parking rules, we could address that. We need to see also the request that they are making for street parking for visitors, because they are exceeding the design rules. That's the idea. So, they are doing what they are supposed to do, but if there are 10 cars in front of a house and they do it four or five times a month, that is in the CNR Rules.

Mr. Hunter: Effective immediately, we will start policing that.

Mr. Soukup: Exactly.

Mr. Hunter: We will call them and see if we can track them on the system.

Mr. Soukup: Right. Then we can forward it to Jason. Are there any other questions for security?

Mr. McLeod: If someone calls in and say they are not a guest, do you just take their word for it as opposed to whether they are a homeowner?

Mr. Benson-Valdes: The process is the homeowner has to call and announce guests.

Mr. McLeod: Yes. I'm asking if a homeowner calls himself in as a guest and parks their vehicle in the road, do we just take their word for it?

Mr. Showe: Yes. We have no access to Driver's Licenses or registration information, so we kind of have to. That is why time limits were put in the rules. We have been discussing with security now, especially since they have been here about 60 days now, targeting some of those homes that we think are circulating through the process.

Mr. Soukup: We can kind of track the request too. You may see some of what he is talking about.

Mr. Mehrlich: I've seen what I think is the renter in a particular house and then I see his vehicle called in on several hand filled out sheets. That guy lives here. His car is parked in the garage now, but last month he called it in several times to park it on the street. I didn't think you had to check them out, but obviously you do.

Mr. Showe: They can call in for a 30-day period.

Mr. Soukup: Are there any other questions? Hearing none,

FOURTH ORDER OF BUSINESS

Public Comment Period

Mr. Soukup: At this time, we will take public comments. Please state your name and address for the record and try to keep your comments to three minutes or less.

Resident (Westmoreland Circle): My question is on parking. The process is to send a photo when a car is parked outside in one place for six days. Right?

Mr. Soukup: Is it a car that has been parked on the street for multiple days?

Resident (Westmoreland Circle): Yes.

Mr. Showe: It should go to security first.

Mr. Scheerer: It has to go to the rover.

Mr. Showe: I think they set up an email address.

Mr. Benson-Valdes: Call the guard.

Mr. Showe: They can call the guard.

Mr. Benson-Valdes: Leave a message.

Resident (Westmoreland Circle): Can we park the same car in the street four times a week?

Mr. Benson-Valdes: It can be in the street for seven days over 30 days.

Mr. Soukup: Seven days consecutively.

Resident (Westmoreland Circle): I have two houses. One is 114 Westmoreland Circle. I don't want to say the other address because I don't want a problem. I never have a problem at the other location, not with my neighbor, not with my car. I only have a problem with this house, every day. When I pay for a groomer to come to my house, the truck stays outside, but they will come and put a sticker on the truck. She stays inside. I'm told, *"I'm sorry, your neighbor called and I need to put on a sticker."* Who is the boss? My neighbor?

Mr. Benson-Valdes: I think what we are trying to tell you is you can park your vehicle seven days for 30 days. It doesn't matter what vehicle so long as it is seven days. Beyond seven days, you are going to get a ticket.

Resident (Westmoreland Circle): Okay. One car?

Mr. Benson-Valdes: Any car.

Mr. McLeod: No, it is not any car. It is a guest vehicle of a resident. A resident can only park on the street for 30 minutes at a time.

Resident (Westmoreland Circle): When my daughter comes to my house for dinner, the guard says, *"It is not possible because you parked in the street for six days in a row."* My daughter comes every day to my house and she gets a sticker. One time when I sent the photo, the guard came to my house and towed the car. I paid \$250 for that.

Mr. Benson-Valdes: If you exceeded beyond seven days, you get towed. It is not per vehicle.

Resident (Westmoreland Circle): I know. I understand what you are saying. It is not for seven days. I have a problem every day. The police come to my house when I cut the grass.

Mr. Soukup: That's a separate issue that obviously we can't address. This is security and they have their rules to enforce because that is what the procedures are here.

Resident (Westmoreland Circle): I tried to come here to speak to an aide. She closed the door in my face.

Mr. Soukup: If you get their email address, you can send an email. Then you will have a record of what you sent to them. That would be your best course of action.

Resident (Westmoreland Circle): It is only at 114 Westmoreland Circle. I have nine other houses.

Mr. Soukup: If you sent an email, then you have a record that it was sent. So, you are going to address that with them and we can move along. Are there any other comments from residents?

Resident (Chassidy Bowles, Westmoreland Circle): I was wondering about the road resurfacing. Are you going to continue to resurface all of the roads or just the ones you have done so far? Westmoreland hasn't been resurfaced since I first moved here in 2009.

Mr. Showe: We started when we refinanced the bonds.

Mr. Soukup: Do you have any idea what the schedule for that one is?

Mr. Glasscock: Back in 2007 or 2008, you had us go out there and assess all of the roads. Then we came up with a plan for the resurfacing. We just finished all of Remington.

Mr. Soukup: So, everything has been done in Remington?

Mr. Glasscock: Yes. I think we started in 2007. So, it's been almost 15 years.

Mr. Showe: What is the approximate life on those, Pete?

Mr. Glasscock: You should get about 15 to 18 years out of them.

Mr. Soukup: So, its 15 years from 2007.

Mr. Glasscock: You are getting close.

Mr. Soukup: The other ones hadn't been done in that time frame.

Resident (Chassidy Bowles, Westmoreland Circle): The roving patrol doesn't have a number anymore, so how is a neighbor calling on him all the time?

Mr. Benson-Valdes: They can call the guardhouse.

Mr. Soukup: Because that roving patrol cellphone went with the other company, we instructed people to call the guardhouse. That's probably what he was doing.

Mr. Brown: If he's texting pictures, he's probably texting them to the old number.

Mr. Soukup: He could be.

Mr. Showe: The guards explained the process to them.

Mr. Mehrlich: He's saying that she's calling all the time.

Mr. Soukup: Right. We will take it with a grain of salt. He was talking about Chastity.

Resident (Chassidy Bowles, Westmoreland Circle): He's the renter next door. He's a boldface liar saying that I call all the time.

Mr. Soukup: That's fine.

Mr. Showe: That's actually one of the issues we are going to bring up during the meeting today.

Mr. Soukup: Right. Are there any other comments?

Resident (Red Miller, Berkeley): I just have a technical question. Last time we discussed the driveway extensions. I'm just curious. The HOA is supposed to police the trees. If someone replaces a tree on CDD property for whatever reason, are they then responsible if someone trips and falls on the sidewalk?

Mr. Showe: No. The sidewalk is always the CDDs responsibility because that is our infrastructure. The trees are a maintenance responsibility of the residents.

Mr. Soukup: Just like cutting the grass is.

Resident (Chassidy Bowles, Westmoreland Circle): What if somebody takes up the sidewalk? I saw a violation go out not too long ago from the HOA when someone widened their driveway too much and they had taken up the sidewalk and included pavers.

Mr. Benson-Valdes: We have a 50-page report on that tonight.

Resident (Red Miller, Berkeley): Are you saying that the homeowner has the same responsibility whether he put in the tree or the CDD put in the tree?

Mr. Showe: The sidewalk is always the CDD's responsibility.

Mr. Scheerer: The area between the sidewalk and the curb is the responsibility of the homeowner for maintenance. We make sidewalk remediations. As Mr. Valdes said, we have a report on the agenda tonight outlining several different modifications. We will figure out what goes on with that, any of the tree trimming and all of that. I believe the Declaration of Covenants, Conditions and Restrictions (CC&Rs) were changed a few years back to put that responsibility on the resident. It used to be the HOA.

Mr. Soukup: We have done tree trimming for the paving project to allow access to equipment.

Mr. Scheerer: The reason why all of those neighborhoods were done was because of the paving project. So, if we did another one, then I'm sure that the Board would direct staff to do the same thing.

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

FIFTH ORDER OF BUSINESS

Approval of Minutes of the February 23, 2021 Meeting

Mr. Showe: We received some corrections on Page 2 from Mr. Valdes. We can take any other questions, comments or changes at this time?

Mr. Soukup: Are there any other corrections? Hearing none,

On MOTION by Ms. Zaresk seconded by Mr. Brown with all in favor the Minutes of the February 23, 2021 Meeting as amended were approved.

SIXTH ORDER OF BUSINESS

Discussion Items

A. Driveway Report

Mr. Showe: Alan completed the Driveway Report as requested by the Board. I will have Alan present it.

Mr. Scheerer: Included in today's agenda is what we did and any modifications that we saw. Some are simple as maybe some old stain that had been there for a long time. Some homes like in Strathmore, had taken out the sidewalk and did the entire driveway or a half moon driveway. There were some modifications with extensions on the side. One house in Strathmore, put in a sidewalk. I tried to be as thorough as possible, even though some of them may not have been pertinent to the CDD. While I was out there, I documented everything. If they didn't make any modifications to the sidewalk per se or anything outside of the driveway apron, they were not included in your report. I tried to highlight with arrows like at 142 Burrell Circle where someone put in some pavers on the side to give you an idea if you want to go by to check some of this yourself. Other than that, I'm not sure what the Board wants me to do with the information. We can reach out to the HOA to see if anyone got permission for these modifications.

Mr. Soukup: I think that is a good step.

Mr. Scheerer: Typically, those modifications would have been approved by the HOA at some point. Some of these are very old, with the HOA changing hands over the years from God knows where to where you are now.

Mr. Benson-Valdes: It is my understanding that the HOA doesn't approve aprons.

Mr. Soukup: Not the apron.

Mr. Benson-Valdes: At this point, I think we should send homeowners a letter saying that they need to sign a waiver.

Mr. Soukup: For each of these homes?

Mr. Benson-Valdes: For each of those homes. We can ask your attorney to do that on behalf of the CDD.

Mr. Clark: Yes. That was the policy that we did some time ago when we had one request. For all of these issues, it probably doesn't make sense to ask them to do anything other than being in compliance, but we have a waiver where the homeowner acknowledges if we had to do work, we didn't have an obligation to restore the additions being made and maybe one or two other things that are covered in that agreement. If they ask, you probably want to communicate to the HOA

what our process is and that they need to send people to us. Then I would reach out. I guess we can create a generic document without names filled in and send with the letter. We may get some that way, but we will probably have to follow up with them, if that is what the Board wants to do.

Mr. Benson-Valdes: The Board can vote on it. I think the last time you stated that this would put Remington CDD under liability as a whole if something were to happen.

Mr. Clark: Those things increase liability if they are not done and maintained well. They can be trip hazards. They can be slippery if they are not done well. So, we want to try to protect ourselves as much as possible.

Mr. Soukup: With reduced exposure. So, based on that, does the Board want to make a motion to send the notices?

Mr. Clark: To do what?

Mr. Soukup: To notify the homeowner on these additions or extensions of their driveway, understanding their requirements for the insurance and reducing CDD liability.

Mr. Showe: The motion would be to direct staff to notify each owner in the Driveway Report.

Mr. Brown: We will specifically tell them that it is the sidewalk and apron, because it's not really anything they did to their private property.

On MOTION by Ms. Zaresk seconded by Mr. Brown with all in favor directing staff to notify each owner in the Driveway Report that made modifications to the sidewalk after coordinating with District Counsel was approved

B. MSTU Streetlights

Mr. Showe: We have the Board go over this before we start the budget process. I know that we are looking at an assessment increase. In your agenda package, is basic information that we received from the Municipal Service Taxing Unit (MSTU) Department for Osceola County. I took some of that and provided the Board a summary that I completed. These are all estimates. We did not get a roll from them showing how much each resident pays, but you can calculate it based on the mileage rate and assessed values. I did that for you. The MSTU is based off of the assessed value of your property. Everyone pays a different amount for the streetlighting portion. If the CDD were to do it, you would have to essentially assess everyone on an equal basis. We don't have the

ability to do it by property value, so this creates a different method of assessment. That creates some challenges for people that have already been assessed. They estimated an average of \$72,000 for their expenses. For 2022, I added 10% just as a multiplier. We know that gas prices are going up. We grossed those up, which covers our cost of collections. We estimated our cost at around \$84,000. If you take that per unit, that's about \$47 per unit. We rounded that up to \$48 for purposes of evaluation. So almost 300 homes will actually go up in assessments by \$48. Then the rest of them go down to varying degrees. I will note that based on the way they calculate those assessment values, it does impact people that actually live here a little more than people that don't live here because they are already high on the scale anyway. They are the ones that benefit from a flat rate. There's a pie chart showing what the rate is and how much assessments will increase/decrease and the decreased dollar values. It is complicated. If we decide to go this route, it's going to be incredibly complicated when people call about the assessment letter to explain to them that this amount that is on their tax bill, is increasing, but it might be less.

Mr. Soukup: They are not going to see that.

Mr. Showe: No. The county just got back to me on the way here. They want a flat rate of approximately \$52.54 per homeowner. So that changes the number a little bit and actually increases the assessment for about 410 homes. So, the risk goes down slightly. This item is more for discussion. If you want to move forward, you are going to have to let the county know so they can start the process. I will note that it is going to be incredibly complicated based on the different ways that these entities assess.

Ms. Zaresk: I would like to revisit this. What I think started the discussion was our whole purpose for looking at this. We thought that we would serve ourselves better. Is that correct?

Mr. Soukup: I believe so, yes.

Ms. Zaresk: Okay. We are talking about getting involved in all kinds of financial explanations ups and downs, things that aren't transparent to people in order to maybe cut off a month's servicing time when a light goes out.

Mr. Brown: I only bring it up because we looked at it a few years ago too. We are doing the streets. We do the landscaping. We do everything else. If we wanted to take over the lights because we already paid for some lights, then it just makes sense to have it all under one umbrella.

Ms. Zaresk: Okay.

Mr. Brown: It may not. I think she might have sent you a roll also.

Mr. Showe: I did not receive it. I used our roll, which has the assessed values and mileage rate. Based on some spot checking that I did, I feel like the numbers are accurate.

Mr. Brown: She gave me the low and high amounts today. The low amount was around \$50. The high was \$142.

Mr. Showe: I got a low of \$12.

Mr. Brown: So, there were some outliers that weren't homes because they are assessing every property. I don't know what HOA owns property. Is it Club Villas?

Mr. Showe: Maybe.

Mr. Brown: There was an HOA property that had \$2.

Mr. Showe: We also have sold neighbors on the Assessment Roll.

Mr. Brown: That did come up today. They asked me, "*Why is that?*" I said that I have no idea why they were carved out originally, but they appear to be included back in 2005, but nobody knows. So that changes her numbers a little bit because she had less houses that she was basing her pricing on for the Municipal Service Benefit Unit (MSBU). It might actually go down slightly with more houses.

Mr. Benson-Valdes: How big was that neighborhood?

Mr. Showe: Fifty-three lots.

Mr. Benson-Valdes: That's a lot for someone to miss it for many years.

Mr. Soukup: That's food for thought.

Mr. Mehrlich: I think it was a good exercise to see what we would be looking at. I don't see the gain now.

Mr. Brown: When they talked about doing the MSBU, I don't know why they didn't do it a few years back, because they converted a lot. I don't know if it was because of that question about the legal description that one community was excluded or if it was because we have two different utility companies that we pay.

Mr. Benson-Valdes: I have a question regarding that community. Was it only excluding this cost or the total assessments?

Mr. Brown: No, just that house.

Mr. Showe: Now, I did factor all of that for this purpose. I had them all at zero.

Mr. Soukup: Okay. Are there any other questions?

Mr. Showe: For the installation, we can move forward with taking over that service, because I think we have to let the county know so they can process it. It's really up to you. It's going to be a messy complicated explanation.

Mr. Mehrlich: The explanation is complicated. Once all of this is over with, it makes sense for us to take care of the lights.

Mr. Showe: You are assuming liability that you currently have. So that's the issue to think about. We typically don't recommend you add responsibility to the CDD that you don't have, unless there is some major benefit to do it.

Ms. Zaresk: I guess my question, Tim, is whether it is messy or not, but if were to add it, the accountability that we have to the people in the CDD, I could never explain it to him. I'm grappling with transparency. If somebody walks in here and asks, "*Why is this, this way,*" that's what I worry about,

Mr. Mehrlich: I'm neutral on that. We will cover it one way or the other.

Mr. Soukup: I can't see any real gain for us to take on more liability and increase assessments. Do we need a motion to table this for now?

Mr. Showe: I don't think you need a motion. We have the information. I don't get the sense that they would say no in the future. So, it's something that we will take on in the future. We really need to have a discussion because we were planning on bringing the budget to the next meeting. This would have to be included as part of that.

C. Resident Easement Request

Mr. Showe: This item is not so simple either. We received a request from a resident who would like to build a pool at 2628 Balmoral Court. We included a map. The challenge is that he has no access on either side of his house. The only access is to the southwest of this property where there is a brick wall. So, his request would be to remove the brick wall, build a pool and then put the brick wall back. That's not something Alan and I felt comfortable with. Alan has some comments on it.

Mr. Scheerer: Is the Board well aware that we have an old Norwegian brick wall and we can't match the brick? You have a large pool in that area, not only in the landscaped area, but on the sidewalk. As you turn onto Knightsbridge Boulevard, it's the third house. I think it presents some challenges from a traffic standpoint. Clearly it's the Board's decision, but in order for the

wall to be rebuilt, I doubt that they are going to be able to utilize everything that was removed. He wouldn't do it. He would get a contractor to do it. I would feel more comfortable having our staff do it based on our estimate rather than him sending a bunch of people out. Maybe they will do a great job or maybe they won't.

Mr. Soukup: Any time we had a repair, it stands out like a sore thumb. You know right where it's at.

Mr. Scheerer: Yes.

Mr. Benson-Valdes: So, there is no way of getting the machinery between both homes?

Mr. Scheerer: No.

Mr. Showe: A lot of residents have a pool and a fence.

Mr. Scheerer: He has HVAC on one side with a little bit on the other.

Ms. Zaresk: How did his neighbors get them?

Mr. Brown: When the house was built.

Mr. Scheerer: They had to dig it all up. Right? So, they are going to have to come in there and excavate it. Then they need a place to put all of the dirt. The easement obtained in Knightsbridge and the wall is 20 feet.

Ms. Zaresk: Its very narrow.

Mr. Scheerer: From the curb to the wall is only about 20 feet. So, we may lose some sidewalk access. I just think it's going to be a tough task.

Mr. Soukup: Absolutely. I think the other issue are the utilities, which could be an absolute nightmare plus pedestrian traffic and utilities.

Mr. Scheerer: That is a major bus stop. They would definitely have to shut down that entire section because there is no way they can work there. Dump trucks and backhoes must be staged there.

Mr. Mehrlich: Not only that, with the sidewalk you have to provide a path. You can't just shut down the sidewalk.

Mr. Benson-Valdes: You must have a safe path.

Mr. Scheerer: They can go to Brookstone and then come over. There is a crosswalk there. Not that any kid is going to do that.

Mr. Soukup: So, what do you need from us?

Mr. Showe: If there's no motion on the Board to approve it, we will let the resident know that the Board declined his request for the easement.

Mr. Soukup: Does anyone want to make a motion?

Ms. Zaresk: No.

Mr. Soukup: Let him know that the Board declined it.

Mr. Brown: So, with that being said, the only way I would agree to that, which I said before with construction people, is if we got a bond from them. If he had a guaranteed bond that we held, I might entertain that at that point, but other than that, I wouldn't.

Mr. Clark: There are things that we can write up to do that, but I wouldn't want cash in the bank in some form. I can't solve the brick coloration problem.

Mr. Showe: Even if we use our contractors who will be careful about removing it and try to preserve as much as possible, they are not going to be able to reuse them.

Mr. Soukup: No.

Mr. Showe: It's not a possibility.

D. Amazon Key for Business

Mr. Showe: This is a request. I am not even sure if it's an issue here because you have guards and the guardhouse. I wouldn't want folks to come in after hours.

Mr. Mehrlich: I agree.

Mr. Showe: This is something that we started seeing as an option in all of our Districts. They actually install a little device where residents come in. I guess the drivers have a special App on their phone that's coded to that device. It is a one-time use. When they need to come in, it lets them in one time. I don't know if this would be a good application to have here. You guys are open for the most part for deliveries.

Mr. Benson-Valdes: This would decrease traffic towards the guardhouse.

Mr. Showe: Yes, to the extent that the Amazon people are coming in after 7:00 p.m.

Ms. Zaresk: The HOA was interested in this.

Mr. Showe: If you want, I will provide the information. For you to do this, our regular gate vendor ACT told us when we started asking them about this, that they can install it for free because they get paid by Amazon for putting it in, but they had a lot of problems with gates. I will provide contact information to Pam.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Clark: I didn't have anything other than I heard about the discussion about the security issue. Is this the time that you want to do that?

Mr. Showe: Yes. It had to do with the 114 Westmoreland issue. With their patrols for the last 60 days, we believe and I think they also believe that these folks are circumventing the policy by rotating a lot of vehicles in and out and always calling in vehicles as visitors. I think Scott has some thoughts on how we can enforce this.

Mr. Clark: This is the type of thing we talked about for a long, long time. Because of that, a few years back, we put a provision to cover this in our rule in case they circumvented the guest policy. We created a way for us to invite the homeowner. Essentially we would have a hearing. We would let them know what we are doing in advance, send them a letter and invite them here. The Board is going to hear evidence that they are circumventing the policy. Then we would ask our security staff to make a presentation as to why they think the policy is being circumvented. The Board can restrict their ability to have guest parking access for a year as a result of that.

Mr. Soukup: Is that for any street parking or just guest street parking for a year?

Mr. Clark: I think the rule says, "*Guest street parking.*"

Mr. Showe: It's nice that you only give them 30 minutes.

Resident (Chassidy Bowles, Westmoreland Circle): What would you do if it's a renter?

Mr. Showe: The same thing. The rule doesn't make a differentiation.

Mr. Clark: If I was the owner, I would want to know about it. We can look it up and find out. We would send the letter to both places.

Mr. Showe: I would send a Notice to Owner.

Mr. Benson-Valdes: Does the security company think that they are the DO?

Mr. McLeod: We don't know. We will put that together. As far as termination, there is something in the rule.

Mr. Clark: We will make the determination. I think the question is if we schedule this for our next meeting, would you be prepared to make a presentation?

Mr. Mehrlich: Provide the evidence.

Mr. McLeod: We will make a presentation at the next Board Meeting. We have information to review.

Mr. Benson-Valdes: You should have some information after working here for two months.

Mr. McLeod: There is a flaw in our system so we have to make sure we have usable information.

Mr. Benson-Valdes: I think the point he was trying to make is we want to invite them to our next meeting. Correct?

Mr. Showe: We should have evidence before we declare. Correct, Scott?

Mr. Clark: Yes. If we are not sure, I would give it a month so you know you do it right. One of the benefits of the process is that you have interaction with the resident by saying, *"Okay, I understand."* That may not be the case with this resident from what I have heard, but the rule is there for this exact purpose. So, I will leave it up to the Board. Ultimately, I need a motion directing me to send a letter saying that we are going to have a hearing at the next meeting. If you are not ready then we should bring this back up at the April meeting and schedule it for May.

Mr. Mehrlich: The guy who was sitting in the back said he lived at 114. He admitted himself that he has another house that they rotate vehicles around to. So, he admitted that he does do that. I know that from driving by there all the time and my wife took pictures. We did not do anything with them because of the security change, but vehicles are parked in the driveway and they will rotate them out to the street. You guys are getting better now so the cars stay off faster. I don't know how, but they know when you go in and out because they seem to come out on the street afterwards. I saw some reports in here where you guys took a picture and said that no one was parking on the street. Well staff did not see it at that particular time. I can assure you they are parking on the street all the time. Recently it has been a whole lot better. I don't think you are ever going to figure out how to solve this problem unless we can identify who is a resident because they are parking resident vehicles on the street for more than 30 minutes, which is a violation. I had to call security a lot because I have a 15-year-old daughter and she has friends that come over every day. That becomes an issue when kids get to a certain age and you have kids starting to drive. My argument to this individual would be, *"Look, these guys are coming over for two, three or four hours and then they are leaving."* They are not on the street all night long and are there tomorrow morning. We can't say, *"You can do this, but I can't."* So, there is an issue. My personal incident with my 15-year-old is when her car gets towed." We once saw a 15-year-old get his car towed and couldn't leave because they don't have the resource to get it back.

Mr. Benson-Valdes: If they are violating the policy of more than seven-day parking in the street, it's pretty clear.

Mr. Soukup: Right.

Ms. Zaresk: There was a gentleman at the last security workshop that said some of the security patrol was saying that he starts over each month

Mr. Soukup: That's why they are no longer here.

Mr. Mehrlich: Diego, they have almost enough cars to circumvent that seven-day cycle. Between those two houses and the vehicles they park, they can almost get away with it.

Mr. Benson-Valdes: It is not seven days per vehicle. Its seven days period.

Mr. Mehrlich: That's an important detail.

Mr. Showe: Scott needs to look at that. It says, "*Limited to vehicles of guests only.*"

Mr. Mehrlich: That's a whole other ballgame.

Mr. Brown: I thought it was per vehicle. That was the only way they could tell because people don't always park in front. I might have visitors that park two houses down because it was a better place to park. So, I think when we did that, it was per vehicle.

Mr. Scheerer: They also park in the garage and on the apron.

Mr. Mehrlich: We know all of their cars. They have a certain number of cars.

Mr. Clark: I think we enacted this policy because there was always some way to circumvent the language.

Mr. Benson-Valdes: That's why we changed this a couple of times. We gave them the rules and they figured out how to get out of it so now we have to change the rule. The verbiage is not per vehicle. It is for guests. It says, "*More than six consecutive days or seven days in a 30-day period.*"

Mr. Mehrlich: It's a very important detail.

Ms. Showe: It doesn't reset. So, I guess the question from the Board is do you want to go ahead and schedule it now or April or wait until they are able to pull all of our information?

Mr. Brown: We had this discussion before. When we start mentioning hearings and enforcement, it suspiciously sounds like policing, which we can't do. I was wondering how we get around that.

Mr. Clark: We are not exercising police powers or management of our infrastructure. That's the whole basis of towing rules. We have the right to manage the roads we own. The sense

of due process calls for and allows us to invite people to tell them what we are thinking about doing. We will present the evidence that we think supports it and tells us why we are wrong.

Mr. Benson-Valdes: Also, it's the right of that individual to park there. Individuals around them have the right to drive around without an obstruction. I don't think we are policing. I think we are enforcing our policy.

Mr. Brown: I agree that some of it needs to be done. I just want to make sure that we don't overstep our authority in doing so.

Mr. Clark: No. We are exercising the authority that we have.

Mr. Benson-Valdes: Hence the reason why he's here, which is to make sure that we are not overstepping our authority.

Mr. Mehrlich: Are you just trying to avoid the word "*enforce*," Ken?

Mr. Brown: No. What worries me is us taking away their ability to park. I think we talked about that when we put that together. At least to me, I can see a judge maybe saying that we are enforcing some kind of police action. I think when we made that change, we went through about how it wasn't.

Mr. Clark: To the best that I know, we were the first CDD in the State of Florida to adopt a towing policy such as the one we have. Others followed and ultimately the Statute was changed to specifically give us a towing power. So, I'm comfortable with the process. I'm comfortable moving forward. That doesn't mean that there is not a crazy judge out there, but crazy things happen. You have big problems and you have to decide whether you are going to do something about it.

Mr. Benson-Valdes: If we can't enforce our policy, then why have one.

Mr. Mehrlich: Jason, is it a seven-day period per household? Did we confirm that?

Mr. Clark: I'm going to look at it more carefully. That certainly was what we discussed and what we intended that language to say.

Mr. Mehrlich: That makes this whole situation no longer easy.

Ms. Zaresk: Back to whether we want to do it, I prefer that we have all of the data.

Mr. Soukup: Yes.

Ms. Zaresk: If we are going to invited someone in here, we need to have our ducks in order. It may not be pretty.

Mr. Showe: We will have them provide what they have and keep an eye on it for the next 30 days. By our next meeting we will have a full report and can determine how you want to proceed.

Mr. Clark: I would love for you to take a real focus, put some manpower on this in the next 30 days and be prepared to demonstrate to the Board exactly what they are doing and how they are doing this. The more information you can give to the Board, the better.

Mr. Showe: Would the Board be willing to allow District staff to give them some extra hours because their guards are doing everything else too and they don't have somebody that is just dedicated?

Mr. McLeod: Please remember that roving patrol is not 24/7. It is only seven days a week from 6:00 p.m. to 6:00 a.m. There are only two days that they are here during the daytime from 7:00 a.m. to 6:00 p.m. So, you are not fully covered in a 24-hour period by roving patrol.

Mr. Soukup: Will we have an issue with this because if we allow for additional hours, are there other houses out there that we should be looking at? It just comes across as enforcement of the rules and targeting one house.

Mr. Clark: If you are going to allow for additional hours, I probably would create a list of your problem houses and have them focus on all of those.

Mr. Benson-Valdes: You have two months of data to compile. You should talk to your vendor to see if there's an easier way of doing it.

Ms. Zaresk: I'm in favor of giving them additional hours. This will go on and on if we don't resolve this.

Mr. Benson-Valdes: Not focus on one house, but on the issue itself.

Ms. Zaresk: Give them the hours that they need staff-wise to bring us something that is of major importance. I have no appetite for having a hearing and not having the data.

Mr. Mehrlich: Is there any consensus on sending these guys a letter saying that we have the authority to take their parking privileges away if they don't comply? I don't know that they are the kind of people that will get better.

Mr. Soukup: Exactly. They have been towed and that doesn't change their habits. I don't think a letter is going to change that.

Mr. Showe: They are fully aware.

Mr. Benson-Valdes: Not this situation but any situation, might not be pleasant.

Mr. Mehrlich: They may not realize that you can take their parking privileges away. They may not realize that clause is in there. They might not think it's real. They might think that they could continue to do this. They may not understand the ramifications. If there will be zero street parking, they might park three or four houses down. I don't know, but that's a pretty strong statement. I personally don't think that they can fix it. They have too many people in the house and too many vehicles. They cannot physically stop or they would.

Mr. Benson-Valdes: We don't have the data to prove it. It is not on us to prove whether they can or can't.

Mr. Soukup: Exactly.

Mr. Mehrlich: It's a statement.

Mr. Benson-Valdes: Not only that, but any home that is abusing the parking, is upsetting the majority of the residents. There are only a select few that are violating it and upsetting residents.

Mr. Mehrlich: I have people buying golf carts so they can park their vehicles in their garage.

Ms. Zaresk: Except its looking like a used car lot over there.

Mr. Mehrlich: God forbid you park in the street in The Villas because by the time you come outside, the car will be gone.

On MOTION by Mr. Brown seconded by Mr. Benson-Valdes with all in favor allowing additional hours as needed for security to enforce repeat violators of parking was approved.

Mr. Mehrlich: So, we are going to get a list of parking violations.

Mr. Showe: Correct. We will work with Bill.

B. Engineer

Mr. Glasscock: I did not have anything, but if you have any questions, I would be happy to answer them.

Mr. Soukup: Are there any questions? Hearing none,

C. District Manager's Report

1. Approval of Check Register

Mr. Showe: In the General Fund, we have Checks 6429 through 6447 in the amount of \$369,381.12; Check 35 in your Pavement Management Fund in the amount of \$675 and Check 97 in the Capital Projects Fund in the amount of \$11,135, for a total of \$381,191.12. Alan and I can answer any questions the Board may have on those invoices.

Mr. Soukup: Are there any questions?

Mr. Showe: The vast majority is a transfer to the SBA, which is a savings account that will give you some extra interest. We have to write to check and deposit. We look at all of the accounts to determine how much money we need.

On MOTION by Ms. Zaresk seconded by Mr. Benson-Valdes with all in favor the February 1, 2021 through February 28, 2021 Check Register totaling \$381,191.12 was approved

2. Balance Sheet and Income Statement

Mr. Showe: No action is required by the Board. In your General Fund, you are approximately \$58,000 ahead of projections, so we are in great shape. You also collected about 98% of your assessments, so we are in great shape on your assessment collections.

Mr. Benson-Valdes: I notice miscellaneous carry over of \$2,200.

Mr. Showe: I will have to see what those expenses were.

Mr. Scheerer: It is for odds and ends such as landscape permits. They are getting ready to do some more plant replacement.

Mr. Soukup: What about the quarterly annuals?

Mr. Scheerer: Annuals are included in the landscape contract, but we are doing some enhancements at the end of Westmoreland in the next week or two. Palm tree trimming and mulching are part of the contract.

3. Presentation of OCSO Reports

Mr. Showe: Reports from the Osceola County Sheriff's Office were provided to the Board. We are continuing to have those services.

4. Field Manager's Report

Mr. Scheerer: Everything is pretty much the same as last month. The Amenity Center is in good shape. The Fitness Center is in good shape. We just performed quarterly maintenance on the ladders and handrails at the pool. People were swimming today. All of the cameras are working. We had an issue with a few that we talked about earlier at the Partin Settlement Road gate. The DVR was replaced. We are still working on maintenance items at the guardhouse. We had an issue with the resident arm gate, which we discussed earlier. We also had an issue with the E. Lakeshore Boulevard gate. I'm not sure what happened. It was just a matter of coming out and putting the gate arm on. We got that taken care of. The gate loop at the Partin Settlement Road gate was completed. We did get a call about a fish kill in Windsor Park. There were 10 dead tilapia, which is uncommon for those fish. They tend to pop up every once in a while. Applied Aquatic was notified. They came out and tested the water. There were good oxygen levels in the lake and everything was good. In the next couple of days, mother nature took care of the dead fish. We continue to meet with REW on a weekly basis. Irrigation inspections are ongoing. We had new landscaping at the end of Arden Place and the entrance to Westmoreland. There is a dead Palm tree on the entry side of Strathmore. It is one of those 30-year-old monster trees. We are getting ready to do our Palm tree pruning. We did address the drainage swale. We may have to make some modifications to one in Eagles Landing. The streetlight at E. Lakeshore Boulevard was reported as being on all day, every day. That has been repaired. A net was replaced on the basketball court and we had a damaged sidewalk on Southbridge Circle and Arden Place. That's all I have.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Soukup: Mr. Mehrlich?

Mr. Mehrlich: The place looks good.

Mr. Soukup: Mr. Brown?

Mr. Brown: REW is doing a good job.

Mr. Soukup: Ms. Zaresk?

Ms. Zaresk: Nothing. Thank you.

Mr. Soukup: I have no requests.

NINTH ORDER OF BUSINESS

Next Meeting Date – April 27, 2021

Mr. Soukup: Our next meeting is scheduled for April 27, 2021.

Mr. Showe: We are presenting the budget on April 27th. We anticipate increasing assessments. It has been a long time since we had an assessment increase. It has been the same since I started 13 years ago.

Mr. Brown: We have a strained relationship with the golf course these days, but if we have a public hearing, they should participate.

Mr. Showe: We will reach out to them.

Mr. Brown: We need to have the Sheriff's Office here again.

TENTH ORDER OF BUSINESS

Adjournment

Mr. Soukup adjourned the meeting.



Secretary/Assistant Secretary



Chairman/Vice Chairman