

MINUTES OF MEETING HEMINGWAY POINT COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Hemingway Point Community Development District was held on Wednesday, April 23, 2025 at 10:00 a.m. at 2804 NE 8th Street, Suite 202, Homestead, Florida 33033.

Present were:

Marcos Gonzalez
Anthony Toro
Efrain (Frank) Ruiz
Cheryll Angell
Carlos Suarez

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary (by phone)

Also present were:

Ben Quesada
Mayra Padilla
Terry Glynn
Scott Cochran
Several residents

District Manager
Governmental Management Services
Governmental Management Services (by phone)
District Counsel

FIRST ORDER OF BUSINESS

Oath of Office for Cheryll Angell – *Administered prior to the meeting*

Mr. Quesada: So, the first item of business is the oath of office for Cheryll Angell which was administered prior to the meeting, so thank you for that Cheryll.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Quesada called the meeting to order and called the roll.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Consideration of Resolution #2025-01 Confirming General Election Results

Mr. Quesada: We can jump into organizational matters, consideration of resolution #2025-01 confirming the general election results which is on page 4 of your agenda.

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Essentially, Cheryll was the only one that qualified during that process, so her name was listed as her seat being #1, so it's just a formality at this point is just to accept the election results and adopt resolution #2025-01, so I'll ask for a motion please.

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, Resolution #2025-01 confirming the General Election results was approved.

B. Consideration of Resolution #2025-02 Declaring Vacancies on the Board of Supervisors – Seat #2

Mr. Quesada: So, dropping down to item B, and I kind of discussed this with some of you individually before the meeting, seat #2, nobody qualified for that seat, however, you do have a Supervisor here who held that seat during the last term, so the first order of business would be to adopt resolution #2025-02 declaring the vacancy for seat #2, and then the next order of business would be any type of an appointment consideration. Can I have a motion to adopt #2025-02 please?

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, Resolution #2025-02 declaring vacancies on the Board of Supervisors – Seat #2 was approved.

C. Oath of Office for Newly Appointed Supervisor(s)

Mr. Quesada: Now, we would jump into consideration of an appointment for seat #2, does anybody have a candidate who they wish to appoint? You do have somebody here today expressing interest, I just need a motion for that.

Ms. Angell: Yes, I make a motion to appoint Anthony Toro.

Mr. Quesada: Ok, so we have a motion made by Cheryll to appoint Anthony Toro to seat #2.

On MOTION by Ms. Angell seconded by Mr. Gonzalez with all in favor, appointing Anthony Toro to fill the unexpired term of office for Seat #2 was approved.

Mr. Quesada: Ok, so now I need to administer oath of office, just state your name after I say the word "I", so "I".

Mr. Toro: Anthony Toro.

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Mr. Quesada: A resident of the State of Florida and citizen of the United States of America, being a Supervisor of the Hemingway Point Community Development District and recipient of public funds on behalf of the District, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly, and impartially discharge the duties devolving upon me in the office of Supervisor of the Hemingway Point Community Development District, Miami-Dade County, Florida.

Mr. Toro: I do.

Mr. Quesada: Thank you and congratulations.

D. Consideration of Resolution #2025-03 Electing Officers

Mr. Quesada: So, on page #9 is the slate of officers, and any time there is a change to the Board, even if it's an incumbent for a new term, we have to look at the slate of officers for consideration. Right now, on the Board with those present, Marcos Gonzalez is the chairman, and Anthony Toro was vice chairman, which he will be again, at least for now, Frank Ruiz and Cheryll Angell and Carlos Suarez are all assistant secretaries. Again, just for the record, no officer has more power or authority or more votes than anybody else on the Board, it's mainly just for signature purposes, so just keep that in mind. I am asking though on behalf of GMS, we had some organizational changes on our end, your secretary used to be Rich Hans and he retired from the company, and Paul Winkeljohn is a former District manager, and he's actually assuming those responsibilities now, so what I would ask as far as the GMS side of the slate of officers and to be specific, that Paul Winkeljohn be named as secretary, Patti Powers remain as the treasurer and Sharyn Henning remain as assistant treasurer, and then me, Ben Quesada as District manager, remain as an assistant secretary just for the purposes of signature. So, with that being said, are there any other changes to the current slate of officers sitting with us today that you guys would like to consider? If not, we can keep it the same based on what I just said, you can just say, so moved, and we can adopt the resolution based on the current slate that I just presented.

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On MOTION by Ms. Angell seconded by Mr. Gonzalez with all in favor, Election of officers, keeping the existing slate of officers the same and also adding Paul Winkeljohn as secretary was approved.

FOURTH ORDER OF BUSINESS

**Approval of the Minutes of the
September 25, 2024 Meeting**

Mr. Quesada: Jumping into the approval of the minutes from the September 25, 2024 meeting on page 11. I always like to ask, Scott, anything or any notes on your side from that?

Mr. Cochran: Yes, just a couple on page 2, under my comments, third line down toward the right side of the page, it says, this wasn't immediately apparent but could be, so "but" should be "that".

Mr. Quesada: Ok.

Mr. Cochran: Then 6 lines after that, with the line that ends, their labor and employment, the word "of" should be "in" before their labor and employment.

Mr. Quesada: Ok, got it, and you do have that page with you, so I would ask for a motion to approve the minutes from the September 25, 2024 meeting subject to the changes projected by District counsel that we would submit as part of the record.

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, the Minutes of September 25, 2024 Meeting with the submitted changes as indicated were approved.

FIFTH ORDER OF BUSINESS

Consideration of:

**A. Resolution #2025-04 Designating Michael J. Pawelczyk as the District's
Registered Agent**

Mr. Quesada: The main order of business of why we're here today, and before we jump into the budget, there's one other item, and I'll let Scott kind of explain what's going on his side with resolution #2025-04 which starts on page 29, Scott, do you just want to give them a brief update.

Mr. Cochran: Sure, yes, so the District like a lot of entities by law have to have a registered agent and a registered office to accept service of process on behalf of the entity and to perform certain other functions, so legal type stuff. So, as District counsel, we've been the registered office for the District for those purposes and a gentleman named,

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Dennis Lyles at our office was the registered agent for the firm, and he's been there for decades, and he's now very recently just retired, and Mike Pawelczyk who has taken over his responsibilities at our office is taking over those duties, so it's basically just a housekeeping item that will designate Mike Pawelczyk at our office as the registered agent, kind of replacing Dennis Lyles, similar to what Ben was just talking about with you guys secretary, switching from Rich Hans who is recently retiring to Paul Winkeljohn. So, that's all it does, nothing else really changes, just changing from one person in our firm to another.

Mr. Gonzalez: And just off the record, does Paul Winkeljohn, does he work for the county as well because I've heard that name before?

Mr. Cochran: Paul works with GMS, your management company for the District, and he's basically the senior one there now that Rich is retiring.

Mr. Gonzalez: Ok.

Mr. Quesada: He used to be your District manager before me.

Mr. Gonzalez: Ok.

Ms. Padilla: He does do work with the City of Coral Gables.

Mr. Quesada: He does some municipal work but, on behalf of GMS, it's all through GMS.

Mr. Gonzalez: Ok.

Mr. Quesada: So, we would ask based on what Scott just described, if there are no other questions, to adopt resolution #2025-04 designating Mike Pawelczyk as the District's registered agent.

On MOTION by Mr. Gonzalez seconded by Ms. Angell with all in favor, Resolution #2025-04 designating Michael J. Pawelczyk as the District's registered agent was approved.

B. Resolution #2025-06 Approving the Proposed Fiscal Year 2026 Budget and Setting the Public Hearing

Mr. Quesada: So, on page 31 starts your proposed budget, and I would ask you to go to page 1 of the budget which is on page 34 is your general fund and it just goes over all the line items of the budget, and the main thing to note there is basically we always anticipate in these projected budgets just an increase to some of the fees, the

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management fees, and administrative fees for some of the contractors for cost of living purposes. Keep in mind, minimum wage is continuing to increase every September so this has all been anticipated in your budget. The good news I can share with you all is we're not anticipating any increase in this fiscal year so, assessments will remain the same, and you have the narrative which starts on page 2 of the budget and that's on page 35 and it just goes over each of those line items that I just mentioned with a narrative to describe each one of them. You have your information on the debt service for the 2013 bond for phase 1 of the project, and that's on page 5 of the budget, along with the amortization schedule so that's a schedule to pay that off which is the remaining years of the debt. Then there was a second bond that was issued in 2014 for phase 2 of the project on page 40, which is page 7 of the budget, and that amortization schedule. So, the most important thing is the breakdown that I've already referenced which is page 9 of your budget on page 42 of the agenda which is the assessment table and you can see there's no increase being proposed so assessments would remain the same as they were in fiscal year 2025 for fiscal year 2026. Are there any questions? If not, staff is recommending that we adopt resolution #2025-05. Again, what you guys are doing today, and before we do that, is you're adopting a ceiling on your budget because the deadline to notify the county for the TRIM notice is June 15th, so obviously there's still a little bit of time but, we're trying to get that part done and once you've already approved your ceiling at the budget adoption you cannot exceed the ceiling that you're setting here today, so that's one of the main purposes of this meeting. The second part is to make sure that you all check your availability the minimum has to be 60 days from today, and Scott do you have that date, or hold on, I'll check on the calendar.

Mr. Cochran: It looks like the earliest it could be would be the June 25th meeting.

Mr. Quesada: Ok, what would it be?

Mr. Cochran: The earliest one would be June 25th, or it could be July 23rd.

Mr. Quesada: Those are the advertised dates.

Mr. Cochran: Yes, those are the regular meetings.

Mr. Quesada: Ok, thank you.

Mr. Cochran: Then August 27th.

Mr. Quesada: Thank you. So, again, just check your calendars because the most important thing is we have a physical quorum that day so you can hold the public hearing

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for the budget. We can always advertise a special meeting, keep in mind it does come with an extra cost so, just let us know because at this point you have some pre-scheduled meetings on June 25th and July 23rd.

Mr. Cochran: Yes, June 25th, July 23rd, and August 27th.

Mr. Suarez: Hey, this is Carlos. (inaudible comment)

Mr. Quesada: No worries Carlos, hold on let me make sure the speaker is working here, alright, thank you Carlos.

Ms. Angell: What did you say for June?

Mr. Ruiz: June 25th and July 23rd.

Mr. Cochran: Or August 27th, the only trick with the August one is it had to be done by mid-September, so if something happens you're cutting it a little close.

Mr. Quesada: Yes, I would ask by July just to be on the safe side.

Mr. Ruiz: So, I'm just giving you guys a heads up, the 23rd, I'm on shift.

Mr. Quesada: Ok.

Mr. Ruiz: So, what's the August date?

Mr. Quesada: August is the 27th, I would asked that if we do an August meeting.

Mr. Ruiz: I mean I could do it on the 6th, if that's ok with you guys, so the 20th, or the 6th would work, the 27th is open.

Mr. Suarez: (inaudible comment)

Mr. Quesada: Hang on one second Carlos, I don't why the speaker all of a sudden the volume is very low.

Mr. Gonzalez: I'm available any time.

Mr. Quesada: So, the volume on my phone is very low Carlos, give me one second, I'm going to grab another speaker I have here with me.

Mr. Ruiz: So, we could do it in July, but it would have to be another Wednesday in July, but July is ok, any other Wednesday but, it's just that on the 23rd I'm not here.

Mr. Quesada: Ok, so July 30th? I think that's one of the rare months that has 5 weeks.

Mr. Cochran: Yes, it's the 5th Wednesday.

Mr. Quesada: So, we're not going to have any meetings on that day because there's not a 5th week very often in the calendar here.

Mr. Cochran: Same here.

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Mr. Quesada: So, does July 30th work for everybody?

Mr. Ruiz: Yes, that's fine.

Mr. Suarez: July 30th will not work for me.

Mr. Quesada: And that's you Carlos?

Mr. Suarez: Yes, this is Carlos, July 30th, I'll be out of town.

Mr. Quesada: Would you be able to attend at least virtually or by phone?

Mr. Suarez: Yes, I should be able to do that.

Mr. Quesada: Ok, well you have 4 Supervisors here because we need a minimum of 3 to hold the meeting, so if you have 4 Supervisors here that can attend and you can do it virtual, it seems to be the one day that, and I'm not trying to force your hand, it's just the one day that seems to work for most of the people in the room.

Mr. Suarez: That's fine, that's why we have a group.

Mr. Quesada: Yes, ok, so July 30th, is 10:00 a.m. ok, the same time?

Mr. Ruiz: Yes, that's fine.

Mr. Quesada: Ok.

Mr. Ruiz: So, June 25th, July 30th.

Mr. Quesada: Well, the advertised meetings that you guys have for the fourth Wednesday of the month coming up are June 25th, July 23rd, and like we said August 27th is cutting it a little close to the deadline.

Mr. Ruiz: Ok, so we just change it to July 30th.

Mr. Quesada: Ok, so if you guys are ready to make a motion, I'll state that we're asking for a motion to adopt resolution #2025-05 approving the proposed fiscal year 2026 budget and setting the public hearing for July 30th, location at the and I'm sorry we had the wrong address on this agenda but, it's 2804 NE 8th Street, Suite 202, Homestead, Florida at 10:00 a.m. would be the meeting on July 30th, and by saying, so moved, you agree with the motion.

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, Resolution #2025-05 approving the proposed Fiscal Year 2026 Budget and setting the Public Hearing on July 30, 2025 at 10:00 a.m. at 2804 NE 8th Street, Suite #202, Homestead, Florida was approved.

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SIXTH ORDER OF BUSINESS

**Ratification of Invoice #9234985
and #9234987 with BrightView
Landscape Services**

Mr. Quesada: Moving on to item No. 6 on the agenda, is ratification of invoice #9234985 and #9234987 from BrightView Landscaping. So, last year, and I think I spoke to all you guys individually about this.

Mr. Ruiz: I'm sorry, what page was that?

Mr. Quesada: It starts on page 43 of the agenda.

Mr. Ruiz: The one that says, \$4,041?

Mr. Quesada: Yes, so there was two invoices, though, and there was another one for \$4,333.50 and then there was another one for \$4,041.00. So, one was \$4,041, and the other one was \$4,333.50. So again, I think you guys were all kind of informed what was happening, we had some damages to our irrigation system, it was timed when we were removing some of the crotons at the front entrance, there was some damages caused from the streetlights to our irrigation system, and a timer had to be replaced as well. Your timer was the original timer for the irrigation system, it was over 10 years old, so it was at the end of its life cycle and rather than trying to rebuild it and spending nearly the same amount, you get another 10 years out of that investment. So, I just asked that we ratify those invoices, they were emergency repairs, we were at risk of losing plants at the entrances.

Mr. Ruiz: Plus, where it goes out to the sidewalk, all of those were like destroyed.

Mr. Quesada: Right, they were flooding the sidewalk.

Mr. Ruiz: So, all the plants that were put there, now obviously they have the sprinkler system, so it's not a waste, and it looks good, by the way, everybody did a good job, it looks a lot cleaner.

Mr. Quesada: Good, happy to hear that, so just a formality if there are no other questions I would just ask that we ratify those invoices to enter them into the public record.

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, ratifying invoice #9234985 for \$4,041 and invoice #9234987 for \$4,333.50 was approved.

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SEVENTH ORDER OF BUSINESS

**Acceptance of Audit for Fiscal Year
Ending in September 30, 2024**

Mr. Quesada: The next item is on page 52 which is the acceptance of the audit for the fiscal year ending in September 30, 2024. Every year you guys agree at the audit selection committee meeting the prices that have been fixed and it's just a formality that has to be approved for the audit. The audit was found to be in good standing, and let me give you the page number for that, it would be page 25 or 26 of the report, and that would be on page 81, they have a good summary of everything. So, I would just ask for a motion to accept the audit for fiscal year ending September 30, 2024.

On MOTION by Ms. Angel seconded by Mr. Ruiz with all in favor, accepting the audit for Fiscal Year ending September 30, 2024 was approved.

EIGHTH ORDER OF BUSINESS

**Ratification of Engagement Letter
with Grau & Associates to perform
the Audit for Fiscal Year Ending
September 30, 2024**

Mr. Quesada: Again, since everything had be pre-agreed to by the audit selection committee, I'm just asking for the next item on page 82 that you would ratify the engagement letter that was sent to Grau & Associates to perform the audit for fiscal year ending September 30, 2024.

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, ratifying the engagement letter with Grau & Associates to perform the audit for Fiscal Year ending September 30, 2024 was approved.

NINTH ORDER OF BUSINESS

Staff Reports

Mr. Quesada: Moving to staff reports, Scott, you he does have something important coming up now with the stormwater system.

A. Attorney – Memorandum on Stormwater System Legal Requirements

Mr. Cochran: Yes, so we have a memo that's in your package I think it's on page 87, and the state and the county and South Florida Water Management District all have kind of their own sphere of jurisdiction have been taking measures to address some of the flooding

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issues that have been occurring in the state and in South Florida and stuff like that. So, for the past number of years they kind of tighten up some of the things regarding stormwater management systems, and so each of them have passed laws or regulations over the last few years that would apply to CDDs. Some of them, like I said, are state requirements that apply statewide, some of them are just South Florida Water Management District, which covers some areas in South Florida, and then some of them are county specific that would apply to counties. The main purpose of this memo is not so much for you guys to be responsible for or anything like that, it's really a tool for the District manager to work with our District engineer to make sure that the District is complying with the requirements as far as any stormwater management systems and facilities that are the responsibility of the District. So, the main kind of components to it is, a few years ago they said a requirement for there to be like a long term, like a 20-year plan for how you're going to maintain the stormwater infrastructure, drainage infrastructure with the first report that was supposed cover 5 years, and then every 5 years they're kind of requiring an incremental update on that, just to make sure that the facilities are being maintained, that there's enough funds that are being budgeted or set aside to form those maintenance functions. Some of the more recent things they've done is, it used to be that when we were going to hire a contractor, when the District was going to hire a contractor to like do inspection and cleaning of the drain facilities that you could just go with a contractor and do it but, now they're actually requiring a permit for those services, so it's going to entail some additional costs because you have to get what's called a Class V permit, and then there's going to be periodic inspections that are going to have to be done. So, all this to say, it's going to add a little bit to the cost of maintenance of the stormwater drainage systems going forward. I don't know, and Ben could probably speak to it more than I can as far as what this District particularly has as far as stormwater drainage. I know over the last couple of years I think there was some discussion with the county maybe about who had maintenance responsibility for the stormwater drainage.

Mr. Quesada: My understanding is that that county, the CDD does have the right if they ever wanted to because it's a public utility to invest funds towards that but, keep in mind what he's disclosing with you now, especially with county stormwater systems, the cost of maintenance is going to increase due to these updates.

Mr. Cochran: Yes, so it's a good thing that the county is basically taking the responsibility for that for you guys but, we just wanted to put it out there and obviously, the

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District has an engineer that's staying on top of this kind of stuff and if there are things that we have to do, or anything that we would have to do over and above whatever the county is doing, which is probably not likely because the county is going to be subject to all the same types of requirements from the state and the South Florida Water Management District and the county itself. So, it's just for your information but, I just wanted to give you an update on that.

Mr. Ruiz: Ok, I appreciate it.

Ms. Angell: Thank you.

Mr. Cochran: Ok, and that's all I have on that. The one other thing, I will mention just because we're already in the month of April, and this year is going by quickly, is that you all required, your 4-hour ethics training requirement is an annual requirement so that will apply again this year. So, you do have until the end of December to do that, and again, there's no test or certification, or certificate or anything like that you need, you basically just have to do the training, and there's free options to do that online, and the way that you kind of certify that you did that is when you have your Form 1, you'll just check the box that says that you completed that training. So, it should be within the next month or so, you'll probably be getting your Form 1s that look back to last year, so you'll see that place where you have to certify that and unless something changes it will be the same next year. So, I just wanted to put that out there on your radar so you're aware of it but, again, you have until the end of December to do it, so there's time.

Mr. Quesada: I saw an email your office recently sent with some of the more updated ethics courses.

Mr. Cochran: Yes, and I can send that to you, the same thing, but yes, Mike Pawelczyk, who previously mentioned for our office has put together kind of a list with the links, the training options, and kind of specifying these ones are free, these ones cost money, there's no need to do the ones that cost money, you just go with one of the free options, so there's actually 3 different free options that will satisfy the entire 4 hour requirement. So, you might not remember which one you did last year but, if you do, or if you start doing one, and you say, oh my God, is this the same thing I did last year, you can always do one of the other ones, so maybe it's a little less boring or tedious and maybe you learn something new, so I'll just put that out there as well. That's all I have, unless anyone has any questions.

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Mr. Quesada: Thank you Scott, and I put a little note here that we'll send you guys an email with some of the updated ethics courses that he just referred to.

Ms. Angell: Ok, good.

B. Engineer

Mr. Quesada: Moving on to the engineer, nothing to cover, he kind of delved into that a little bit in his report.

C. Field/Property Manager

1) Monthly Report

2) Consideration of Invoice #2709 with Light ER Up

Mr. Quesada: So, we can jump down to field report, real quick, Mayra is there anything you want to bring up, or any questions about her report first, because there is something that she wants to bring up as an item for discussion with the Board but, just about the report itself first. You saw that we did some plant replacement around the pool area for now, just to try to spruce it up a little bit. I can tell you that insecticide treatments were applied to the landscaping around the pool area and around the mail kiosks, that there were some reports of fleas in the area from some residents, so we went and had that addressed at a very minimal cost, it was a drenching that he did, and there is a palm tree over by the pool that BrightView looked at. They said it looked like a bug had gotten to it too, and we are going to discuss this next which is the pre-hurricane season pruning but, that's basically if you guys were to authorize work with them which we've done in years past, they're the ones with the bucket trucks, they have not raised the price on us in years, it would be within the budget, they would treat any of those affected palms while they have boots on the ground at no additional cost to you guys.

Mr. Ruiz: Ok, nice. I would question with the pool area around, so the front, and you talked about the insects, we're going to be getting into the rainy season soon, and I highly suggest that you put the mulch because there's none by the mailbox and by the front of the pool area where the hedges are, and just fill that up with mulch because what's going to happen, you know it's going to rain, we're going to have standing water, and I think there's an issue now with the county that they're not spraying, you have to call to get them to come out and spray. Usually, they would come out like once a month or whatever

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but, they don't do that anymore. So, I was just suggesting that just to keep it from developing and that could be an issue too, that you have that water accumulation.

Mr. Quesada: And the mulch will suck up some of that water.

Mr. Ruiz: Yes, and obviously it's aesthetically looks fine.

Mr. Quesada: Ok.

Ms. Angell: So, are you saying that we have to call now for around the pool to get the bugs?

Mr. Quesada: Well again, let me make a statement, I know how this all works, and it's not a problem for me but, I'm only one person so keep in mind, the way the county does this is, and it's like first responders, like if you're calling about a car parked on the road and a cop is dealing with an emergency, it's going to take a while but, if they get 20 calls or 30 calls, it gets more priority those multiple calls. So, the same thing with the mosquito control, it's free, it takes me two minutes, it's not an inconvenience to me but, I'm one person, and I have shared this, I want you to know, Vanessa, is her name, the property manager, I've shared that information with her because she's brought that up to me too, any help the HOA can do as far as just making it more convenient for the people who don't know, you just call 311, mosquito control, and it's very simple, you just share your location, you can even pin it, or you put the address, however you want, and you just report whatever the issue is and you get a free inspection from the county mosquito control, and they'll come out and if they see any problem area, any standing water, they'll do a report but, they'll also spray fog and if they get enough of those calls, they'll send a plane overnight, they'll send a truck, like at 2:00 or 3:00 in the morning. I actually know somebody who is like a lake person, he has two jobs, so he owns the truck that the county contracts to do that, and he's also one of the people that treats the little midge flies around the lakes, so he taught me and told me, the more calls they get, he's out there at 2:00 or 3:00 in the morning, and it's fine because you're paying for it already in your tax dollars.

Mr. Ruiz: Right.

Ms. Padilla: And he actually, at Waterstone we've done that, we had a lot of problems with that, and what the HOA would do is we would say, hey please call this number, the more calls you get, the more they are willing to come out, and the guy would literally come to the clubhouse and say, we got "X" amount of calls, we're going to go, and they would come and spray the clubhouse too.

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Mr. Ruiz: I'm just 50/50 on that because I will be honest with you, I don't like the constant spraying because your pets, and you don't know in general the county says it's fine but, long term you don't know with the DDT that they use and stuff like that but, I'm just saying preventative-wise, I'm not against it with the spraying, I'm just saying preventative-wise we could definitely mitigate the high traffic areas.

Mr. Quesada: Ok.

Mr. Ruiz: Like they say, the first thing you want to do is, eliminate standing water, so that's something that will suck it up and at the same time make it look nice.

Mr. Quesada: Ok.

Ms. Angell: And can I say something.

Mr. Quesada: Sure.

Ms. Angell: Last week I had my house sprayed for the mosquitoes, and I had filled out thing online and it said do you have any pets, is your gate unlocked, and I said, yes, and I said no pets, now when he came, and I didn't know what day he was coming but, when he came I wasn't there, so they refused to go in my yard because I wasn't there and I said, why, well the fellow is afraid of, he got bit by a dog, and he doesn't want to go into someone's yard, and I said, yes but I had filled out your paperwork online and said I have no animals, so then he came the next day when I was home. So, I don't know if we do something about the pool area, if somebody has to be there for him to spray because they wouldn't spray like I said, my yard until I was there, so I don't know, I'm just saying.

Mr. Quesada: I've done two of those tickets so far in the last 4 months, and I've done two tickets with the county, and I haven't gotten any type of pushback or any type of comments and like I said they're usually very responsive, so between that, and like I said, Milton going out there and doing his thing, and again, trying to time it where some of our palms trees that might be getting affected by other types of insects, not just mosquitoes per se but, other insects, we're trying to be proactive about that too before we hit the rainy season. So, I think it's a collectively thing, and I just ask that anybody can help us out, I'll be happy to reach out to Vanessa again, and share that information but, the more volume that they do receive I think you guys will get a multitude of options through the county as well. Mayra, is there anything you wanted me to bring up, I'm sorry, I know you were doing something so I was just trying to help you out?

Ms. Padilla: No, I mean there's nothing else really.

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Mr. Quesada: Ok, if you don't mind, I'm going to just jump into two things real quick. It's the tree trimming in front of you, again, you guys have a \$7,500 line item, it's something like I said it's been on autopilot, I did get the latest numbers from BrightView, it's \$5,400 and again, they didn't raise their price. This would be for them to come in with bucket trucks and do anything above 12', so we're talking about the bismarck palms, coconut palms and the royal palms that you have all throughout the main entrances, center median, all the way through the pool area. Did Milton ever send us anything yet?

Ms. Padilla: He said he did.

Mr. Quesada: Ok, that's fine. I know that Milton, and so the way we've done this in the past is that Milton has handled the smaller trees, so we do have some other trees, and the tracts like along 253rd, and some of the other roads that we have responsibilities by the lake, so he can do those from the ground and usually it's within the budget, so again \$5,400 would be through BrightView and whatever the remaining funds that we have would be used with Milton to take care of the trees and the queen palms with the seeds and all that other stuff in the tracts.

Mr. Ruiz: The other thing, if you guys are in agreement, like I enjoy seeing these trees grow, so like we've talked about in the past is to trim it where it keeps on growing so it makes the nice canopy because I just have a fear that sometimes these companies come and they just chopped the trees down, and it looks like crap.

Mr. Quesada: Got it, so what you're asking is that they lift the tree.

Mr. Ruiz: Yes, to make it look nice, not make it look like a lollipop.

Mr. Quesada: I'm not an expert but, you actually have a landscaping arborist on the phone, Terry, he works with us at GMS and he's a licensed arborist so he does some consulting with us, so if you guys are ok with it that's something he does do periodically with us, he'll do a drive with Mayra and myself and we'll ensure that those directions are giving to the contractors.

Mr. Ruiz: Ok.

Mr. Suarez: Ben, question to that note, and just walking the dog around the neighborhood, there's a lot of trees that are kind of in the common area that are near, like they're on the side of people's houses, so I don't know if they're supposed to take care of those but, when they're growing out of the sidewalk, you literally either have to duck or you

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have to go around the tree because the branches are low and basically blocking the sidewalk.

Mr. Ruiz: Carlos, I'm sorry, not only that, but they're lifting the sidewalk.

Mr. Suarez: Yes.

Mr. Ruiz: If you look at some of the sidewalks it's dangerous right now.

Mr. Suarez: Yes, but I'm thinking for the trimming is that something we could get budget information for that, and then also since we were just talking about landscaping stuff, what I've noticed is that we don't, if the group that's doing it is not doing a very good job of picking up the leaves, it's like they blow all the leaves to the middle and they blow it on to the little small part, like it's just full of leaves like all over the place and it looks really bad. So, I don't know if there's something we could do to make sure that's getting picked up as well.

Mr. Gonzalez: I agree with you Carlos, they're in front of my house, they've been just blowing it into the median, instead of blowing it, and remember a lot of these trees, the ones that have been planted, especially now that it's spring, they shed and it's bad because it kills the grass, so eventually we're going to have to replace all that grass.

Mr. Suarez: Yes.

Mr. Quesada: Understood.

Mr. Ruiz: Another thing real quick over by your house, I was walking the other night, you know that open field you have in front of you, those palm trees need to be trimmed.

Mr. Gonzalez: Yes, there's a lot of things going on in that little area, like where the base is, there's boulders, like it's a hurricane hazard.

Mr. Quesada: You're talking about the other side?

Mr. Gonzalez: No, it's our side, it's our property.

Mr. Quesada: Ok, so close to 253rd, that little stretch?

Mr. Gonzalez: Yes, in front of my house.

Mr. Quesada: There's mahogany trees there.

Mr. Gonzalez: Yes, and not in front of my property but, like if you go 50% west, there is a lot of rocks, and each one, they are like I would say at least baseball size, and in a perfect world, I know it's a cost, that's something we'll have to talk about which is something I was going to bring up, I understand the water management issue with the

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drainage and all that stuff, but the interior stuff inside, really honestly has, I've gone through already like category 2, or 1 or a bad rainfall, that mulch doesn't really spread out, and it's stays where it stays for the most part, and it doesn't go into the swale. So, the ones on the county side, I would agree on that, but the ones that are interior, especially like in the future, like not now, but you guys decide what you want to do because but, we do need to fill those up with mulch because it makes it look pleasing, I think not having mulch on our properties makes it look weathered, it makes it look like it's not being taken care of. You go to all these other communities and they have mulch, and something I wanted to bring up too, I think it would look nice is and I'll show you guys here, in the front, everything came out great, I think in like say seasonal time, and the plants were lush, but I would like to see that where the front of the entrance is, where you guys have that first layer of plants, take all that out and put impatiens because we have like no color in the community, but if they could put the impatiens and really thick, especially with the wreath and all that stuff that we put, it's going to give it more of a look and those plants are cheap, they're not that costly.

Mr. Quesada: So, what are you saying, once a year around the holidays type of thing?

Mr. Gonzalez: No, I would like to see it year round because they do last a long time but, it's something there and also, in the middle, just in the middle for now.

Ms. Angell: What do you mean in the middle?

Mr. Gonzalez: In the middle of the main walkway.

Ms. Angell: Ok.

Mr. Gonzalez: So, I was thinking, like I said, this is just talk, I would like to see like the end caps, this here, I'm talking about the end caps, like here, like where the big palms are, you see the end caps on this side and on the other side, and then the same thing where we can put the same impatiens around there, so it dresses it up.

Mr. Quesada: Ok.

Mr. Gonzalez: So, you have like that, it looks really nice, it's dressed up at the end caps, so it's more uniform.

Mr. Quesada: I have to double check our irrigation plan is my first question because I don't think the center medians, a portion of those, I just want you to know may not have irrigation.

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Mr. Gonzalez: They are irrigated.

Mr. Quesada: Ok, let me look into it.

Mr. Gonzalez: That's why the grass looks so great there.

Mr. Quesada: Ok.

Mr. Ruiz: This is in front of you, right?

Mr. Gonzalez: Yes.

Mr. Ruiz: This is what I'm talking about, I walked by there the other day, all these trees, a lot of them, their branches are just hanging down.

Mr. Gonzalez: And that's the other thing too is that, I noticed because remember when you said, hey the minute it touches the floor that they remove them, then they don't, they literally only remove the plants when they're like completely off.

Mr. Quesada: So, you're talking about low hanging dead branches.

Mr. Gonzalez: Yes, they're touching the floor.

Mr. Quesada: Ok.

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Ruiz: And it's a bunch of them, it's not just one, there's a bunch of them.

Mr. Quesada: So, what we'll do is, as far as the maintenance stuff goes and I wrote down notes, working on the leaf cleanup, again, we are in the change of season but, I'm sure there's other ways that they can do a better job of that. The rocks over by that stretch by 253rd, and the low hanging dead branches, those are things we'll set up a meeting with Milton because those are things that were built into your contract that even if it's a one-time cleanup type of thing it should break your budget and it's something that should be a recurring thing, so allow us to work with him on that. To answer Carlos' question, I know he mentioned something first, the green buttonwood trees that you're referencing by the sidewalks and the side of the houses, number one, all those swales belong to the county, and based on the way the county interprets maintenance of those swales, is whoever the abutting property owner is, maintains that swale and so even if it's on the side of a private home, it would be the private homeowners responsibility to maintain the trees along the side of their house. Just like any of the swales along where we have the tracts on 253rd is the CDD's responsibility, it's the same thing for the homeowner whether it's on the side or

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front, whatever the dimension is, whatever property owner is abutting that piece of county swale, is responsible for the maintenance.

Mr. Ruiz: So, the HOA would have to get on the homeowner.

Mr. Gonzalez: Yes, so can we get an email, can we just get an email to the property management, to say hey, we appreciate it if you guys would tell them, so just the maintenance.

Mr. Ruiz: Because you can't even walk down the sidewalk with some of these houses.

Mr. Gonzalez: Yes.

Mr. Quesada: I understand, ok.

Mr. Suarez: In the past what they've done, I know with earlier HOAs we had, when people weren't doing that, we would send them, and again, HOA would need to do it, they would said a letter basically saying, if you can't do it, we'll do it, and then send you a bill.

Mr. Quesada: The CDD can't do that, we have limited enforcement powers when it comes to those types of things, I'm sure Scott can better answer that question but, I can tell you we can write as a courtesy to the HOA and let them know, and again, I'm not trying to go that route because I don't want us to have an adversarial relationship with the community and the HOA but, you could report these things to the county code compliance and all of that, they do have people who will check on that and they can always go that route and notify the homeowners.

Mr. Gonzalez: So, there's another thing that came out, there's a new law that, and this is like a gray area, so somebody's tree, and that's what I'm saying, like liability stuff and all the stuff like that, it's on the county property but, you're supposed to maintain it, so if something happens, let's say like a hurricane or something, and that thing comes down, who is legally responsible for that tree, because if you are responsible for maintaining but, it's county property, who get the bill because there's a new law now.

Ms. Padilla: I thought that was an act of God, Scott, so how does that work?

Mr. Cochran: It would depend, I can tell you realistically what will happen is both of them will get sued and it will get sorted out in court, the owner and the maintenance responsible party, as to who is ultimately responsible, I don't know in the scenario.

Mr. Gonzalez: I'm just saying that because I saw it, basically somebody's house, they had the tree in and they said, well it's not my responsibility.

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Mr. Cochran: Right, and it would depend, if it's a natural disaster type of thing, it would probably depend on if there was evidence that it was not being properly maintained before that and it caused it, and would it have been caused in the absence of that maintenance, so who knows, so it's hard to speculate without the particulars but, the bottom line is that whoever is the responsible party should be maintaining it.

Mr. Gonzalez: But that's the whole thing was with this, I don't know how this letter could be in a nice way, saying it's your legal responsibility to maintain these tree, etc.

Mr. Quesada: I think it would be helpful and not to get us caught in the middle of anything would be to share whatever the county has on the requirements of something like that and attach it to the email and just say, hey for informational purposes in the community, we're noticing that some of the sidewalks are a pedestrian hazard, rather than getting the county involved because again, you could call the county as far as the enforcement goes, and they can go out there and they'll probably light up the whole community when it comes to that and anybody that has a tree but, let's try the courteous route through the HOA.

Mr. Gonzalez: Right, and there's two ways of thinking, some people do the right thing and there's some people that react and say, oh ok, I have to get this taken care of because this could be an issue long term.

Mr. Ruiz: A lot of sidewalks are being lifted up by those trees.

Mr. Gonzalez: That's another thing, the survey, is there any way that we could, I know it's not CDD property but, is there any way that since he's saying that it's being lifted and it's on CDD property that the tree is doing that, is there any way that we could just do like have the county come and do a survey, and I know there's "X" amount of inches that they have to come, if it goes up a certain amount they have to replace the whole slab. I'll tell you this, in the past like in front of my house, I had one that lifted but, it's my property and Paul Winkeljohn, I brought it up and he made it a nightmare issue, and I'm just giving you a heads up, that's just me, I'm being honest, he made it a nightmare for me to address the issue, he's like saying, oh you have to go to the county, and I said, I understand, and it's going to have to be voted by the commission, and I said, you're just over complicating things but, is there any way to get a survey done because it's been forever and I'm pretty sure there's a bunch of slabs.

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Mr. Quesada: Well, the only other thing I can tell you, and I'm just trying to think creatively, and again, it's going to come at a cost to you guys and again, this is not CDD infrastructure, it is the county's infrastructure, so they have personnel and we can start as simple as just notifying them of one or two areas but, what we can do, and it's an annual requirement, your engineers, and I don't know if they've already done the inspection yet, I can reach out to them. They have to per the bond obligation inspect all the infrastructure that was used with CDD funds as part of the bond, once a year and send you guys a report which we usually receive in the summer, so probably by the time we have our July meeting, we'll have that report finalized. If you want I can reach out to them, I know there's some street signage too, and again, I just want to make clear, the same with the mosquito control, every private citizen in the community and the HOA has the right to go to the county's website, the same way that you can report mosquitoes, 311, they have links for street signage, for street lighting, for trees, anything like that, it takes 2 to 5 minutes and I can do something like that but, to get a thorough inspection done, I'm sure because this is not infrastructure that's part of the bond obligation, at an additional cost but it would probably be at a reduced price because of the fact that they're already onsite during their inspection if we time it right, I can ask them to make a separate report just for some of the county infrastructure that's not being properly maintained.

Mr. Gonzalez: Just to give you an example of the signs, like you can't even see the cross streets, and it just looks, like I said, the community needs like just a lift because it looks weathered between the signs, between the sidewalks.

Mr. Ruiz: And the individuals with their own personal business trucks all over the neighborhood, and I know we have nothing to do with it, it's the HOA but, our community looks run down.

Mr. Suarez: Anyway, if you go to the HOA website, the picture they have there is a house that completely violates everything about what our HOA is about, it has a painted driveway.

Ms. Angell: Well, I was just going to say, the HOA is really trying, I'll say that, and I'm going to be on the grievance committee for the HOA, so once they get up and running, you could send a grievance to the HOA and then it will be given to me and whoever else is on the committee, and then we can look into things because then we're going to be able

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to go to that person's house and say, we have a grievance about it, so they're trying to get things running properly.

Mr. Suarez: You might want to tell them to change the picture then Cheryl because it looks really bad as a picture for our HOA management page.

Ms. Angell: Oh yes, I will tell them.

Mr. Suarez: Because it completely violates everything about our HOA.

Mr. Ruiz: You know what's crazy is some of us do the right thing by maintaining our house, and then you go two houses down and you see something else because I walk through the neighborhood.

Ms. Angell: I do too, so I see it.

Mr. Ruiz: There's one, when we come into our neighborhood, it's a small house, he has a gray BMW just abandoned in front of it.

Mr. Gonzalez: And they're trying to pass new laws now, that they could actually get, just the HOA itself could get investigated, and they're trying to pass all this stuff, it's like there's going to be a band on top of that, if we're not happy long term with what they're doing, they could be easily taken out but, it's a bill that's coming out.

Ms. Angell: You all have to remember that if it's taken out then the state takes you over.

Mr. Gonzalez: Well, no, you could go against it, you don't have to go through a whole thing.

Mr. Suarez: And I have to jump off at 11:00 but, there's one other issue that I have that I don't know how we can address this, it was on Facebook and people were asking how to get access to the pool and I gave them your email and someone responded and said, well I've been emailing them and no one is responding to me. So, I don't know what we can do to better circle around, making sure that people who want to get access to the pool so I told them to copy me on whatever they sent you but, they never did but, just so that's out there because some of the people said they reached out and they haven't gotten any responses, so you'll probably be getting a bunch of them.

Mr. Quesada: Ok, correct, I was also going to tell you, we've actually been getting a bunch, Mayra's keeping notes like always, any time I do receive an email which happens periodically Carlos, so I have that, maybe a couple of sporadic ones over the last month and I share them with Mayra the same day and she even copies me on every single pool

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request, so I know that they're getting responded to. The only thing I can tell you is, and I'm not going to speak about anybody specifically but, we hear that all the time this time of year when people hear what they don't like to hear which is that they're trying to add a 10th person for free, or somebody doesn't live there, or they're sharing codes, so the second that the system detects they're sharing a code, it deactivates it because it detects fraud, so this is typical this time of year when you have 100 people asking for pool passes, I would say 20% of doing something wrong, whether it be innocent or intentional or whatever, it makes things a little bit more tricky and my heart goes out to Mayra this time of year because it becomes almost a parttime job for her just to do that alone but, I promise you, she's keeping tabs on all of it.

Mr. Suarez: Can you just verify this name is Michael Jese, that was one who said they sent the request and never got a response.

Mr. Quesada: Ok.

Mr. Suarez: And one other thing, I don't know if you guys mentioned it already, around the playground set, there's a light that's like leaning over and nobody has addressed it, and I see it in my backyard every day when I'm out there.

Mr. Quesada: Ok.

Mr. Suarez: So, at night it looks like it's damaged or something, but if we could get somebody to address that as well, and maybe double check it when they do all the other lights.

Mr. Quesada: Ok.

Mr. Suarez: And one more thing, when did we install a camera facing our playground set, I don't ever remember that, I noticed it up there just the other day, but is that something we recently installed?

Mr. Quesada: Yes about a year ago you guys approved it and last year as part of our improvement projects and security-wise we installed a virtual security system, so all those cameras that we have are monitoring the playground, pool, the amenities basically, the pool area and there, and in the evening hours, so after the sun sets there is somebody monitoring those cameras. So, what they do is they're monitoring it and they're warning people and if people are there after a certain time period and they ignore the warnings, they're automatically calling the police for you guys, so we already have the program and

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so that is being addressed that way for trespassing in the evening hours, that's why you see that there.

Mr. Suarez: Ok, cool, I think it good.

Ms. Padilla: Carlos?

Mr. Suarez: Yes.

Ms. Padilla: So, I looked into that request ok, and I want you to know something, that person emailed me 6 times on the weekend, and I took care of him, and I'm going to look into it now but, that's the thing too people think that they can email me, and I've had people email me at 11:00 o'clock at night, some shared my personal cell phone number, and I'm not sure how he got it, and I don't think that's fair to me.

Mr. Suarez: And I agree, you shouldn't be getting calls like that.

Ms. Padilla: So, my point is that, it's ok but, him personally, and I have his emails, he wrote to our office 6 times, and then wrote to me, and wrote to me, and it was the weekend, so I will look into it, I will give you an update but, please these types of things, especially I want you to understand something, when people email me, you know I have first come, first serve but, when somebody starts to SPAM me like that, it just becomes frustrating and they go back to the end of the list because it's not fair to other people either.

Mr. Suarez: And I agree, that was just somebody who asked me on Facebook, I told them to message Ben and they said, oh I email, blah, blah, blah, and I'm having no luck.

Mr. Quesada: That's totally understood Carlos, and the only other thing I'll tell you is please, if it helps people, is the website, and I promise you this, and I've worked on a lot of CDDs, you guys have a lot of information on your website, so if anybody ever has any questions, please refer them to www.hemingwaypointcdd.com and on the documentation page we have not only an application that they can fill out, fill in the blanks, it's very simple and it's per person, so they will just put their name, address, email and phone number, it would automatically generate an email through the software to Mayra already with the request and once that information is already filled out, the only reason Mayra would even need to reach back out to that person is if there's more than two people that have already gotten the free passes, or if there's some kind of proof of ownership that she needs because it's a new homeowner. So, other than those two scenarios, she would already

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go, set up their code, and boom, they would get a response within one business day or two, so that's typically the turnaround time, a business day or two at the most when people follow instructions. You also have on the website, English and Spanish, step by step, with photos how to follow the instructions that the software text messages you automatically, so there's a lot of duplication of instructions and information that's at least valuable to people that have questions on the webpage and on the documentation page.

Ms. Padilla: And Carlos, I just verified, he got access in February, him and his wife.

Mr. Suarez: Ok, alright, so I'll verify with him.

Mr. Quesada: Ok.

Mr. Suarez: I just wanted to bring that up.

Mr. Quesada: It's all good, thank you for that though.

Mr. Suarez: Alright, I have to drop off but, I appreciate you guys, thank you.

Mr. Quesada: Ok.

Ms. Angell: Ok, bye Carlos, have a good day.

Mr. Quesada: We still have quorum, but you have to go too?

Mr. Toro: Yes, I have to go also, I have another meeting.

Mr. Quesada: Alright, just so you know we still have quorum but, Anthony and Carlos have other obligations at the moment, so we'll continue on, we still have quorum.

Mr. Toro: Thank you.

Mr. Quesada: So, jumping in real quick, I took notes of everything. As far as that, I think, if it's ok with you guys, we'll try to make one thorough email to the HOA as far as the mosquito, reminding them of them information, and whatever language we can find from the county when it comes to swale tree maintenance, we'll start there.

Mr. Ruiz: And the sidewalks, we have to reach out to the county for that?

Mr. Quesada: Yes, and let me talk to the engineer first, I don't want to promise you anything because if they've already done the inspection then it's probably going to cost you guys more, so what I can promise you if something like that already happened, I will bring you guys a proposal at the next meeting.

Mr. Ruiz: Because if somebody trips and falls in front of your house on the sidewalk, I don't know is the homeowner liable for that or is that the county?

Mr. Cochran: Again, it depends who's responsible for maintaining it, the sidewalk.

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Mr. Quesada: So, for what I know as far as sidewalks go, those are county sidewalks, if the front of your driveway, the apron, typically the way the county interprets that is you're responsible for the maintenance of that portion because, pressure washing or whatever, that's part of your driveway, so that part. As far as the other part, the legality, I couldn't tell you for sure but, I think there's a good chance, I know we have other Districts that we've worked with in Kendall for example, where the engineer put together, like I said, timing-wise so that the cost would be reasonable to you guys, would hit their annual report and shared what they found out about the sidewalk to the county, to the right-of-way division of the county, it's right-of-way department at the county that handles sidewalk maintenance. So, let me start there, if it's something that's going to be any type of significant cost, I'll bring it back to you guys.

Mr. Ruiz: Ok.

Mr. Quesada: If it's something that's within our engineering line item, we can just ask them to do it if that's ok with everybody as part of their annual report.

Ms. Angell: You're talking about checking the whole community sidewalks, is that what you're talking about?

Mr. Ruiz: Well, there's a lot of areas that the trees on the swales that runs so much, that they're roots are going under and they're lifting the sidewalk, so if you're walking at night, and you're not paying attention, you are going to trip and fall.

Ms. Angell: Well, that will be interesting to find out who's responsible because hopefully the CDD is not going to be because that would be a humungous cost for sidewalks.

Mr. Ruiz: I want to say it's the county that's responsible and again, I'm not sure, but I think the county is responsible for the sidewalk.

Mr. Quesada: Ok, sorry we had an audience member just walk into the meeting but, let me talk to the engineer, again, I'm going based on something that happened and Scott, I don't want him to get caught up in that but, he was in another District that we did that had a similar arrangement with the sidewalks where they belonged to the county, and I know that the engineer from the same firm again, part of his annual engineer report submitted information about the sidewalks to the Board first, and reached out to the right-of-way division, the county, and again, sometimes it's slow going with the county but, if there is any type of maintenance obligation that they have when it comes to those types of

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repairs, lifting on all of that to the District, and like I said, the worst case scenario and what we're doing is, any of those sidewalks that abut CDD areas, and if there's any type of trip hazards like that, we can always address it that way. I don't know if you guys want to jump really quick to audience comments, you have a resident here, she's actually here to address the HOA but, she just wanted to share some information with you.

Mr. Ruiz: Yes, she can.

Mr. Quesada: Ok.

ELEVENTH ORDER OF BUSINESS Supervisors Requests and Audience Comments

Mr. Quesada: Hello, ma'am, is there something you want to address the CDD Board about today? This is the Hemingway Point Community Development District meeting, so we're here conducting business on behalf of the CDD Board. It is not a HOA Board meeting, but if there's any comments, you do have a right as an audience member to share any kind of public comment you want with the Board or just to listen to what we're doing for the CDD meeting.

A resident: No, I'm ok. *(At this point the resident spoke in Spanish to the Board members and Mr. Quesada)*

Mr. Quesada: Ok, so she said she understands English, she just doesn't speak it too well, so for the purpose of the record and the minutes, to summarize what she said is, she's trying to sell her house, there's a strict timeline on that, I guess there's an application process and perhaps an estoppel process that the HOA needs to assist with and she's not getting any type of responses from them so she just came here because she's running out of time, and Saturday I think is her deadline based on what she told me and she's trying to get some help for that.

Mr. Ruiz: So, tell her to contact her property manager, or actually I can explain it to her in Spanish.

Ms. Angell: Are you calling this number.

A resident: No, I don't have that number.

Ms. Angell: That is the number for them.

Mr. Quesada: So, Mayra, just make sure she has the correct information.

Ms. Padilla: Yes.

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Mr. Quesada: Thank you.

Ms. Angell: So, here is their phone number, and they probably won't answer the phone, so you're going to have to tell them you need them to call you back right away if they don't but, then anyway, I'm going to give you another number.

A resident: Ok.

Ms. Angell: So, you're going to talk to this man, you're going to call him, and at this phone number because he's the president of the HOA.

A resident: Ok.

Ms. Angell: So, you're going to call him, he is the head of the HOA, he's the president, Lou Mendez.

A resident: Ok.

Ms. Angell: So, you call them both, because he will help you.

A resident: Thank you so much.

Mr. Quesada: Ok, so again, I'll get back to you guys about some of the engineering questions you had as far as the sidewalks and the street signage and let's see if it's something they can work in their report for a minimal cost, and we'll just get it done, and if not we'll report back to you guys with whatever the estimate is to comprise and entire report for the entire District on the county infrastructure.

Mr. Ruiz: Yes, of course, we have to vote on it.

Mr. Cochran: And I would just, in your communications with the District engineer I'd make it clear that this is for purposes of county maintenance because the one thing that you don't want to do is muddy the waters by suggesting that the District might be responsible for the maintenance, so just make it clear that if we're doing the inspections it's for purposes of giving the county information on what they need to do.

Mr. Quesada: Correct, and I would ask that the engineer handle that communication directly with the county.

Mr. Cochran: Yes.

Mr. Quesada: Ok, thank you. So, again, we'll look into that, and real quick, we're still kind of in the field portion.

Mr. Cochran: And you had something about the tree?

Mr. Quesada: Yes, so I was going to say, so again we have an approved line item for \$7,500 and obviously Milton said he sent the information but, I know we've been able to

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work within that line item. I do have a little discretion in case there's a separate job that's a little bit beyond that just to make sure we get it all done but, I would ask from the Board since we have it here, as far as the center medians, let's just start with that. The center medians in the pool area address those trees, not to exceed \$5,400, that does include treatment of some of the palm trees that have some signs of pests affecting their health, can I just have a motion for that please?

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, accepting the proposal from BrightView for palm pruning not to exceed \$5,400 to address the trees in the pool area was approved.

Mr. Quesada: And I'll get back to you guys but, like I said, there's some remaining funds that we have there, and I'll work with Milton on anything that can get done from the ground, and obviously we're going to set up a meeting like we discussed for the ongoing maintenance that you expressed to us. Jumping into the holiday lighting, page 101 of your agenda is the final invoice that I promised you guys that you would get from the lighting contractor. Mayra do you want to summarize your phone call with him and I know we haven't gotten anything in writing from him.

Ms. Padilla: Yes, so I reached out to him yesterday and I kind of said, hey, listen, you didn't put the décor in the front, it's only fair for you to give us a discount, or a credit, and he agreed. He did tell me he was going to send me an email, he didn't, and I'm going to follow up with an email today.

Mr. Ruiz: Do you need another company?

Mr. Quesada: We're actually on that, it's in her report, so the first thing I wanted to do was addressed the previous thing, so we were in year 3 of an agreement with another contractor, and I think we all know the type of service you guys were getting last year but, it's for you guys to direct us. So, for now, and we can do this in like steps, I wanted to see as far as you guys giving us direction about the invoice. I promised you guys we would bring the final invoice to you.

Mr. Gonzalez: I know they were cheap, I mean it's just bad service.

Mr. Ruiz: Right.

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Mr. Quesada: Correct, and again, I'm just stating the facts, this year they never installed the décor, I looked at the agreement and I recall, and I read the minutes from the meeting that we actually did the 3 year agreement when he came and made his presentation about the proposal, so per year it's \$2,150 for the décor which is the 6' presents that we had. I will get into next year, next but, that portion of the annual cost towards that specific item that was never installed or delivered per, and we have all the recording to back that up, was \$2,150. Again, Mayra did not discuss any specific numbers with him, and he did agree to offer us some kind of discount, so what I'm asking from the Board here is just to keep business moving is, what number would you guys feel comfortable with us getting if we're able to negotiate with him after the meeting, so that we can just put this behind us and then the next item I'm going to get into is we did already receive a proposal from another qualified company, it's actually the company you guys had before and we'll dive into that next, but if you could just focus on this invoice for the past year, you did not receive your presents at all, and so my recommendation is to try to discuss that specific line item since I know what the cost is in the proposal from the agreement, it was \$2,150 towards the presents, the décor that you never received this year, and that was an annual cost, so it was divided by 3 in his proposal.

Mr. Ruiz: Is there any way also too, because I heard a 3 year contract, and just say if the Board is not happy can we do year to year?

Mr. Quesada: So, we'll get into that next but, yes, and just so you know, any agreement that we do with Scott, and any proposal we receive, it's used as an exhibit to the agreement that District counsel put together, and in those parameters and in those contracts, there are out clauses so that even it's a 3-year term, we can do that, and this is why I like to do this, and this is something that he's been doing recently, is doing in this format, exactly what you're seeing here today is, per part of the agreement payment terms would be 50% upon installation, and 50% upon completion, why, because they can put a provision in there if you guys give him direction to do so, some kind of liquidated damages. So, the company that I did talk to, just so we get into that part, is already familiar with that set up and agreeable to those types of terms, so that would be my suggestion to you guys, even if it's a 3-year term, for whatever you're doing, it's subject to cancellation on a year to year basis, and the way the payment structure is set up, that there's a provision for

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liquidated damages for anything that is missing, or any type of service and then you guys can revisit that at any meeting, anytime you want. Did I summarize that pretty good Scott?

Mr. Cochran: Yes, and I just had a quick question just for my own clarity, was the presents only not provided this year or was it not provided any of the 3 contract years?

Mr. Quesada: It was just this one year.

Mr. Cochran: Ok, and the \$2,150 was that the price for the decorations for all 3 contract years, or just for one year?

Mr. Quesada: I remember Russ making a big stink about that at the meeting and I looked at the original agreement and Russ was adamant that was too expensive but, the way it was explained from the contractor was that \$2,150 was divided by 3, so that it was \$2,150 per year because that was the total cost of that décor.

Mr. Cochran: Ok, so it was a total of \$6,000 or whatever it is.

Mr. Quesada: Yes.

Mr. Cochran: So, that's the piece attributable for this year.

Mr. Quesada: Yes.

Mr. Cochran: Got it.

Mr. Quesada: That was the one thing he asked about the agreement, so and again, we can talk about whatever proposed agreement we have next on the agenda, I just wanted to see if we can discuss and get some direction on this invoice.

Mr. Ruiz: So, what's the solution for them not giving us the presents, they have to deduct it off the price, right, the \$2,150?

Mr. Quesada: Again, I'm going based on a word of mouth conversation that Mayra had and I was there in the room so I did here him say that he was willing to offer a discount.

Mr. Ruiz: Why doesn't he just do it for free this year, we already paid the \$2,150 to do it, right?

Mr. Quesada: No, again, so this invoice was broken down into two, 50%, so what's remaining right now on this invoice on page 102 is \$3,872.50.

Mr. Gonzalez: Ok.

Mr. Quesada: Of that \$3,872.50 I'm telling you per what the agreement says, \$2,150 was the portion that pertained to the décor that you did not receive this year. So, I'm just giving you that information but, I'm not telling you what to do, I'm asking for

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direction from the Board on some direction so that we're not, and I think we can open up a whole world of trouble if we push beyond anything like that because we agreed to the rest and the rest was done and delivered as per the agreement, and so I'm just trying to focus on the one thing that wasn't done and see if that's something we can get him to agree to but, I would need direction from you guys on giving me a settling number, or what is the number that you guys feel comfortable with paying for at least the remaining part of it that he did do from the invoice, so please give us direction. I would caution you that if we get attorneys involved you're going to wind up paying more.

Mr. Gonzalez: Right, like a credit, so I think we paid in full, we request the credit to see what he says, and then we deal with like you say, the contract but, we're not happy in one of those 3 years, we cancel any time.

Ms. Angell: No, but I'm confused, because we're not going to go with him anymore.

Mr. Gonzalez: Well, if you don't want, I don't care, that's fine.

Ms. Angell: So, we won't go with him anymore because of what he did to us this year, so this is the end of his contract.

Mr. Ruiz: Yes.

Ms. Angell: So, what Ben is saying is we have some money that we still haven't paid him, is that correct?

Mr. Quesada: Correct.

Ms. Angell: And how much is the amount?

Mr. Ruiz: \$3,872.50.

Ms. Angell: Ok, so that's what he's saying, we haven't paid that yet, so we should not give him all that money, that's my thing of saying, he didn't follow through with his contract.

Mr. Ruiz: Right, he didn't fulfill his contract.

Mr. Gonzalez: And I'm ok with that.

Ms. Angell: So, we would have to call him and say, listen, it's a negotiation.

Mr. Gonzalez: Right.

Ms. Angell: We're only going to pay you, and we can talk about how much we think we should pay him, and let's go from there, and I don't think he's going to take us to court and everything because that's going to cost him money, so I think he's going to have to

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settle with what we do but, we need to vote to say how much money are we going to pay him.

Mr. Quesada: That's all I'm asking for some direction.

Mr. Gonzalez: Yes, but how much would the itemized, it hasn't been an itemized thing.

Mr. Quesada: It was \$2,150.

Mr. Gonzalez: For those little things?

Mr. Quesada: For the two 6' LED presents.

Mr. Gonzalez: Then don't pay him that, and then we'll figure it out and go from there.

Mr. Quesada: Ok, so if I understand you correctly, direction from you all is, we can pay whatever the difference is from \$3,872.50 and \$2,150, you're comfortable paying that amount if we're able to successfully negotiate that, if not, I'll bring back to you whatever counter offer he gives.

Mr. Ruiz: He would at least have to give us 50% off.

Mr. Quesada: Ok.

Mr. Gonzalez: Yes.

Ms. Angell: Yes, that's fair.

Mr. Quesada: Ok, so for our purposes, 50% of that number, so whatever 50% of that is, it's going to come out a little less, you wouldn't get the full \$2,150 but, you get close to that.

Mr. Ruiz: Right.

Mr. Gonzalez: Yes.

Mr. Ruiz: But we won't hire him again.

Mr. Quesada: And we're going to dive into that next.

Mr. Ruiz: Because the right thing for him to do is, this year to throw them in and not charge us for it.

Ms. Padilla: He did say, and that's what I was going to next, he did say well, I'll give them a discount and I'm going to offer them like an extra discount if they hire me again, and I said well I don't know, we'll see.

Ms. Angell: The only thing is, we can't take the chance of having another failed Christmas display because a lot of people in the neighborhood had said, what's going on

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here, so we really don't need that, we want something nice, and we want somebody reliable but we want a nice look at the front but, we want them to be a reliable person.

Mr. Quesada: Do we need a motion for that or is direction is fine, Scott?

Mr. Cochran: I mean I think it's direction and basically the agreement is that they'll provide these services and we'll pay them for the services that they provide and if they didn't provide the service then that's where we're going, so it would be basically the \$3,872.50 minus \$2,150.

Mr. Quesada: And the direction they just gave me now, they're willing to settle at 50% of that.

Mr. Cochran: Right but they're saying go to him with that.

Mr. Ruiz: You know what, if he's willing to take the \$2,150 off, we'll sign up with him again and give him a chance.

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Gonzalez: Well, he's a douche because discussed this because any professional that owns a company, you're getting a complaint, the customer comes first.

Ms. Angell: Right.

Mr. Gonzalez: I mean he basically said, go fly a kite.

Mr. Quesada: Well, initially he was responsive and then as we continued to follow up he just completely stopped answering us. Ok, so I think I have my direction for now, and we're going to push for the \$2,150 and the worst case, we'll settle at the 50% of the \$3,872.50.

Ms. Angell: Yes.

Mr. Quesada: And if we can't get successful with any of those two things we'll come back to you guys.

Mr. Gonzalez: But the only thing I would say is just realize like we have to be careful of the other companies, because he was like down here, so what I'm just saying is the swing, because we may go to double the price.

Mr. Quesada: So, I don't have it on your agenda, hold on one second, let me see if I can pull it up really quick, I'll pull it up just on one of them just so you can see it and pass it around.

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Mr. Gonzalez: And you know to the east side, now it says the townhomes, is there any way that you guys could find out from, you know where the Wawa is, they had really nice attention to detail lights because our lights were not LED.

Mr. Ruiz: Now is that CDD or HOA there or both?

Mr. Gonzalez: It's both.

Mr. Ruiz: Because their HOA is a lot more than what we pay.

Mr. Ruiz: But I'm not saying to add but just the quality of the lights.

Ms. Angell: Well, maybe they'll tell us what company that they used, maybe he can inquire and they can tell us.

Mr. Quesada: And I'm not trying to put any pressure on you guys, so I went and I talked to the company that used to do it, and it was sent under separate coverage to your email, but I'm loading it now really quick on the tablet. We went to, and they're now called Holiday Outdoor Décor, it used to be Christmas Designers of Florida, and I'll just give you the history here because some of you weren't on the Board then. Initially we used them, and what used to happen with these people is, they used to do your account, and again, I know you have a smaller account but, they already do a bunch of CDDs in the area, they do Silver Palms, so they do some of the surrounding communities, and I know they did Corsica, Silver Palms West, so they're already are doing some of the nearby neighborhoods and they're doing those displays, and even if you're a smaller contract for them, you're in the route, you're part of their route. So, it's this company, and I just want to tell you because they went through some growing pains and some restructuring and so they got bought out by another company, and so they were going through some growing pains when it came to staffing. Well, I would tell you, and I'm just going based on across the board in a bunch of Districts that they were being used in, they hired their own in house maintenance people and subbing people out, the company that you just finished discussing, Light Er Up, used to be a subcontractor, they used to do the maintenance. They parted ways a couple of years ago, and so there was this 1 year transition period where they went and they hired people and we had really good results with them, so I'm just going based off of somebody that's done about a dozen Districts from Kendall to South Miami-Dade County, that's who we talked to first. Keep in mind, if you guys are going to do the décor route, forget lighting, but if you're going to add any décor which we can discuss that from the Board now, custom décor takes about 90 days to manufacture before

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it gets installed on your property, so we're in April now, and that's why we're coming at you for something this year.

Mr. Gonzalez: Well, I say what you guys wanted which is good, I mean it's just me, everybody else has to vote but, the big wreath looks like a great idea, and then the lighting, between the lighting and big wreath, I mean to me that's good, and then if you put those like I said the impatiens, like really thick all around, in the front of the entrance.

Ms. Angell: I know you're talking about the bushes.

Mr. Gonzalez: Yes, the bushes but if you do that, you put a beautiful wreath, you put the lights that are nice and bright, and whatever you guys want to do, if you want to stay with the white to keep it, or colored, I don't care but it would make it pop so much more.

Mr. Quesada I will tell you guys, we shared the scope of work from the previous contactor with this contractor so he included those 3 royal palms behind the pool, and they weren't lit last year, nobody complained, nobody noticed, and it's \$2,400 so my recommendation would be to do away with that.

Mr. Gonzalez: Yes, just to see.

Mr. Quesada: So, save those \$2,400 and make sure you entrance is nice.

Mr. Ruiz: I think the main thing for Christmas is the entrance, that straight walkway.

Mr. Quesada: Correct.

Ms. Angell: Right, I agree with you.

Mr. Quesada: So, based on that information, their proposal is, and the total number is \$7,528, but if you subtract the \$2,448, you're looking at closer to \$5,000. So, you have a \$10,000 line item for holiday lighting which is good, you never want to exceed your line item.

Mr. Gonzalez: You know what's another thing we could add which I don't care about that much, but just to add to the front, when the holiday season starts, just clean it, pressure wash the area.

Mr. Ruiz: The roundabout, that little roundabout.

Ms. Angell: No, I don't think we should do it, I think we should be able to get someone to come and pressure wash that area.

Mr. Ruiz: Listen there's a kid in our neighborhood, his name is Anthony, and he does really good work.

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Mr. Quesada: Ok, we can reach out to him.

Mr. Ruiz: I highly recommend him, I have him do my backyard, my side and he's cheap.

Mr. Quesada: Ok, let me look into that what I would ask and by the way we can be creative, if you guys do see, and just hear me out because we're talking about more than one thing but, it's all related. So, you guys do have a pressure washing line item, I'm not worried about that, we can do that, we don't currently have and I just want to be realistic with you, I understand your request for the annuals, but annuals are something that at minimum needs to be changed out three times a year, 4 times is luxurious, like if you really want to keep them but, I would caution you guys because it's not something that you've anticipated in his current budget but, you have about \$5,000 of savings like in the holiday lighting line item. So, I will talk to our accountant, we can always create a line item for that, let me discuss with Milton and some of the contractors, as far relocating a sprinkler head or two, I know you have irrigation at the front, let me talk to them and let me get some numbers and I'll come back to you guys but, the idea would be come that time of year we should have something.

Mr. Gonzalez: Which is fine but, like I said, the end caps on each, because even the palm trees in the back like we could add, just add it.

Mr. Quesada: So, you want to do it as all one company?

Mr. Gonzalez: Yes, and we could add it on the holidays, like we're ready for it, and do that, and then obviously we're going to have to have the maintenance like you said, 3 times a year.

Mr. Quesada: Ok, so let me get some numbers on that and again, if the Board is ok with it I can get that.

Mr. Gonzalez: And honestly like there's no digging, I mean it is just literally adding the dirt, putting them in, and then the mulch around it.

Mr. Quesada: Ok.

Ms. Angell: But maybe he can give us an idea of a few little bushes at the end or something, something colorful that will stay there yearly.

(At this point several people were talking at one time, and no one conversation could be heard)

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Mr. Gonzalez: Yes, whatever you guys want to do but, I would really like to see, like I said, thick not like just a couple, like nice and thick.

Ms. Angell: I know what you're talking about.

Mr. Gonzalez: Right, and it looks nice, we have some much green and it just will lift the community up a little bit more.

Mr. Quesada: Just keep in mind, all these things, let me explore, I think let's do our homework so that come this holiday season, if we are going to do something, we already have our research done. I do think depending on our scale, we go with it, it might be something good or we may not be able to absorb but, we'll look at our numbers, so let's look at the numbers, let's talk, let's set up a meeting with Milton, and is the Board comfortable since Marcos kind of had the request to allow us to meet with Milton, identify those areas and come up with a proposal and come back to the Board with that is that ok as far as annuals?

Ms. Angell: Yes.

Mr. Gonzalez: Yes.

Mr. Quesada: Ok, so can I have a motion just to appoint Marcos as the liaison to meet with Milton to discuss additional areas for annual installation.

On MOTION by Mr. Ruiz seconded by Ms. Angell with all in favor, appointing Marcos Gonzalez and Board liaison to meet with Nicoya Landscaping to discuss annual installation was approved.

Mr. Gonzalez: And Cheryll, honestly like you guys, I will tell you, I will say, hey, look I'm meeting with them, so if you want to show up.

Mr. Quesada: And that was the purpose of this just now, was to just to make it official on the record because the way it works is nobody should be discussing new business outside of the meeting unless they're appointed at a meeting to be able to do that.

Mr. Gonzalez: Right, of course.

Mr. Quesada: And then again, anything that would require Board approval will come back to the Board.

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Mr. Gonzalez: And in reality honestly I want to keep it within budget or less, like I'm not trying to go over an amount.

Mr. Quesada: And we can be creative with them with that Marcos, depending on large scale we go which we can discuss that day, we can always do something in phases.

Mr. Gonzalez: Right.

Mr. Quesada: It might be something like year 1 we'll start here, with the biggest impact, and then we'll go next year into phase 2.

Mr. Gonzalez: Right because if Milton tells you, let's say per unit, I mean I can go to the residents and I could shop around and if he tells you, let's say the tree costs \$6.00 each one, and I understand he adds his costs but, we can say ok, I'm going to get them for \$0.80 and then we say, this is where we want you to buy it.

Mr. Quesada: Got it, and annuals are not that expensive.

Mr. Gonzalez: I know but we can check on them.

Mr. Quesada: I'm just telling you, the maintenance of it because we coming up on the summer months with annuals, it gets so hot and we get so much rain.

Mr. Gonzalez: But that's why I said we start when it's the winter season, and then always the spring, and then the summer honestly it's going to be a do over until the season but then the next thing is people are going to say, oh wow, that's nice, that's an add on. They're so used to seeing what we do in the front and when we do this it's going to look even better, and nobody is really complaining about the pool, and everybody's been happy.

Ms. Angell: They have been.

Mr. Gonzalez: And I know you do a great job.

Ms. Angell: Thank you, and they all seem very happy with everything and they like the furniture.

Mr. Ruiz: I haven't seen any complaints on Facebook about the pool.

Ms. Angell: No, they're all very happy.

Mr. Quesada: Well, you'll get some over the summer but again, keep in mind some of the challenges we face.

Ms. Angell: Yes, but they all seem very happy with everything and I have to say this for our security person because I'm sitting there at the table with her, and if people come to the gate, I'll be honest and they don't have their FOBs, she tells them that they can't come

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in and she tells them who to call, so if somebody has trouble and I'm there and I see that they maybe can't open the gate but they do have it, then I'll say to them, I'm going to let you in this time but, you have to get it fixed because you're not coming in again, and they say ok, thank you ma'am, so they're all very nice, they all seem happy in there especially with the ones that have children.

Mr. Ruiz: I have noticed lately that there is a lot of police presence in our neighborhood.

Ms. Angell: Yes.

Mr. Quesada: You actually have a lot that live in the neighborhood too.

Mr. Ruiz: Yes, but I saw them stop a car, I was walking the other day and they stopped a car right by the entrance, the undercover, but I guess maybe somebody called.

Mr. Quesada: Great, ok, so I did get a motion, and as I said, as far as the annuals are concerned we will set up a meeting with Milton and with Marcos, and identify those areas and come back to you guys with some information on that. Again, I'm not pressuring you all, I just wanted to throw an option at you, it's within your budget, with Holiday Outdoor Décor, they're already servicing, like you said Marcos other communities in the area and you guys want us to come back with more options. Keep in mind the timeline of any custom décor shrinks when we come back to another meeting, so I just wanted to have something for you guys to look at, give us direction, and if you guys feel comfortable with something along those lines, it is a 3-year term if I'm not mistaken, it's 2025 to 2027, so it will be those three seasons but again, if you guys were to make a decision today, Scott would put the provisions for liquidated damages in there and any type of cancellation clause on a year to year basis.

Mr. Gonzalez: When it comes to the lighting at least he could contact us somehow just for the color.

Mr. Quesada: We can revisit that, color-wise as long as you're not doing something really customized.

Mr. Gonzalez: No, because I see here that it's the same.

Ms. Angell: It's all white.

Mr. Gonzalez: But it's the yellow/white.

Mr. Quesada: They just did a rendering, and it depends on the bulb, the type of bulb.

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Mr. Gonzalez: Well, that's the thing, it's not a LED, it's like a warm white, so it's yellow.

Ms. Padilla: Yes, that's an easy fix.

Mr. Quesada: So, would you want like a cool white, is that what you want?

Mr. Gonzalez: Well, I thought maybe a cool white, maybe add a little color, just change it up because it's always the same thing.

Ms. Angell: Right, and I agree with you.

Mr. Gonzalez: So, people are kind of like, I'm bored with it.

Ms. Angell: Yes.

Mr. Quesada: Does the Board want to appoint somebody as far as whatever options are available based on bulb size to discuss that with the contractor.

Mr. Gonzalez: Cheryll.

Mr. Quesada: Cheryll do you want to do that, as long as you guys approve an amount and you give direction if you guys are ready to make a decision today, we'll work on the paperwork finalizing it and prior to any final submission or any signatures, having Cheryll maybe discuss other color options with the contractor.

Ms. Angell: Sure, I talk with him.

Mr. Quesada: There's other options, he can show you a catalogue or whatever.

Ms. Angell: Yes, that would be good that way we can pick out maybe some other colors.

Mr. Quesada: Ok, so are we ready, are you guys comfortable with Holiday Outdoor Décor that's my first question?

Mr. Gonzalez: Yes.

Ms. Angell: Yes.

Mr. Quesada: Ok, so we could make this in one motion, I would ask for a motion for management to have District counsel to prepare an agreement with Holiday Outdoor Décor for area 1, and designate Cheryll Angell as the liaison to discuss color options before finalizing and executing the paperwork.

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On MOTION by Mr. Ruiz seconded by Mr. Gonzalez with all in favor, authorizing staff to prepare an agreement with Holiday Outdoor Décor for Area 1 not to exceed \$5,080, and appointing Cheryll Angell as liaison to discuss color options with the contractor before finalizing any related paperwork was approved.

D. CDD Manager

Mr. Quesada: I have nothing else to add under CDD manager.

TENTH ORDER OF BUSINESS Financial Reports

A. Approval of Check Run Summary

B. Acceptance of Unaudited Financials

Mr. Quesada: Next is financial reports which start on page 103 for the check register. Are there any questions or comments, if not, I would just ask for a motion to accept the financials.

On MOTION by Mr. Gonzalez seconded by Ms. Angell with all in favor, the Check Register and the Unaudited Financials were approved.

**ELEVENTH ORDER OF BUSINESS Supervisors Requests and
Audience Comments (Cont.)**

Mr. Quesada: Any other Supervisor's requests, and I think we already kind of dived into that portion of the agenda.

TWELFTH ORDER OF BUSINESS Adjournment

Mr. Quesada: Hearing none, is there a motion to adjourn?

On MOTION by Mr. Gonzalez seconded by Mr. Ruiz with all in favor, the Meeting was adjourned.

DocuSigned by:

Ben Quesada

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Secretary / Assistant Secretary

Signed by:

[Signature]

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Chairman / Vice Chairman