

1 **MINUTES OF MEETING**
2 **THE PRESERVE AT SOUTH BRANCH**
3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Preserve at South Branch Community
5 Development District was held on Tuesday, October 4, 2022 at 9:05 a.m. at the Residence Inn, 2101
6 Northpoint Parkway, Lutz, FL 33558.

7 **FIRST ORDER OF BUSINESS – Roll Call**

8 Mr. Krause called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

10	John Snyder	Board Supervisor, Chairman
11	Anne Mize	Board Supervisor, Vice Chairwoman
12	Joe Burgess	Board Supervisor, Assistant Secretary
13	Ryan Zook	Board Supervisor, Assistant Secretary

14 Also present were:

15	Larry Krause	District Manager, DPFG Management & Consulting
16	Ray Lotito	District Manager, DPFG Management & Consulting
17	Tish Dobson	Field Operations, DPFG Management & Consulting
18	Shirley Conley <i>(via phone)</i>	DPFG Management & Consulting
19	Sarah Sandy <i>(via phone)</i>	District Counsel, Kutak Rock LLP
20	Stephen Brletic <i>(via phone)</i>	District Engineer, Johnson, Mirmiran & Thompson, Inc.

21 *The following is a summary of the discussions and actions taken at the October 4, 2022 Preserve at South*
22 *Branch CDD Board of Supervisors Regular Meeting. Audio for this meeting is available upon public*
23 *records request.*

24 **SECOND ORDER OF BUSINESS – Audience Comments – Agenda Items** *(limited to 3 minutes per*
25 *individuals for agenda items)*

26 There being none, the next item followed.

27 **THIRD ORDER OF BUSINESS – Consent Agenda/Administrative Items**

- 28 A. Exhibit 1: Consideration and Approval of the Minutes of the Regular Meeting Held August 16,
29 2022
- 30 B. Exhibit 2: Consideration and Acceptance of the August 2022 Unaudited Financial Report
- 31 C. Exhibit 3: Ratification of Proposals and Expenditures
- 32 D. Exhibit 4: Ratification of JMT District Engineer Services Agreement

33 On a MOTION by Mr. Zook, SECONDED by Ms. Mize, WITH ALL IN FAVOR, the Board approved all
34 items on the Consent Agenda for the Preserve at South Branch Community Development District.

35 **FOURTH ORDER OF BUSINESS – Business Matters**

- 36 A. Consideration of Supervisor Re-appointments

37 Ms. Sandy explained that she had spoken with some of the Board members in regards to moving
38 to seats with longer term expirations to ensure that the turnover to resident control would occur in
39 an orderly fashion. She indicated that this would be done through a series of motions.

- 40 1. Exhibit 5: Acceptance of Seat 1 Supervisor Resignation

41 Mr. Krause stated that Hal Lutz had sent in his resignation via email.

42 On a MOTION by Mr. Zook, SECONDED by Ms. Mize, WITH ALL IN FAVOR, the Board accepted the
43 Resignation of Mr. Lutz from Seat 1 on the Board of Supervisors for the Preserve at South Branch
44 Community Development District.

45 2. Appointment to Vacant Seat

46 Mr. Snyder stated that he resigned from Seat 4, effective immediately.

47 On a MOTION by Mr. Zook, SECONDED by Ms. Mize, WITH ALL IN FAVOR, the Board accepted the
48 Resignation of Mr. Snyder from Seat 4 on the Board of Supervisors for the Preserve at South Branch
49 Community Development District.

50 Following the motion, Ms. Sandy looked for a motion to appoint Mr. Snyder to Seat 1.

51 On a MOTION by Mr. Zook, SECONDED by Ms. Mize, WITH ALL IN FAVOR, the Board approved the
52 Appointment of Mr. Snyder to Seat 1 on the Board of Supervisors for the Preserve at South Branch
53 Community Development District.

54 Following the motion, Mr. Krause administered the Oath of Office to Mr. Snyder. Ms.
55 Sandy looked for a motion to appoint Brian Janek to Seat 4.

56 On a MOTION by Mr. Zook, SECONDED by Ms. Mize, WITH ALL IN FAVOR, the Board approved the
57 Appointment of Mr. Janek to Seat 4 on the Board of Supervisors for the Preserve at South Branch
58 Community Development District.

59 Following the motion, Mr. Krause administered the Oath of Office to Mr. Janek. Mr.
60 Burgess stated that he resigned from Seat 3, effective immediately.

61 On a MOTION by Ms. Mize, SECONDED by Mr. Zook, WITH ALL IN FAVOR, the Board accepted the
62 Resignation of Mr. Burgess from Seat 3 on the Board of Supervisors for the Preserve at South Branch
63 Community Development District.

64 Following the motion, Mr. Zook stated that he resigned from Seat 2, effective immediately.

65 On a MOTION by Ms. Mize, SECONDED by Mr. Janek, WITH ALL IN FAVOR, the Board accepted the
66 Resignation of Mr. Zook from Seat 2 on the Board of Supervisors for the Preserve at South Branch
67 Community Development District.

68 Following the motion, Ms. Sandy looked for a motion to appoint Mr. Zook to Seat 3.

69 On a MOTION by Ms. Mize, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board approved
70 the Appointment of Mr. Zook to Seat 3 on the Board of Supervisors for the Preserve at South Branch
71 Community Development District.

72 Following the motion, Mr. Krause administered the Oath of Office to Mr. Zook. Mr. Zook
73 made a motion to appoint Mr. Burgess to Seat 2.

74 On a MOTION by Mr. Zook, SECONDED by Mr. Mize, WITH ALL IN FAVOR, the Board approved the
75 Appointment of Mr. Burgess to Seat 2 on the Board of Supervisors for the Preserve at South Branch
76 Community Development District.

77 Following the motion, Mr. Krause administered the Oath of Office to Mr. Burgess.

- 78 3. Exhibit 6: Administration of Oath of Office
79 The Administration of the Oath of Office occurred in conjuncture with the previous item.
80 4. Exhibit 7: Distribution of New Supervisor Information/Form 1
81 In response to a question from Mr. Krause, Ms. Sandy stated that only Mr. Lutz would
82 need to submit a Form 1
83 5. Review of Sunshine Law (*FL Ethics Commission Guide to be Emailed*)

84 B. Exhibit 8: Consideration and Adoption of **Resolution 2023-01, Designating Officers**

85 Mr. Krause stated that this Resolution would designate Johanna Lee as Treasurer and Howard
86 McGaffney and Bridgett Alexander as Assistant Treasurers. He looked for nominations for the
87 Chair. Ms. Mize nominated Mr. Zook as Chairman.

88 On a MOTION by Ms. Mize, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board approved
89 the Designation of Mr. Zook as the Chairman of the Board of Supervisors for the Preserve at South Branch
90 Community Development District.

91 Following the motion, Mr. Krause looked for nominations for the Vice Chair. Mr. Zook nominated
92 Mr. Snyder as Vice Chairman.

93 On a MOTION by Ms. Mize, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board approved
94 the Designation of Mr. Snyder as the Vice Chairman of the Board of Supervisors for the Preserve at South
95 Branch Community Development District.

96 Following the motion, Mr. Krause noted that Raymond Lotito would be designated as the District's
97 Secretary, as he was anticipated to become the new District Manager in the near future.

98 On a MOTION by Mr. Zook, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board adopted the
99 **Resolution 2023-01, Designating Officers**, for the Preserve at South Branch Community Development
100 District.

101 C. Exhibit 9: Consideration and Adoption of **Resolution 2023-02, Designating Signatories**

102 Mr. Krause stated that this Resolution would designate Mr. McGaffney, Ms. Lee, and Ms.
103 Alexander as authorized signatories on the District's operating bank account.

104 On a MOTION by Mr. Zook, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board adopted the
105 **Resolution 2023-02, Designating Signatories**, for the Preserve at South Branch Community Development
106 District.

107 D. Exhibit 10: Consideration and Adoption of **Resolution 2023-03, Approving a Mitigation Credit
108 Agreement**

109 Ms. Sandy provided background information on the Resolution. She stated that an excess of
110 mitigation credits had been created and explained that DR Horton had paid for a large portion of
111 the mitigation work, which the CDD had benefited from. She stated that the agreement would
112 provide DR Horton with the ability to utilize or assign the mitigation credits and the future and that
113 the District would assess anything that would need to be done, as it was the operating entity under
114 the permit.

115 On a MOTION by Mr. Zook, SECONDED by Ms. Mize, WITH ALL IN FAVOR, the Board adopted the
116 **Resolution 2023-03, Approving a Mitigation Credit Agreement**, for the Preserve at South Branch
117 Community Development District.

118 E. Exhibit 11: Consideration of Stipulated Consent Judgement

119 Ms. Mize noted that she had provided an updated copy based on the revisions that had been made
120 the day prior. Ms. Sandy stated that this was an ongoing negotiation with the County regarding
121 whether the Trailhead and the Orange Belt Trail should be open to the public. She looked for a
122 motion to approve judgement in substantial form, subject to Ms. Mize working with District
123 Counsel to finalize and execute the agreement. Ms. Mize suggested revising the motion to authorize
124 the Chairman to execute the agreement, to which Ms. Sandy expressed agreement.

125 On a MOTION by Mr. Zook, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board approved
126 the Stipulated Consent Judgement in substantial form, subject to Ms. Mize working with District Counsel
127 to finalize the agreement, with the Chair to execute, for the Preserve at South Branch Community
128 Development District.

129 Following the motion, Ms. Sandy suggested continuing this meeting at the end of the meeting.

130 F. Update on Declaration of Series 2018, 2019, and 2021 Projects Complete

131 Ms. Sandy stated that Michelle Rigoni was in the process of working with Mr. Brletic and Joe
132 Cimino on reviewing the property in the District. Mr. Brletic noted that this had been delayed due
133 to the hurricane.

134 **FIFTH ORDER OF BUSINESS – Staff Reports**

135 A. District Counsel – *Sarah Sandy, Kutak Rock*

136 Ms. Sandy stated that she had nothing to report.

137 B. District Engineer – *Stephen Brletic, JMT*

138 Mr. Brletic stated that he had nothing to report.

139 C. District Manager – *Larry Krause, DPFPG*

140 Mr. Krause introduced Ms. Dobson to the Board.

141 1. DPFPG Field Operations Report – *Tish Dobson, DPFPG*

142 Ms. Dobson reviewed her report, noting that the ponds appeared to be in good condition
143 overall. She stated that Fountain 5 appeared to still be in the process of being repaired and
144 noted that the light in Fountain 12 was out. She mentioned that some rust areas on the trim
145 of the entry fountain needed to be addressed. She commented positively on the round-about
146 fountain and mowing. She stated that there was a dead palm in a median that needed to be
147 addressed and indicated that the basketball court gate still needed to be installed.

148 Mr. Snyder requested for the dead palm to be pulled immediately. In response to a question
149 from Mr. Zook, Ms. Dobson confirmed that the fountains should be back on that week. Mr.
150 Zook inquired about damage caused by the hurricane. Ms. Dobson stated that CEPRA was
151 reshaping trees that were leaning and noted that a few of the canopies at the playground
152 needed to be replaced.

153 a. Landscape Report – *Cepra*

154 Cepra was not present.

155 b. Exhibit 13: Pond Report – *Steadfast Environmental*

156 Mr. Krause noted that Steadfast had inspected the ponds on September 1.

157 2. Exhibit 14: Reminder Landowner Election Meeting Scheduled for November 15, 2022

158 Mr. Krause stated that the Landowner Election Meeting would be held at 9 a.m. on
159 November 15, 2022. He reminded the Board that their presence was not required for this
160 meeting.

161 **SIXTH ORDER OF BUSINESS – Audience Comments – New Business/Non-Agenda Items – (limited**
162 *to 3 minutes per individual)*

163 There being none, the next item followed.

164 **SEVENTH ORDER OF BUSINESS – Supervisors Requests (Includes Next Meeting Agenda Item**
165 *Requests)*

166 There being none, the next item followed.

167 **EIGHTH ORDER OF BUSINESS – Action Items Summary (To Be Emailed to Supervisors and Staff)**

168 Mr. Krause indicated that he would email the Action Items Summary to the Board, which were as
169 follows:

- 170 1. The District Manager will request Florida Fountains to turn on all fountains as soon as possible.
- 171 2. The District Manager will check the community fences and property.
- 172 3. The District Manager will have the dead palm and other dead foliage removed from the
- 173 property.
- 174 4. The District Manager will work with District Counsel on the LOE taking place on November
- 175 15, 2022.

176 **NINTH ORDER OF BUSINESS – Next Meeting Quorum Confirmation**

177 *November 1, 2022 at 9 a.m. at Residence Inn by Marriot Tampa Suncoast Parkway at NorthPointe*
178 *Village (2101 Northpoint Parkway, Lutz, FL)*

179 Mr. Krause reminded the Board of the date, time, and location of the next meeting.

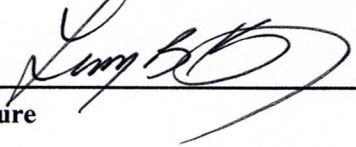
180 **TENTH ORDER OF BUSINESS – Adjournment**

181 Mr. Zook made a motion to continue the meeting on Monday, October 17 at 4 p.m.


182 On a MOTION by Mr. Zook, SECONDED by Ms. Mize, WITH ALL IN FAVOR, the Board approved
183 continuing the meeting on Monday, October 17 at 4 p.m. for the Preserve at South Branch Community
184 Development District.

185 **Each person who decides to appeal any decision made by the Board with respect to any matter considered*
186 *at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,*
187 *including the testimony and evidence upon which such appeal is to be based.*

188 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
189 **meeting held on NOVEMBER 1, 2022.**

190


Signature



Signature

191
Larry B. Krause Jr.
Printed Name

Ryan Zook
Printed Name

192 **Title:** **Secretary** **Assistant Secretary**

Title: **Chairman** **Vice Chairman**