

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, March 7, 2023 at 9:00 a.m. at Residence Inn by Marriott Tampa
6 Suncoast Parkway, NorthPointe Village, 2101 Northpoint Parkway, Lutz, Florida 33558.

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

8 Ms. Dobson called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

| | |
|---------------------------|---------------------------------------|
| 10 Jennifer Whelihan (S2) | Board Supervisor, Chairwoman |
| 11 Jeffrey Haller (S4) | Board Supervisor, Vice Chairman |
| 12 Jules Abercrombie (S5) | Board Supervisor, Assistant Secretary |

13 Also present were:

| | |
|---|--|
| 14 Tish Dobson | District Manager, DPGF Management & Consulting |
| 15 Sarah Sandy (<i>via phone</i>) | District Counsel, Kutak Rock |
| 16 Stephen Brletic (<i>via phone</i>) | District Engineer, BDI |
| 17 Corporal Arthur Madden | Pasco County Sheriff's Department |
| 18 Richard Seaman | Account Manager, Cepra |
| 19 Lee Smith (<i>via phone</i>) | Account Manager, Steadfast Environmental |
| 20 Anthony Snyder | Resident |
| 21 Steve Lopez | Resident |

22 *The following is a summary of the discussions and actions taken at the March 7, 2023 Preserve at South*
23 *Branch CDD Board of Supervisors Regular Meeting.*

24 **SECOND ORDER OF BUSINESS – Audience Comments – Agenda Items** (*Limited to three minutes*
25 *per individual*)

26 There being none, the next item followed.

27 **THIRD ORDER OF BUSINESS – Guest Speaker: Pasco County Sheriff's Community Engagement**
28 **Bureau**

29 A. Exhibit 1: Discussion on Trespass Agreement, Extra Duty Services, and Traffic
30 Enforcement – *Corporal Arthur Madden*

31 The Board expressed interest in a partnership with the Pasco County Sheriff's Office with
32 regards to any safety and crime prevention programs that may be available and also to build
33 a relationship between the Sheriff's officers and the community. Corporal Madden pointed
34 out that enforcement is a partnership, residents have a responsibility and foster
35 communication with their neighbors. Being observant and talking to neighbors assists with
36 community policing. Communication in written form and between neighbors is important.
37 Pasco County has one of the lowest ratios of deputies to citizens in the State and he
38 encouraged residents to contact the Board of County Commissioners to support hiring more
39 deputies. Time, people and vehicle specific complaints aid with investigations. If residents
40 see problems, call them in with as much detail as possible. Extra-duty officers will pay
41 attention to the details in the request, whether that's speeding, street parking, fishing in the
42 ponds – whatever is included in the detail tells the officers what the community is
43 prioritizing. If trespassing becomes criminal then the Sheriff's office can enforce it.

44 Through the CSU has two portable radars for the whole county, the CDD can request one
45 and be added to the list. Ms. Dobson mentioned that it takes about two weeks for a trailer
46 to be available. Speed bumps can be more problematic with upkeep and insurance and
47 installation can be expensive.

48 There's a system in place within the county, that homeowners can register with that
49 provides Major Crimes with a list of residences that have cameras that they can check with
50 if they need additional data.

51 Locking car doors is the simplest deterrent to vehicle-related crime.

52 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, with Mr. Abercrombie opposed, the Board
53 approved executing the Trespass Agreement with Pasco County Sheriff's Department, for The Preserve at
54 South Branch Community Development District.

55 Ms. Dobson noted the extra-duty officer rates and that the current FY 2023 budget did
56 not accommodate this expense.

57 On a MOTION by Mr. Haller, SECONDED by Ms. Whelihan, with Mr. Abercrombie opposed, the Board
58 approved executing the Extra Duty Services Agreement with Pasco County Sheriff's Department, with
59 service to commence on October 1, 2023, for The Preserve at South Branch Community Development
60 District.

61 The Traffic Enforcement Agreement reflects a partnership with Pasco County Sheriff's
62 Office that the CDD does want deputies to come into the community when they are
63 available. There is no cost associated with this agreement.

64 On a MOTION by Mr. Abercrombie, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
65 approved executing the Traffic Enforcement Agreement with Pasco County Sheriff's Department, for The
66 Preserve at South Branch Community Development District.

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

68 A. Exhibit 2: Consideration and Approval of The Minutes of the Regular Meeting Held
69 February 7, 2023

70 B. Exhibit 3: Consideration and Acceptance of The January 2023 Unaudited Financial Report

71 C. Exhibit 4: Ratification of Florida Fountains Revised Invoice for Fountain 3 Repair -
72 \$350.49

73 Ms. Whelihan thanked staff for doing their due diligence regarding the Fountain 3 repair
74 that encouraged the vendor to troubleshoot further before completing the repair.

75 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board approved
76 Consent Agenda items A, B, and C as presented, for The Preserve at South Branch Community
77 Development District.

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

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

80 Ms. Sandy had reviewed the acquisition documents provided by the prior District Counsel
81 and DPFPG, which corresponded to different phase improvements in the community
82 acquired in 2018, 2019, and 2021. No express assignment of RIPA and Associates
83 warranty was included and further research would be required to determine whether

84 wording of the conveyance documents from D.R. Horton was sufficient to extend RIPA’s
 85 general contractor’s warranty to the CDD, or if it would provide the District with a claim
 86 on RIPA’s contract warranties at the time they provided the services, with regards to
 87 sidewalks and drainage. If the District wished to pursue a claim, Ms. Sandy recommended
 88 a construction litigator be engaged. She reasoned that this would negate duplication of
 89 effort and additional cost to the District, a construction litigator focuses on these issues
 90 specifically and can determine whether a valid claim can be made. Ms. Sandy also noted
 91 that Kutak Rock works with D.R. Horton on other districts and if the District wishes to
 92 pursue a claim against D.R. Horton, Kutak Rock would be conflicted out. She also noted
 93 that there may be a statute of limitation on the filing of certain claims so a decision would
 94 need to be made quickly.

95 The Supervisors expressed a desire to work with D.R. Horton to remediate their
 96 outstanding concerns. Ms. Sandy was asked to schedule a meeting for Ms. Dobson and a
 97 Supervisor with D.R. Horton to discuss the outstanding construction concerns. She stated
 98 that she could make that request, but she would not be comfortable leading the discussion,
 99 and reiterated her recommendation for a construction litigator to be involved.

100 She noted the D.R. Horton signs on District property would be removed once the last home
 101 is sold.

102 Ms. Whelihan noted a Google search does not reflect the District’s location and ownership.
 103 Ms. Dobson said she’ll reach out to D.R. Horton about that as it’s likely associated with
 104 their model homes.

105 1. Review of POA Cost Share

106 Two ponds outside the District’s boundaries are tied to the stormwater system.
 107 The cost share agreement with BRS contributes to the upkeep of these ponds. Ms.
 108 Dobson will research this further and color-code the map that identifies the ponds.

109 Ms. Whelihan noted that the District maintains the pond in the apartment area, but not the
 110 fountain.

111 *The following discussion took place out of order.*

112 Clarification was provided regarding an incident that occurred due to an oil spot on the
 113 roadway.

114 On a MOTION by Ms. Whelihan, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board
 115 approved direction for District Counsel to issue a cease-and-desist letter to the homeowner parking on
 116 Secret Meadow Drive and notify the homeowner they may be responsible for the cost incurred to remove
 117 the oil spot, for The Preserve at South Branch Community Development District.

118 The Board directed staff to contact the HOA and request they address this issue as well.

119 On a MOTION by Ms. Whelihan, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board
 120 approved the cleaning of the oil stain on Secret Meadow Drive, for The Preserve at South Branch
 121 Community Development District.

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

123 1. Exhibit 5: Consideration of District Ownership/Maintenance Map Proposal -
 124 \$15,420.00

125 The first price is all encompassing, the second price addresses the most crucial

126 information – easements, drainage. Additional layers could be added at a later date
 127 as the budget allows. It would be a very useful tool and allow Supervisors, staff,
 128 and vendors to reference answers to most of their questions in one location.

129 Ms. Dobson recommended putting together a wish list of projects for the FY 2024
 130 budget discussion.

131 On a MOTION by Ms. Whelihan, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the Board
 132 approved staff to proceed with a Request for Proposals for the creation of an ownership/maintenance map,
 133 for The Preserve at South Branch Community Development District.

134 C. District Manger – *Tish Dobson, DPFPG*

135 1. Exhibit 6: Field Operations Report

136 *This item was presented out of order.*

137 The Board discussed adding a trespassing sign at the cut-thru off South Branch
 138 Blvd. Two options have been requested – one for generic signs and another that
 139 includes the District’s logo.

140 a. Landscape Report – *Cepra*

141 Residents will be notified of a CDD event providing free annuals at the
 142 Balboa Mist park that will coincide with the next annuals rotation.

143 Mr. Seaman informed the Board that the three-year enhancement plan is
 144 being drafted and should be available for the next meeting. The ant
 145 mounds had been treated, they have changed the product. There is turf
 146 damage at the end of South Branch Blvd. Supervisors advised Mr.
 147 Seamon of dollar weed in the St. Augustine grass at the Living Coral
 148 mailbox area. The plant cut back appears to have left “sticks” which
 149 residents have been pulling out, Mr. Seaman will check these areas.
 150 Mulching will be a phased program, and the Board will consider
 151 increasing the line item for the FY 2024 budget.

152 i. Exhibit 7: January 2023 Irrigation Inspection

153 ii. Exhibit 8: Consideration of Living Coral Park Landscape
 154 Enhancements Proposal - \$3,625.91

155 On a MOTION by Ms. Whelihan, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the Board
 156 approved the Living Coral Park landscape enhancement proposal in the amount of \$3,625.91, for The
 157 Preserve at South Branch Community Development District.

158 This project will be scheduled in about 4-5 weeks.

159 iii. Exhibit 9: Consideration of Basketball Court Landscape
 160 Enhancements Proposal - \$3,099.43

161 This item was tabled and will be considered during the Budget
 162 Workshop as a Capital Improvement project.

163 b. Exhibit 10: Aquatic Report – *Steadfast Environmental*

164 Mr. Smith noted the algae growth was due to higher temperatures and little
 165 rain. The algae outbreak at pond 1 is being addressed.

166 i. Exhibit 11: Consideration of Proposal to Install 3 Aerators in
167 Pond 17 - \$8,150.00

168 Pond 17 has an ongoing issue with algae, which Steadfast believes
169 will be resolved with aerators. The fountain doesn't do much for
170 adding oxygen into the water which helps get rid of the algae. Ms.
171 Dobson added that pond 17 is at the end of the property and most
172 water flows into it before reaching the wetland, so it likely has a
173 higher concentration of phosphate. This item was tabled for later
174 in the year or for the next budget.

175 It was requested that the maintenance map include the flow of
176 stormwater throughout the community. That information comes
177 from SWFWMD, and is readily available.

178 ii. Exhibit 12: Consideration of Proposal for Quarterly maintenance
179 of Pond 17 Aerators - \$280/yr

180 This item was not discussed.

181 Proposals for stocking the ponds with mosquito fish and for spraying to
182 combat mosquitos were requested.

183 **SIXTH ORDER OF BUSINESS – Business Items**

184 A. Exhibit 13: Consideration of Office Pride Revised Proposal for Porter Services

185 This item was tabled for discussion during the Budget Workshop. It was also noted that a
186 trash receptacle placed on South Branch Blvd. near the electrical boxes should also be
187 considered.

188 B. Discussion on Fob Access to the Basketball Court

189 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board approved
190 staff securing proposals to replace the magnetic lock and reader for the basketball court gate, for The
191 Preserve at South Branch Community Development District.

192 C. Exhibit 14: Consideration of Blue Water Aquatics Pond Fountain Maintenance Proposal

193 The Board requested a proposal for quarterly fountain maintenance and for Florida
194 Fountains to change the fountain timers to run from 9:00 a.m. to 9:00 p.m.

195 **SEVENTH ORDER OF BUSINESS –Administrative Matters**

196 A. Exhibit 15: Review of FY 2023 Adopted Budget

197 Ms. Dobson requested Supervisors send her their budget requests. She also noted the sign
198 at Mauvewood and Living Coral and the speed limit sign had been reviewed for options to
199 address wobbling.

200 Ms. Whelihan provided an update on moving the stop signs at Storybrook and Living
201 Coral.

202 **EIGHTH ORDER OF BUSINESS – Supervisor Appointments**

203 A. Exhibit 16: Consideration of Candidates for Appointment to Vacant Seats 1 and 3

204 The Board reviewed the candidate resumes. Mr. Nguyen and Ms. Yakovleva were not
205 present. Mr. Lopez and Mr. Snyder provided a synopsis of their history, philosophy and

206 goals for the CDD. Both seats' terms are for two years.

207 Mr. Snyder received two votes for Seat 1.

208 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
209 appointed Mr. Anthony Snyder as Supervisor to fill Seat 1, for The Preserve at South Branch Community
210 Development District.

211 Mr. Lopez received two votes for Seat 3.

212 On a MOTION by Mr. Haller, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the Board
213 appointed Mr. Steven Lopez as Supervisor to fill Seat 3, for The Preserve at South Branch Community
214 Development District.

215 1. Exhibit 17: Administration of Oath of Office

216 Ms. Dobson administered the Oaths of Office to Mr. Snyder and Mr. Lopez.

217 2. Exhibit 18: Review of Public Records and Government in the Sunshine

218 Ms. Sandy reviewed the requirements for public records requests and government
219 in the Sunshine and will provide Mr. Snyder and Mr. Lopez a New Supervisor
220 notebook.

221 3. Exhibit 19: Distribution of New Supervisor Information/Form 1

222 Ms. Dobson distributed the New Supervisor documents to Mr. Snyder and Mr.
223 Lopez.

224 B. Exhibit 20: Consideration and Adoption of Resolution 2023-10, Designating Officers

225 Ms. Whelihan was nominated for Chair.

226 On a MOTION by Mr. Snyder, SECONDED by Mr. Lopez, WITH ALL IN FAVOR, the Board appointed
227 Ms. Jennifer Whelihan as Chair, for The Preserve at South Branch Community Development District.

228 Mr. Haller was nominated for Vice Chair.

229 On a MOTION by Mr. Abercrombie, SECONDED by Ms. Whelihan, WITH ALL IN FAVOR, the Board
230 appointed Mr. Jeffrey Haller as Vice Chair, for The Preserve at South Branch Community Development
231 District.

232 Ms. Dobson listed the slate of designated officers to take effect immediately.

233 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board adopted
234 Resolution 2023-10, Designating Officers, for The Preserve at South Branch Community Development
235 District.

236 **NINTH ORDER OF BUSINESS Audience Comments – New Business/Non-Agenda Items** *(Limited to*
237 *3 minutes per individual for non-agenda items)*

238 There being none, the next item followed.

239 **TENTH ORDER OF BUSINESS – Supervisors Requests** *(Includes Next Meeting Agenda Item Requests)*

240 Mr. Haller requested a proposal be presented for a bike rack at the dog park, and for Cepra to
241 provide a proposal to add hardscaping around the dog wash station.

242 Ms. Whelihan requested the Supervisors biographies and photos be added to the website.

243 All Supervisors confirmed their availability to attend the Budget Workshop scheduled for April 5,
244 2023 at 9:00 a.m. Ms. Dobson explained the different sections of the spreadsheet the Supervisors
245 will receive for their budget review.

246 **ELEVENTH ORDER OF BUSINESS – Action Items Summary (To Be Emailed to Supervisors and**
247 **Staff)**

248 A copy of the distributed summary is attached to these minutes.

249 **TWELFTH ORDER OF BUSINESS – Next Meeting Quorum Check**

250 *Confirmation of Quorum for Next Meeting Scheduled for 9:00 a.m. on April 4, 2023, at the Residence Inn*
251 *by Marriott Tampa Suncoast Parkway (NorthPointe Village, 2101 Northpoint Parkway, Lutz, Florida*
252 *33558)*

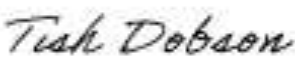
253 All Supervisors present confirmed their intent to be physically present at the next meeting, which
254 would establish a quorum.

255 **THIRTEENTH ORDER OF BUSINESS – Adjournment**

256 On a MOTION by Ms. Whelihan, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board
257 adjourned the meeting at 12:06 p.m., for The Preserve at South Branch Community Development District.

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

261 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
262 **meeting held on 4/4/2023**

263
264 

Signature

Tish Dobson

Printed Name

265 Title: Secretary Assistant Secretary



Signature

Jennifer Whelihan

Printed Name

Title: Chairman Vice Chairman

The Preserve at South Branch CDD
March 1, 2023 Action Items

Board Members:

- Send Tish budget requests.
- Send Tish bios and photos for the website.

Tish:

- Request a speed trailer: **Requested.**
- Tish will research/draft a new map with the two Cost Share ponds identified (color coded): **New map in progress.**
- Request for proposal to draft & print an ownership & maintenance map once the engineering RFP process is completed.
- Create a Project List for the FY 2023-2024 budget: **In progress.**
- Notify the community when the annuals will be available to pick up at Balboa Mist Cove Park: **March 31st.**
- Secure a proposal to replace the Basketball Court gate mag lock and access control: **In progress.**
- Request a proposal for quarterly fountain maintenance: **Requested.**
- Secure a proposal from Office Pride to add a trash receptacle on South Branch Blvd. near the electrical boxes: **Completed.**
- Add the Board bios and photos to the website: **In progress.**
- Coordinate the removal of the oil spot on Secret Meadow: **Contacted a vendor.**

Sarah:

- Sarah contact D.R. Horton to schedule a meeting to discuss outstanding construction concerns.
- Send a cease and desist and reimbursement of expense letter to the homeowner who left an oil spot in front of their home.

Cepira:

- Submit a rock/sand/sod proposal to remediate the area underneath the Dog Wash Station.
- Pull the dead plants at the Living Coral mailbox kiosk.

Florida Fountains:

- Change the time on the clocks to 9:00AM – 9:00PM: **Requested.**

Office Pride:

- Submit a proposal to add a trash receptacle on South Branch Blvd. near the electrical boxes.

Steadfast:

- Submit a proposal to stock the ponds with fish and spraying to combat the mosquitos.

Budget Workshop List:

- Ownership/Maintenance Map.
- Basketball Court Enhancement Project – Bike Rack and concrete slab.
- Consideration of 3 Aerators for Pond 17.
- Consideration to increase services provided by Office Pride.

April/May Agenda:

- Basketball Court gate mag lock and access control proposals.
- Quarterly fountain maintenance proposal. (Blue Water Aquatics)