

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, January 3, 2023 at 9:00 a.m. at the Residence Inn, 2101
6 Northpoint Parkway, Lutz, FL 33558.

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

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

9 Present and constituting a quorum were:

10 Jennifer Whelihan Board Supervisor, Chairwoman
11 Jeff Haller Board Supervisor, Vice Chairman
12 Jules Abercrombie Board Supervisor, Assistant Secretary

13 Also present were:

14 Ray Lotito District Manager, DPFM Management & Consulting
15 Tish Dobson Field Operations, DPFM Management & Consulting
16 Sarah Sandy (*via phone*) District Counsel, Kutak Rock LLP

17 *The following is a summary of the discussions and actions taken at the January 3, 2023 Preserve at South*
18 *Branch CDD Board of Supervisors Regular Meeting. Audio for this meeting is available upon public*
19 *records request.*

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

22 An audience member asked if the CDD stocked the ponds and requested for a web to be cut out
23 from the pond. Ms. Whelihan indicated that the web would be cut out and stated that she did not
24 believe fishing was permitted in CDD ponds.

25 **THIRD ORDER OF BUSINESS – Staff Reports**

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

27 1. Discussion Regarding Supervisor Appointment

28 Ms. Sandy stated that the remaining Supervisors affiliated with DR Horton were looking
29 to leave the Board as soon as residents were designated to replace them. She spoke on the
30 process of appointing new Board members and fielded questions from the Board. She
31 indicated that she would reach out to Mr. Snyder and Mr. Zook to ask them to submit their
32 resignation for the next meeting.

33 2. Exhibit 1: Review of Sunshine and Public Record Laws

34 Ms. Sandy reviewed Sunshine and Public Records Laws and provided clarification on
35 questions from the Board.

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

37 Mr. Lotito stated that the District Engineer had nothing to report.

38 C. District Manager – *Raymond J. Lotito, DPFM*

39 Mr. Lotito informed the Board that the fountain vendor would address Fountain #3 on January 4.
40 He stated that he had spoken to the general manager of the fountain maintenance company
41 regarding costs and indicated that he would continue to discuss this matter further the following

42 day. Ms. Dobson noted that she would be sending over a list of fountains that were under warranty.
43 Ms. Whelihan requested to have all of the vendors to come to a Board meeting to allow the new
44 Board members to meet them and ask questions.

45 1. Exhibit 2: DPFPG Field Operations Report – *Tish Dobson, DPFPG*

46 Ms. Dobson reviewed her report, noting that parts for the drinking fountains and the dog
47 waste stations had been ordered. She recommended that the Board approve repairing card
48 access for the basketball court gate. The Board requested costs for this repair.

49 Ms. Dobson stated that a number of signs had been repaired and replaced and that an
50 additional sign was expected to be installed sometime that week. Mr. Haller noted that a
51 sign needed to be straightened and indicated that he would email information on this sign
52 to Ms. Dobson. Ms. Whelihan expressed that she would like for the signs to be better
53 secured with concrete.

54 a. Landscape Report – *Ceptra*

55 Ceptra was not present.

56 b. Exhibit 3: Pond Reports – *Steadfast Environmental*

57 i. December 2022

58 ii. January 2023

59 iii. Wetland Mitigation Monitoring Report

60 Mr. Haller commented that quarterly maintenance was not being
61 performed.

62 **FOURTH ORDER OF BUSINESS – Consent Agenda**

63 A. Exhibit 4: Consideration and Approval of the Minutes of the Regular Meeting Held November 1,
64 2022 and Continued to November 15, 2022

65 B. Exhibit 5: Consideration and Acceptance of The October 2022 Unaudited Financial Report

66 C. Exhibit 6: Consideration and Acceptance of The November 2022 Unaudited Financial Report

67 D. Exhibit 7: Ratification of Proposals and Expenditures

68 1. Florida Fountains Proposal for Fountain #5 Repair - \$499.00

69 2. Rومانer Graphics Proposals for Street Sign Repairs - \$850.00 & \$1,460.00

70 3. Florida Fountains Fountain #12 Repair Invoice - \$779.00

71 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
72 approved all items on the Consent Agenda for the Preserve at South Branch Community Development
73 District.

74 **FIFTH ORDER OF BUSINESS – Administration Items**

75 A. Exhibit 8: Consideration and Adoption of **Resolution 2023-08, Canvassing and Certifying**
76 **Landowners Election Results**

77 On a MOTION by Ms. Whelihan, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the Board
78 adopted the **Resolution 2023-08, Canvassing and Certifying Landowners Election Results**, for the
79 Preserve at South Branch Community Development District.

80 B. Exhibit 9: Consideration and Adoption of **Resolution 2023-09, Designating Officers**

81 On a MOTION by Mr. Haller, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the Board
82 approved the appointment of Jennifer Whelihan as the Chair of the Board of Supervisors for the Preserve
83 at South Branch Community Development District.

84 Following the motion, Mr. Haller made a motion to appoint himself as Vice Chair.

85 On a MOTION by Mr. Haller, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the Board
86 approved the appointment of Jeff Haller as the Vice Chair of the Board of Supervisors for the Preserve at
87 South Branch Community Development District.

88 Following the motion, discussion ensued with Mr. Lotito recommending the following additional
89 officers: the remaining Supervisors as Assistant Secretaries; Mr. Lotito as Secretary and Assistant
90 Treasurer; Johanna Lee as Treasurer; and Bridgett Alexander and Scott Smith as Assistant
91 Treasurers, which the Board agreed to. Ms. Whelihan made a motion to adopt **Resolution 2023-09**
92 reflecting the officer positions as outlined above.

93 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board adopted
94 the **Resolution 2023-09, Designating Officers**, for the Preserve at South Branch Community Development
95 District.

96 C. Exhibit 10: Consideration and Acceptance of 2022 Arbitrage Report for Bond Series 2019 (Phase
97 2)

98 On a MOTION by Mr. Abercrombie, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
99 accepted the 2022 Arbitrage Report for Bond Series 2019 (Phase 2) for the Preserve at South Branch
100 Community Development District.

101 **SIXTH ORDER OF BUSINESS – Business Matters**

102 A. Consideration of Proposals

103 1. Exhibit 11: Cepra Landscape

104 Mr. Lotito provided clarification regarding the location for the proposals. Ms. Whelihan
105 noted that some of the vegetation included in the proposal was not suitable for the
106 community. She indicated that she would like to receive more information on the
107 vegetation and where it would be installed. In response to a question from Ms. Whelihan,
108 Mr. Lotito stated that \$8,000.00 had been budgeted for the annual rotation for the year. Ms.
109 Whelihan stated that she would like to table the plant replacements and mulch installation
110 proposals to February.

111 a. Winter Annuals Change Out - \$2,197.25

112 Ms. Dobson clarified that this had already been done.

113 On a MOTION by Mr. Haller, SECONDED by Ms. Whelihan, WITH ALL IN FAVOR, the Board approved
114 the Ratification of the Cepra Winter Annuals Change Out Proposal, in the amount of \$2,197.25, for the
115 Preserve at South Branch Community Development District.

116 b. Good Hearted Road Plant Replacements - \$14,054.78

117 This item was tabled to the February meeting.

118 c. Mulch Installation - \$18,570.50

119 This item was tabled to the February meeting.

120 2. Exhibit 12: Florida Fountains Fountain #6 Repair - \$6,217.00

121 The Board discussed the timing of the fountains and requested for the fountains to be on
122 from 9 a.m. to 9 p.m.

123 In response to a question from Mr. Lotito, Ms. Dobson clarified that this repair had already
124 been done and needed to be ratified.

125 On a MOTION by Mr. Haller, SECONDED by Ms. Whelihan, WITH ALL IN FAVOR, the Board approved
126 the Ratification of the Florida Fountains Fountain #6 Repair Proposal, in the amount of \$6,217.00, for the
127 Preserve at South Branch Community Development District.

128 **SEVENTH ORDER OF BUSINESS – Audience Comments – New Business/Non-Agenda Items –**
129 *(limited to 3 minutes per individual)*

130 An audience member asked if CDD meeting information could be included on the HOA website.
131 Mr. Lotito indicated that this was permitted. It was suggested to purchase a sign board for the
132 Living Coral mailboxes to post meeting information. Discussion ensued regarding the ownership
133 of the mailboxes. Ms. Whelihan clarified that the mailboxes on Living Coral were owned by the
134 CDD.

135 **EIGHTH ORDER OF BUSINESS – Supervisors Requests** *(Includes Next Meeting Agenda Item*
136 *Requests)*

137 Mr. Haller requested a proposal for lights by the mailboxes on Living Coral. He noted that the
138 landscaping in this area needed to be addressed as well.

139 Ms. Whelihan stated that she would like to meet with the vendors and review the budget at the next
140 meeting.

141 In response to a Supervisor question, Mr. Lotito recommended porter services to address a problem
142 with trash. Discussion ensued regarding service and the budget for the dog waste stations.

143 Ms. Whelihan inquired about reserves. Mr. Lotito stated that nothing had been budgeted for
144 reserves and advised doing a reserve study. In response to a question from Ms. Whelihan, Mr.
145 Lotito indicated that he would distribute past Meeting Minutes to the Supervisors via e-mail.

146 Ms. Whelihan requested signage to warn of alligators in the ponds. Discussion ensued regarding
147 locations for the signs. Ms. Whelihan additionally inquired as to whether parking in the street area
148 was considered to be a CDD or HOA matter. She asked if the District had a towing agreement in
149 place. Ms. Sandy stated that the road was likely a CDD road and explained that the District would
150 need to enter a traffic enforcement agreement with the County and adopt a towing policy, the latter
151 of which requiring a rule hearing with a published notice. A Supervisor suggested an agreement
152 between the CDD and the County to have an off-duty officer.

153 Ms. Sandy noted that the District Engineer would need to certify that all of the signs on the
154 roadways were compliant with Florida Statute requirements in order to have a traffic enforcement
155 agreement with the Sheriff's Office. The Board and Staff continued to discussing towing policies.

156 Mr. Haller requested for the sidewalk issues on Living Coral to be addressed. Ms. Whelihan pointed
157 out that there were sidewalk issues throughout the community. Ms. Sandy indicated that the District
158 Engineer was working with DR Horton on this matter. Ms. Whelihan suggested having an outside
159 engineer look at the sidewalks. In response to a Supervisor question, Ms. Dobson indicated that the
160 District Engineer should be able to provide clarification regarding the ownership of the sidewalks
161 at the next meeting. Ms. Sandy was directed to research the ownership of the sidewalks in front of
162 homes. Ms. Whelihan indicated that she would reach out to DR Horton regarding this matter as
163 well.

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

165 *February 7, 2023 at 9 a.m. at Residence Inn by Marriot Tampa Suncoast Parkway at NorthPointe*
166 *Village (2101 Northpoint Parkway, Lutz, FL 33558)*

167 Mr. Lotito reminded the Board of the date, time, and location of the next meeting. All Board
168 members present confirmed that they would be available for the meeting, which would establish a
169 quorum.

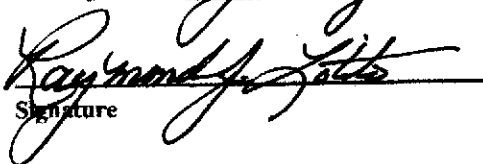
170 **TENTH ORDER OF BUSINESS – Adjournment**

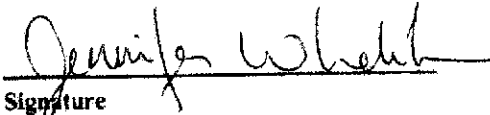
171 Mr. Lotito asked for final questions, comments, or corrections before requesting a motion to
172 adjourn the meeting. There being none, Ms. Whelihan made a motion to adjourn the meeting.

173 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
174 adjourned the meeting for the Preserve at South Branch Community Development District.

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

178 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
179 meeting held on 7 January 2023

180 
Signature


Signature

181 Raymond J. Lotito
Printed Name

Jennifer Whelihan
Printed Name

182 Title: Secretary Assistant Secretary

Title: Chairman Vice Chairman