

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
5 Community Development District was held on Tuesday, July 11, 2023 at 9:00 a.m. at Residence
6 Inn by Marriott Tampa Suncoast Parkway, NorthPointe Village, 2101 Northpoint Parkway, Lutz,
7 Florida 33558.

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

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

10 Present and constituting a quorum were:

11 Jennifer Whelihan (S2)	Board Supervisor, Chair
12 Jeffrey Haller (S4)	Board Supervisor, Vice Chair
13 Anthony Snyder (S1)	Board Supervisor, Assistant Secretary
14 Jules Abercrombie (S5)	Board Supervisor, Assistant Secretary

15 Also present were:

16 Tish Dobson	District Manager, Vesta District Services
17 Sarah Sandy (<i>via Teams</i>)	District Counsel, Kutak Rock
18 Stephen Brletic	District Engineer, DBI
19 Richard Seaman	Account Manager, Cepra
20 Lindsay Moczynski	DSK Law
21 Meredith Hammock	Kilinski Van Wyk PLLC
22 Virgil Stoltz	Blue Water Aquatics
23 Chris Thompson	Blue Water Aquatics
24 Chuck Burnite	GHS Environmental
25 Jerry Adams	Resident
26 David Silverstein	Resident

27 *The following is a summary of the discussions and actions taken at the July 11, 2023 The Preserve*
28 *at South Branch CDD Board of Supervisors Regular Meeting.*

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

31 Comments were heard regarding trailer parking and establishing a towing policy. A
32 comments was also heard on rodents in the residential garbage, which is not a CDD matters.

33 **THIRD ORDER OF BUSINESS – Consideration of Supervisor Appointment to Seat 3**

34 A. Exhibit 1: Acceptance of Supervisor Resignation

35 The Board thanked Mr. Lopez for his service to the community and District.

36 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the 37 Board accepted Mr. Lopez’s resignation as Supervisor in Seat 3, for The Preserve at South 38 Branch Community Development District.

39 B. Consideration of Candidates

40 The Board discussed potential candidates and audience members were asked if they
41 would like to be considered for the appointment.

42 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
43 appointed Dr. Silverstein as Supervisor in Seat 3, for The Preserve at South Branch Community
44 Development District.

45 C. Oath of Office – *To be Distributed*

46 Dr. Silverstein was sworn in.

47 D. New Supervisor Information – *To be Distributed*

48 Ms. Dobson provided Dr. Silverstein with the new Supervisor information.

49 E. Review of Government in the Sunshine and Record Requests – *To be Distributed*

50 Ms. Sandy provided an overview of the governing statutes applicable to CDD
51 Supervisors.

52 F. Exhibit 2: Consideration of **Resolution 2023-13, Designating Officers**

53 The officer designation remained the same except Dr. Silverstein replaced Mr.
54 Lopez as Assistant Secretary.

55 On a MOTION by Mr. Abercrombie, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board
56 adopted Resolution 2023-13, Designating Officers, for The Preserve at South Branch Community
57 Development District.

58 **FOURTH ORDER OF BUSINESS – Public Hearing – Rule Development and Policy**

59 A. Open Public Hearing

60 On a MOTION by Mr. Snyder, SECONDED BY Mr. Haller, WITH ALL IN FAVOR, the Board
61 recessed the regular meeting and opened the Public Hearing, for The Preserve at South Branch
62 Community Development District.

63 B. Exhibit 3: Review Natural Area Maintenance Policy and Agreement

64 The policy would allow residents to partner with the District to remove invasive
65 vegetation from conservation and wetland buffer areas adjacent to their property
66 and provides guidance to ensure such maintenance remains in compliance with the
67 SWFWMD permit regulations. A fee of \$25 is imposed on residents which goes
68 towards the education process.

69 A map will be attached to the policy for distribution.

70 C. Public Comments

71 D. Close Public Hearing

72 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
73 closed the Public Hearing and reconvened the regular meeting, for The Preserve at South Branch
74 Community Development District.

75 E. Exhibit 4: Consideration of **Resolution 2023-14, Adopting a Natural Area**
76 **Maintenance Policy and Agreement**

77 On a MOTION by Mr. Haller SECONDED by Ms. Whelihan, WITH ALL IN FAVOR, the Board
78 adopted Resolution 2023014, Adopting a Natural Area Maintenance Policy and Agreement, for
79 The Preserve at South Branch Community Development District.

80 **FIFTH ORDER OF BUSINESS – District Counsel Legal Services Presentations**

81 A. Exhibit 5: Consideration of Legal Services RFP Responses

- 82 1. DSK Law
- 83 2. Kilinski Van Wyk PLLC
- 84 3. Kutak Rock LLP

85 The Board discussed the responses and asked questions of the respondents'
86 representatives. The Board expressed interest in receiving end of session recaps of
87 State legislative issues affecting CDDs.

88 On a MOTION by Mr. Haller, SECONDED by Mr. Snyder, with Mr. Abercrombie opposed, the
89 Board approved terminating Kutak Rock and engaging DSK Law for District Counsel services,
90 for The Preserve at South Branch Community Development District.

91 **SIXTH ORDER OF BUSINESS – Aquatics Maintenance Vendor Review**

92 A. Exhibit 6: Presentations by Aquatic Maintenance Vendors

- 93 1. Blue Water Aquatics
- 94 2. GHS Environmental
- 95 3. Lake Doctors

96 B. Consideration of Aquatic Maintenance Service Proposals

- 97 1. Exhibit 7: Steadfast – *Scope for Reference Purposes*

98 The Board discussed the presentations and asked questions of the vendor
99 representatives. A separate proposal will be requested for a wetland mitigation and
100 monitoring agreement.

101 On a MOTION by Mr. Snyder, SECONDED by Dr. Silverstein, WITH ALL IN FAVOR, the
102 Board approved engaging GHS Environmental for aquatic maintenance services, for The Preserve
103 at South Branch Community Development District.

104 On a MOTION by Mr. Haller, SECONDED by Ms. Whelihan, WITH ALL IN FAVOR, the Board
105 approved terminating Steadfast Environmental as the aquatic maintenance services provider, for
106 The Preserve at South Branch Community Development District.

107 **SEVENTH ORDER OF BUSINESS – Consent Agenda**

- 108 A. Exhibit 8: Consideration and Approval of the Minutes of the Regular Meeting Held
109 June 13, 2023
- 110 B. Exhibit 9: Consideration and Acceptance of the FY 2022 Audited Financial Report
- 111 C. Exhibit 10: Consideration and Acceptance of the May 2023 Unaudited Financial
112 Report

113 On a MOTION by Ms. Whelihan, SECONDED by Mr. Snyder, WITH ALL IN FAVOR, the Board
114 approved Consent Agenda items A-C as presented, for The Preserve at South Branch Community
115 Development District.

- 116 D. Exhibit 11: Ratification of Budget and Assessment Public Hearings Date Set for
117 August 1, 2023 at 6:00 p.m.

118 On a MOTION by Mr. Haller, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the Board
119 ratified the budget and assessment Public Hearings date set for August 1, 2023 at 6:00 p.m., for The Preserve
120 at South Branch Community Development District.

121 **EIGHTH ORDER OF BUSINESS – Chair Report – Jennifer Whelihan**

122 Ms. Whelihan updated the Board regarding the 15-minute parking signs in front of the
123 Living Coral mailbox, positive remarks received regarding the CDD’s communication
124 efforts, another successful flower give-away, with thanks to Mr. Seaman and Cepra and
125 Ms. Dobson and Mr. Haller. Due to the size of the mailing, MailChimp is now charging
126 for communications. Ms. Whelihan requested reimbursement for the \$15 monthly fee she
127 paid and approval to have the CDD pay future invoices. Ms. Dobson added this expense
128 would be allocated to Miscellaneous under Administration Expenses (not to be confused
129 with Miscellaneous Field Contingency).

130 On a MOTION by Mr. Snyder, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the
131 Board approved reimbursing Ms. Whelihan in the amount of \$15 for the MailChimp fee and for
132 the CDD to pay future MailChimp invoices directly, for The Preserve at South Branch Community
133 Development District

134 Ms. Whelihan noted she had completed a tour of the new mow route with Cepra and there
135 are some adjustments being made to the schedule, should the other Supervisors be asked
136 by residents about sections that appear to have been missed.

137 **NINTH ORDER OF BUSINESS – Staff Reports**

- 138 A. District Counsel – *Sarah Sandy, Kutak Rock*

139 Ms. Sandy relayed that construction in the area is not doing damage to District
140 property at this time. She recommended staff reach out to BRS Industries to
141 determine if they have an executed copy of the cost-share agreement for review.
142 Ms. Dobson will review the minutes for references to the map specifically and see
143 if there is anything in a hard file.

144 Ms. Sandy will share the Florida Statute that pertains to permitted use of low-speed
145 vehicles on roadways with Ms. Dobson.

146 Ms. Sandy requested a transition date for District Counsel services. Board
147 consensus was for the transition to DSK Law to be effective as of August 10, 2023.

148 B. District Engineer – *Stephen Brletic, BDI*

149 Ms. Dobson updated the Board that the underdrain repair on Tuscany was
150 completed and that she would ask Cepra to install the sod instead of Site Masters.
151 Ms. Sandy was asked to reach out to Ripa & Associates regarding reimbursement
152 for the underdrain repair.

153 C. District Manger – *Tish Dobson, Vesta District Services*

154 1. Exhibit 12: Field Operations Report

155 Ms. Dobson noted the handheld sprayer will be replaced for the fourth time
156 within six months and the Department of Transportation is assessing the
157 turn lane on SR 54. A vendor was sourced to remove the perished animal
158 on South Branch Blvd and an article regarding who to call with wildlife
159 concerns will be sent to the Chair for circulation. Comments and
160 recommendations were made regarding the access control proposals to be
161 considered later in the meeting.

162 2. Landscape Report – *Richard Seaman, Cepra*

163 Mr. Seaman provided the Board with an update on the landscape
164 maintenance activities.

165 a. Exhibit 13: Consideration of Proposal to Install Saw Palmetto in
166 Bed on West Side of South Branch - \$2,479.25

167 This proposal was withdrawn to be replaced with a revised proposal.

168 Mr. Thompson with Blue Water Aquatics provided an update on the fountains and
169 explained common fountain problems in the water with the motor and out of the
170 water in the breaker box. He suggested the Board consider future plantings to
171 provide shade for the breaker boxes.

172 3. Exhibit 14: Aquatic Report – *Lee Smith, Steadfast Environmental*

173 a. Consideration of Outflow Structure Erosion Repair Proposal -
174 \$2,250.00 – *Previously Presented*

175 Ms. Dobson explained that the existing materials were deteriorating
176 to the point that indicated potential for greater erosion, therefore she
177 approved the repair prior to the meeting and asked the Board to
178 ratify that approval.

179 On a MOTION by Mr. Haller, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR, the
180 Board ratified the Steadfast proposal for outflow structure erosion repairs in the amount of
181 \$2,250.00, for The Preserve at South Branch Community Development District.

182 In order to maintain the District’s assets and with a view to public
183 safety, “Keep off the Rocks” signs will be installed in the area.

184 **TENTH ORDER OF BUSINESS – Business Items**

185 A. Exhibit 15: Consideration of BDI Professional Engineer Services Agreement

186 On a MOTION by Mr. Snyder, SECONDED by Ms. Whelihan, WITH ALL IN FAVOR, the Board
187 approved the BDI Professional Engineer Services Agreement as presented, for The Preserve at
188 South Branch Community Development District.

189 B. Exhibit 16: Consideration and Adoption of **Resolution 2023-15, Setting the FY**
190 **2024 Meeting Schedule**

191 On a MOTION by Ms. Whelihan, SECONDED by Mr. Abercrombie, WITH ALL IN FAVOR,
192 the Board adopted Resolution 2023-15, Setting the FY 2024 Meeting Schedule, for The Preserve
193 at South Branch Community Development District.

194 C. Exhibit 17: Discussion on District Map Proposals – *Previously Presented*

195 1. BDI

196 This proposal offered one price for all components, and then breaks out the
197 components into phases for an adjusted individual price.

198 2. Romaner Graphics

199 On a MOTION by Mr. Snyder, SECONDED by Dr. Silverstein, WITH ALL IN FAVOR, THE
200 Board approved BDO to create a District maintenance map, for the Preserve at South Branch
201 Community Development District.

202 The Board discussed adjusting the schedule of tasks and requested BDI present the
203 map proposal at the August meeting prior to a decision on approving all
204 components or a phased schedule.

205 D. Exhibit 18: Consideration of DCSI, Inc “Security & Sound” Proposal to Replace
206 Access Control System at Basketball Court

207 Ms. Dobson discussed the budget allocation for this proposal for \$1,789.00. This
208 item was tabled to be reconsidered at the end of the fiscal year.

209 E. Consideration of Adding Card Access Control System to Dog Park

210 The dog park does not have electricity or an established maglock. A proposal for
211 future consideration was requested of DCSI.

212 F. Discussion on HOA/CDD Workshop

213 An HOA representative was not present. The Board discussed coordinating with
214 the HOA on parking, security, holiday decorations, and cost-sharing on Pasco
215 County Sheriff expenses. Ms. Whelihan will coordinate with the HOA President
216 to schedule a workshop. No business will be conducted during the workshop. Any
217 action items proposed during the workshop will be discussed at a regular CDD
218 meeting prior to a decision or direction from the Board.

219 G. Exhibit 19: Discussion of Tree Request

220 On a MOTION by Mr. Snyder, SECONDED by Ms. Whelihan WITH ALL IN FAVOR, the Board
221 denied a resident's request to plant and maintain trees in a common area, for The Preserve at South
222 Branch Community Development District.

223 H. Exhibit 20: Consideration of Romaner Graphics Proposal for Lighting at Mail
224 Kiosk - \$1,625.00

225 Ms. Dobson recommended considering this for the new fiscal year.

226 On a MOTION by Ms. Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board
227 approved the Romaner Graphics proposal to install lighting at the mail kiosk in the amount of
228 \$1,625.00, pending the start of the new fiscal year, for The Preserve at South Branch Community
229 Development District.

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

232 There being none, the next item followed.

233 **TWELFTH ORDER OF BUSINESS – Supervisors Requests** (*Includes Next Meeting Agenda*
234 *Item Requests*)

235 Mr. Abercrombie requested a disaster preparedness guide with photos be sent via eblast.

236 Ms. Whelihan requested staff contact FWC for a conservation education event in
237 September, start drafting the towing and parking policy language, and add a discussion on
238 a policy for the usage of CDD common areas to the next agenda.

239 Dr. Silverstein requested a sample of a common area usage policies be sent to the Board
240 for review.

241 **THIRTEENTH ORDER OF BUSINESS – Action Items Summary** (*To Be Emailed to*
242 *Supervisors and Staff*)

243 **District Manager:**

- 244 • Research the files for the Cost Share Agreement passed by resolution in 2018:
245 *Completed.*
- 246 • Secure additional Dog Park & Basketball Court mag lock/card reader proposals: *In*
247 *progress.*
- 248 • Contact FWC for a Conservation Education Event: *In progress.*
- 249 • Begin drafting the towing and parking language: *In progress.*
- 250 • Send common area usage policies to the Board for review.

251 **Chair:**

- 252 • Coordinate with the HOA President on the Workshop.
- 253 • Eblast the Disaster Preparedness Guide with the photo: *Completed.*

254 **District Counsel:**

- 255 • Ask RIPA/Developer to reimburse the District for the repair.

- Coordinate with the HOA President on the Workshop.
- Eblast the Disaster Preparedness Guide with the photo: *Completed.*

District Counsel:

- Ask RIPA/Developer to reimburse the District for the repair.

Cepra:

- Revise the Saw Palmetto proposal.

August Agenda:

- Saw Palmetto proposal.
- Maintenance Map – BDI to present.
- HOA/CDD Workshop dates.
- Common area usage discussion.

FOURTEENTH ORDER OF BUSINESS – Next Meeting Quorum Check

Confirmation of Quorum for Next Meeting Scheduled for 6:00 p.m. on August 1, 2023, at the Residence Inn by Marriott Tampa Suncoast Parkway (NorthPointe Village, 2101 Northpoint Parkway, Lutz, Florida 33558)

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

FIFTEENTH ORDER OF BUSINESS – Adjournment

On a MOTION by Whelihan, SECONDED by Mr. Haller, WITH ALL IN FAVOR, the Board adjourned the meeting at 12:49 p.m., for The Preserve at South Branch Community Development District.

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

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on August 1, 2023.

Tish Dobson
Signature

Tish Dobson
Printed Name

Title: Secretary Assistant Secretary

Jennifer Whelihan
Signature

Jennifer Whelihan
Printed Name

Title: Chair Vice Chair