

**MINUTES OF MEETING
GRAND HAVEN
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Grand Haven Community Development District held a Regular Meeting on Thursday, December 5, 2019, at 10:00 a.m., in the Grand Haven Room, at the Grand Haven Village Center, located at 2001 Waterside Parkway, Palm Coast, Florida 32137.

Present at the meeting were:

Dr. Stephen Davidson	Chair
Tom Lawrence	Vice Chair
Marie Gaeta (via telephone)	Assistant Secretary
Kevin Foley	Assistant Secretary

Also present were:

Howard McGaffney	District Manager
Scott Clark	District Counsel
Barry Kloptosky	Operations Manager
Stacie Acrin	Grand Haven CDD Office
Donna Conforti	Grand Haven CDD Office
Andrew Huebner	Assistant Amenity Manager - Vesta/AMG
Jay King	Vesta/AMG
Donald O'Brien	Flagler County Commissioner
Louise Leister	Horticultural Consultant

Residents present were:

Kathleen Fuss	Karen Durand	Dennis Durand
Otto Bohmueller	John Polizzi	Michael Flanagan
Rob Carlton	Tom Byrne	Don Plunkett
Al Lo Monaco	Vic Natiello	Steve Brazen
Mike Wright	Chip Howden	Teri Triani
Anne Sciuto	Tony Sciuto	Morgan Evans
Ron Merlo		

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Disclaimer: These summary minutes are intended to highlight the topics discussed, items being considered and actions taken.

Mr. McGaffney called the meeting to order at 10:07 a.m. Supervisors Davidson, Lawrence and Foley were present, in person. Supervisor Gaeta was attending via telephone. Supervisor Smith was not present.

SECOND ORDER OF BUSINESS**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

- **2020 Census Presentation: Donald O'Brien, County Commissioner**

This item was an addition to the agenda.

Mr. O'Brien gave a PowerPoint presentation about the upcoming 2020 Census. He stated that responding to the mailed notices would reduce the need for the census enumerators to visit to speak to non-responsive residents. Regarding access to the community, Mr. Clark stated access is granted for any purpose; census enumerators with proper identification would be given access. Mr. Kloptosky stated that, the last time, his office received advance notification. Mr. O'Brien would email a link to the presentation, the census form questions and a synopsis of the advantages in participating in the census to Management.

THIRD ORDER OF BUSINESS**PUBLIC COMMENTS (3-Minute Rule; Non-Agenda Items)**

Resident Karen Durand stated two Board Members spoke to her in response to the November 18, 2019 email regarding the purchase of the vacant land near the unfinished condos. She asked questions and made comments, as follows:

- Has the contract for the purchase occurred and, if so, what contingencies are in the contract?
- The costs associated with the survey to determine whether the amenities should be opened on the holidays were minimal, in comparison to the \$270,000 bid to purchase the land. Why was no survey done to determine if residents supported the land purchase or if residents felt that another amenity center was wanted or needed?
- Some residents knew nothing about the land purchase. Did the District contact the residents in the townhouses abutting the land about the District's intentions?

Ms. Durand stated that she was disturbed that a capital investment of this type was not announced or explained adequately to residents. In her opinion, the issue was poor

communication between the CDD Board and residents and that it was not acceptable to just advise residents to attend meetings or review the minutes on the website. As representatives of the residents, she felt that the Board must address how it communicates to residents, as important information impacting them was not being disseminated to all residents

Resident Steven Brazen suggested installing a flashing light system at the Waterside Parkway crosswalk, as there were several times that he and others were nearly hit by driver's whose view was obstructed by the median.

Resident Otto Bohmueller asked for the push button system at the golf course crosswalks to be repaired. The system proved useful, as vehicles have slowed down.

Resident John Polizzi expressed his support of Ms. Durand comments. The Board needs to reevaluate how it communicates information to residents. The Board needs a formal process with guidelines and protocols that the Board follows to communicate issues that impact the community. He was surprised the concerns about the purchase were not on today's agenda. He felt that the Board should have provided residents with an update about it.

Supervisor Foley provided his thoughts, as follows:

- The Board needs to address all the crosswalks, as it was becoming a real issue, given the speeding and the resident that was recently injured.
- As a resident and not as a Board Member, he supports purchasing the property, as it would serve the long-term needs of the community and, with the development rights, if nothing is built, the CDD could sell the property in the future.
- The Board could do a better job of communicating to residents.

FOURTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Continued Discussion: Holiday Openings of Courts

Mr. Kloptosky stated that using combination locks, which allowed Supervisor Foley and Ms. Ms. Kathleen Fuss, a resident, to open the courts on the holidays, went well. He heard that many people used the courts and there were no complaints. Mr. Huebner agreed that it went well. The combination locks were a great idea and would be used again for Christmas and New Year's Day. Supervisor Foley noted he saw a lot of activity that day. He had trouble with the combination locks when locking up at night.

Ms. Fuss stated that she saw several players using the courts and she also opened the tot lot. She suggested changing the signage to change “playing” time to 9:00 a.m., to 1:00 p.m., as the courts were not in use after 2:00 p.m. Gym access was requested twice.

B. Continued Discussion: Resident Online Directory/Community Information Guide

Mr. Huebner stated that other communities use a resident database application to communicate to residents, which could be used as an online interactive resident directory, where residents enter the information and “real time” data is retrieved.

Resident Michael Flanagan noted his high-tech background and offered to help Vesta in creating a program; merging several databases was simple but he was concerned about the possibility of the app being hacked and the type of information that would be entered.

Discussion ensued regarding residents who do not use computers, ensuring compliance with all Federal and State privacy standards, the type of information to be entered, etc.

Mr. Clark stated that an app would not be appropriate for the District, as the information was sensitive and subject to the public records law.

Supervisor Davidson asked Mr. Flanagan to work with Vesta to determine whether an app or web-based program would be the best approach. The demo app and other options would be presented at the next meeting.

On behalf of the Master Association, Dr. Rob Carlton, a resident, stated that the GHMA has the District’s request for the GHMA to provide an online interactive directory on its agenda for later this month. Depending on the response, this would be included on the next agenda.

C. Consideration: Responses to RFP for Security Services

- I. Allied Universal
- II. Guard One Security
- III. Ramco Protective

Mr. McGaffney asked whether to proceed with the selection, as only one of the three companies that responded to the Request for Proposals (RFP) submitted a complete package. Mr. Clark stated the Board has the power to waive minor deficiencies; however, if the packages vary too much, the District runs the risk of a contested bid.

The Supervisors voiced their opinions about each submittal. Discussion ensued regarding each company’s reputation, standard of service, incremental cost each year, references, hourly guard rates, ability to negotiate the contract instead of annual cost

increases, etc. Mr. Clark recommended inviting each respondent to give a presentation and then scoring the responses, rather than rejecting the proposals.

Mr. Polizzi noted he is well-versed in contract negotiations and he felt that the District could build automatic escalations into the contract tied to specific indexes but with a 3% cap.

Mr. McGaffney stated that, due to minimum wage increases, the contract could increase, incrementally.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, inviting all respondents to give limited presentations at the January meeting and respond to questions, was approved.

The meeting recessed at 11:50 a.m., and reconvened at 12:09 p.m.

D. Discussion/Consideration: RFP for Landscape Maintenance Services

Ms. Leister presented the revised RFP, which added another flower rotation, with the flexibility to add a fourth, and included areas omitted from the last RFP due to the recession but that the landscape contractor currently maintains despite them not being in the contract.

The following changes would be made to the RFP:

Page 47, Section M, 2nd Paragraph, Line 2: Change “third” to “fourth”

Page 41: Delete Items “d” and “e”

Page 43, Section 3 and throughout: Change “Montegue” to “Montague”

Page 43, Section 3c, Line 3: Change “own” to “owned”

Page 43, Section 3: Change “c.” to “b.” and “d.” to “c.” and correct the paragraph spacing

Page 45, Section J5: Delete “did”

Page 45, Section J3: Insert “Contractor to provide cost of mulch per cubic yard.”

Ms. Leister would use at her discretion in areas that need to be mulched more than once a year.

Page 54: 2nd Item “9”: Change “9” to “10” and “ter” to “Water”

Page 18, Grand Total: Change “Apr1” to “Apr 1” and the second “Year 1” to “Year 2” and the third “Year 1” to “Year 3”

Ms. Leister presented the Yellowstone Landscape (Yellowstone) proposal to renovate the landscape along Waterside Parkway, which was outside the scope of the RFP. Discussion ensued regarding the capital budget, upcoming projects, line of sight issues and renovations needed at Willow Oak Way and other areas.

On MOTION by Supervisor Lawrence and seconded by Supervisor Davidson, with all in favor, the RFP for Landscape Maintenance Services, as amended, and authorizing Staff to advertise accordingly, was approved.

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, the Yellowstone Landscape proposal for the Waterside Parkway Landscape Rejuvenation Project, in a not-to-exceed amount of \$50,000, was approved.

Ms. Leister distributed photographs of areas where homeowners planted invasive, exotic vegetation, installed pavers, etc., on CDD property, and stated that the CDD must address this issue.

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, authorizing District Counsel to send demand letters, via certified mail, to the property owners with landscaping that is in violation, was approved.

Supervisor Lawrence suggested sending an e-blast to make residents aware of this issue.

Resident Tom Byrne suggested the possibility that residents obtained approval through the GHMA or Architectural Design Committee (ADC) and that the material just migrated onto District property. Mr. McGaffney stated he would notify the Property Manager that the District would be sending violation notices.

E. Discussion: Organizational Structure/Format for Meetings/Workshops

Supervisor Davidson stated it has become necessary to enforce the public comments three-minute rule to prevent running out of time and so all residents have time to speak. He motioned to purchase an official timer to use during public comments and limiting individual comments to three minutes and five minutes for those representing a group. Supervisor Gaeta

seconded the motion. Supervisors and residents gave their opinions about the use of a timer and provided alternatives. Supervisor Davidson withdrew his motion for the purchase of an official timer. A simple timer would be used. Discussion ensued regarding where to place public comments on the agenda and when to take comments on agenda and non-agenda items.

F. Discussion: Two (2) Designated Creekside Parking Spaces for CDD Business

Mr. Kloptosky spoke in support of designating two Creekside parking spaces, in the front lot, for “CDD Business” only. Discussion ensued regarding enforcing illegal parking, setting time limits, etc.

On MOTION by Supervisor Lawrence and seconded by Supervisor Davidson, with all in favor, designating two parking spaces in front of the Creekside building for “CDD Business”, with a 15-minute time limit, and authorizing the Operations Manager to purchase signs, within his spending authority, was approved.

G. Ratification of Paul Culver Construction, Inc., Change Orders

- I. Change Order No. 6**
- II. Change Order No. 7**

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, the Paul Culver Construction, Inc., Change Orders No. 6, in the amount of \$1,276, and No. 7, in the amount of 2,241.80, were ratified.

FIFTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

A. ACCEPTANCE OF UNAUDITED FINANCIAL STATEMENTS

- Unaudited Financial Statements as of October 31, 2019**

The following changes would be made in the Check Register:

Change “Bright House Networks, LLC” to “Spectrum”

Change “U.S. Security Associates, Inc.” to “Allied Universal”

B. APPROVAL OF MINUTES

- I. October 17, 2019 Regular Meeting**
- II. November 7, 2019 Regular Meeting**

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, the Consent Agenda Items, as amended to include revisions to the minutes previously submitted to Management and today’s revisions to the Check Register, were approved.

SIXTH ORDER OF BUSINESS

NEXT MEETING DATE

- **December 19, 2019 at 10:00 A.M., Community Workshop**
 - **QUORUM CHECK**

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, cancelling the December 19, 2019 Community Workshop, was approved.

SEVENTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer: DRMP, Inc. (David Sowell)

There being no report, the next item followed.

B. Amenity Manager: Amenity Management Group, Inc. [Larry Stuart]

Mr. Huebner reported the following regarding the Café:

- Over 350 comment cards were received, to date.
- Rating Results Averages: The overall score remained at 4.7, with 5 being the highest.
- Items being addressed based on comments: Increase wine options and portion sizes.
- Holiday tree lighting was scheduled for December 11, 2019 at 6:30 p.m.
- The tennis court resurfacing project was postponed due to a schedule conflict.
- An e-blast advising that the courts would be open on the holidays would be sent, once approved by Mr. Kloptosky.
- Resident comment cards and collection boxes would be at the podium at each facility; an e-blast about the survey would be sent out.

Supervisor Gaeta asked for the dates of the resident food tasting event. Residents would be notified that the event would be 3:00 p.m., to 5:00 p.m., next Monday, Tuesday and Thursday, on a first come first served basis.

➤ The Amenity staff performance appraisals were nearly complete and reviews would be forthcoming.

Supervisor Foley suggested implementing signup sheets at the courts for the holidays to avoid conflicts.

C. Operations Manager: [Barry Kloptosky]

Mr. Kloptosky distributed a proposal from Brame Heck Architects Inc., for additional architectural and design services that was omitted from the original scope of work. Mr. McGaffney stated this would require an addendum to the contract, rather than a change order.

On MOTION by Supervisor Davidson and seconded by Supervisor Foley, with all in favor, authorizing an addendum to the Brame Heck Architects Inc., contract to include additional architectural services, as proposed, in the amount of \$10,045, was approved.

Mr. Kloptosky stated that the tennis court resurfacing project would commence January 6, 2020 and was expected to take two weeks to complete. The Palm Coast Tennis Center would be asked about accommodating the District's players.

Mr. Kloptosky thanked his Staff for a great job preparing and decorating for the holidays. Supervisor Davidson mentioned the great job building the base for the artificial tree.

D. District Counsel: *Clark & Albaugh, LLC* [Scott Clark]

Mr. Clark responded to questions and reported the following about the land purchase:

➤ Counsel for the seller approved the contract wording changes related to the District agreeing that it would not build a competing multi-family product within three years. A response from the seller was pending.

➤ The contract has contingencies stating that there is a 90-day period during which the District can withdraw from the contract for any reason.

➤ Soft costs would be approximately \$25,000 for services related to due diligence, including engineering costs for environmental review, a survey, an appraisal, title search, etc., before the contract would be executed.

Discussion ensued regarding whether any fees, such as HOA and taxes were in arrears, work related to soft costs and informing residents about the benefits of the purchase.

Mr. McGaffney stated the intent was to secure the land, if possible, develop a future plan for the land and then seek resident input.

Supervisor Lawrence suggested creating a Communications Committee, consisting of Supervisors and residents, to discuss communicating between the CDD and residents.

Supervisor Davidson recalled District Counsel's recommendation not to discuss negotiations over the selling price in a public forum, which helped lower the price by \$100,000. Until due diligence is done and the purchase finalized, there was not enough information available to discuss with residents what to do with the land. A resident suggested that the District give an annual "state of the community" presentation. Supervisor Davidson stated that is done when the proposed budget is presented for adoption at the September public hearing when residents have the opportunity to speak about projects, etc.

On MOTION by Supervisor Lawrence and seconded by Supervisor Foley, with all in favor, the soft costs associated with performing due diligence related to the land purchase, as spoken into the record by District Counsel, in a not-to-exceed amount of \$30,000, was approved.

Supervisor Foley and Mr. Clark would work together on an announcement to send to residents, when appropriate.

➤ Federal Emergency Management Agency (FEMA) Claim: FEMA had been unresponsive to requests for additional funds related to the Hurricane Matthew claim.

➤ Parcel K: Encroachment issues would be addressed at the next meeting.

E. District Manager: *Wrathell, Hunt and Associates, LLC* [Howard McGaffney]

Mr. McGaffney reported the following:

➤ CDD staff year-end bonuses, which were budgeted and preapproved by the Board, would be distributed soon.

➤ Mr. Welter, with the St. Johns River Water Management District (SJRWMD), agreed to discuss a beginning concept of creating an all-inclusive adaptive management plan for wildfire mitigation, vine control, etc., rather than requiring the CDD to submit a request each time.

EIGHTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Lawrence asked for the following items to be on the next agenda:

- Discussion item about creating a Communication Committee, comprised of Supervisors and residents, to discuss the CDD's process of communicating information to residents and determine how to improve communication.
- Discussion of the Village Center cross walk ensued with possibly installing a push button flashing light system.

NINTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

TENTH ORDER OF BUSINESS

ADJOURNMENT

There being no further business to discuss, the meeting adjourned.

On MOTION by Supervisor Davidson and seconded by Supervisor Foley, with all in favor, the meeting adjourned at 2:27 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair