

**MINUTES OF MEETING
VISTA LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Vista Lakes Community Development District was held Thursday, October 1, 2020 at 10:00 a.m. via Zoom Video Conference.

Present and constituting a quorum were:

Frank Sebestyen
William Pass
Paula Edwards
John DeCrotie, Sr.
Jason McCright

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Kristen Suit
Scott Clark
David Hamstra
Ariel Medina
Carla Daly
Marti Veatch

District Manager
District Counsel
District Engineer
Field Supervisor
HOA Liaison
Solitude Lake Management

Following is a summary of the discussions and actions taken at the October 1, 2020 Vista Lakes Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Sebestyen called the meeting to order. Ms. Suit called the roll, and a quorum was established.

- Following Public Comments, Solitude Lake Management staff will give a presentation.

SECOND ORDER OF BUSINESS

Public Comments

There being no members of the public present, the fourth order of business followed.

FOURTH ORDER OF BUSINESS

Staff Reports

D. Field Manager

ii. Solitude Restoration and Standard Lake Assessment

Ms. Marti Veatch of Solitude Lake Management presented this item.

The record shall reflect Mr. McCright and Ms. Daly joined the meeting.

- There is fertilization runoff which causes the low nitrogen levels.
- The lake had low oxygen levels at the bottom. Recommendations were for aeration, nitrogen rejection and ongoing water quality monitoring.
- Liquid fertilization should not be done during the rainy season.
- A small aeration system would help at the north end of the lake.
- The south end of the lake is normal which may be the result of no homes in this area.
- Bird droppings can cause ammonia buildup. Aeration can help with this issue.
- Fountains help.
- The lake is above average at C+ or B-, considering the size and region.
- Elevated nitrogen levels feed algae, and interfere with the dissolved oxygen.
- This assessment was only done on Site #8.
- Mr. Pass believes an aerator will help on the south end of the lake.
- An assessment of other lakes should only be done if there are issues, as an assessment of all lakes is expensive.
- Mr. Pass indicated this lake was the only one not receiving full maintenance.
- The Board will continue to monitor the lakes to determine whether additional assessments are needed.

THIRD ORDER OF BUSINESS

Business Administration Items

A. Consideration of the Minutes of the August 6, 2020 Board of Supervisors Meeting

Mr. Sebestyen stated each Board member received a copy of the Minutes of the August 6, 2020 Board of Supervisors Meeting, and requested any additions, corrections or deletions.

- On Page 7 in the last bullet, *any planting or material by the resident from encroaching on* should replace *anything from*.
- On Page 8 at the top, Mr. Clark confirmed the Board agreed staff will be posting the full agenda package to the Website.

- On Page 9 in the second bullet from the bottom, staff is still awaiting information regarding the vehicular accident.
- On Page 9 in the bullet above the second motion box, Mr. Sebestyen still wants to meet with the Arbitrage firm, and Ms. Suit will follow up with the Accounting Department.

There being no further additions, corrections or deletions,

On MOTION by Mr. Sebestyen, seconded by Ms. Edwards with all in favor by roll call vote, the Minutes of the August 6, 2020 Board of Supervisors Meeting were approved as amended.

B. Consideration of July and August 2020 Check Register and Invoices

The July and August 2020 Check Register and Invoices were presented for the Board's review and approval.

- Mr. Pass wants to know the reason the CDD is being charged for the weekly maintenance on a continuous basis when there is no service either required or performed during the extended periods the fountains have been under repair or rehabilitation. The District should only be charged when the fountain is operating. Mr. Medina will follow up with the vendor to credit the District.
- Legal advertising was discussed. The new Fiscal Year 2021 Meeting Schedule will include a reference to both in-person and virtual meetings.
- The charge to O&M-General Services for electrical services covers the electricity for the fountain on the lake at Chickasaw.
- The additional invoice for Servello for additional planting beds was discussed. Ms. Daly confirmed this was for the new Newport planter beds, and Annuals were added for Champlain Boulevard. Perennials were removed and replaced by the Annuals for better visual from the road. Mr. Medina confirmed this was previously discussed by the Board.

On MOTION by Mr. Pass, seconded by Mr. DeCrotie, Sr., with all in favor by roll call vote, the July and August 2020 Check Register and Invoices were approved, subject to Mr. Medina following up with the fountain vendor to credit the District for maintenance.

C. Consideration of August 2020 Financial Statements

The August 2020 Financial Statements were presented for the Board's review and approval.

- Holiday lighting was discussed. The amount is up from \$15,000 to \$26,000 because the deposit is done one year, and the total the next year.
- Ms. Edwards discussed landscaping. She does not see evidence of tree trimming being done. Ms. Daly commented tree trimming is done on a schedule. The trimming will be done within the next week. Nothing should be paid for which has not been completed. The following items are billed separately:
 - Hand watering.
 - Annuals – four times per year.
 - Mulch.
 - Tree mulch.
- Tree trimming is included in the contract, according to Mr. Medina. There should not be an invoice for tree trimming. Mr. Medina will investigate further. Ms. Suit indicated there was a separate cut-back of trees from the Boulevard, and other specific items.

On MOTION by Mr. Sebestyen, seconded by Mr. Pass, with all in favor by roll call vote, the August 2020 Financial Statements were approved.

FOURTH ORDER OF BUSINESS**Staff Reports (Continued)****A. District Engineer****i. Update on the Amhurst Subdivision CCTV Inspections**

- The CCTV work has been completed for Areas 4 and 7 in Amhurst.
- It appears the construction of the pipes was poor. This is causing water and sand to be sucked into the pipe system, and sooner or later there will be subsidence or potholes in the streets or yards.
- The initial review of the deliverables is complete.
- Each pipe segment will be reviewed in detail.
- Maintenance improvements may be recommended.

- The pipe which runs from 24 to miter 2 is showing a significant amount of sand. Mr. Hamstra believes there may be damage between the two homes.
- ii. **Update on the Privacy Wall Between Champlain and Stonebridge Subdivisions**
- Mr. Hamstra had a meeting with various staff members regarding erection of some type of fence and access gate, and for Servello to have a gate in order to get their equipment in the back to maintain the open space between the homes.
- Mr. Hamstra read into the record issues of concern raised by an official from the City of Orlando.
 - Bollards need to be removed.
 - If the CDD builds a fence in any of these areas, the homeowners will be encouraged to build their own fences to prevent an access point for potential burglaries or other safety issues.
 - The area needs to be well-lit.
 - This area is not zoned for CDD-area schools.
- A PVC fence will be installed on the boundary. The City will determine the type of gate for pedestrian access.
- It was supposed to be a right-of-way connecting the neighborhood streets according to the plat.
- Mr. Hamstra will make the City aware the CDD intends to move forward with securing the area, and for the City to let CDD staff know what type of gate would be required.
- Mr. Hamstra does not believe there will be vehicular movement between the two neighborhoods.
- Ms. Daly indicated there have been numerous burglaries in the area.
- Mr. Hamstra estimates the cost may be \$20,000 to \$25,000. This would include the fence, gates, limited survey, permitting fees and one-sheet construction plan.
- The motion would be for approval to install a PVC fence and gate between Champlain and Stonebridge in an amount not to exceed \$25,000, which includes the fence, gate, permit, survey and construction plan, and authorizing the Chair to execute prior to the February 11, 2021 Board Meeting.

- Mr. Sebestyen is in favor of just the fence and gate for Servello.
- The revised motion would be for approval to install a PVC fence and one gate between Champlain and Stonebridge in an amount not to exceed \$25,000, with costs to include fence, gate, survey and construction plan, with Chair to execute prior to the next Board meeting on February 11, 2021.
- Mr. Hamstra wants to know if the sidewalk panels should be removed. Mr. Sebestyen indicated this may be done at a later date.
- Mr. Hamstra will clarify whether emergency ingress and egress is necessary.
- Mr. Hamstra will have the sidewalk panels underneath the fence removed, and he will obtain a cost to remove sidewalk panels from the fence to the right-of-way.
- Ms. Daly indicated a majority of the residents were petitioning the CDD to install a fence because they do not want residents from the Stoneybrook community to enter Vista Lakes.

On MOTION by Mr. DeCrotie, Sr., seconded by Mr. Sebestyen, with all in favor by roll call vote, installation of a fence and gate for maintenance only between Champlain and Stonebridge in an amount not to exceed \$25,000, which includes the fence, gate, survey, construction plan and removal of sidewalk panels under the fence only, if necessary, was approved, and the Chairman was authorized to execute said plan prior to the February 11, 2021 Board meeting.

- Mr. Hamstra will have each quote executed by the Chair.
- iii. **Update on the Privacy Wall Between Pembroke Subdivision and Vista Promenade**
- Currently, people who work at the site, are going through this area.
- It has been confirmed that the masonry wall is on private property and does not run along the Vista Lakes property limits.
- There is an existing wood fence which is running north to south.
- The gap is large enough for people to pass through.
- There are two options:
 - The District may ask for permission to enter the easement through Vista Promenade perpendicular to the property limits, then run a new wall along CDD property limits.

- If Vista Promenade officials refuse to give the CDD an easement, all trees along the property line would have to be removed. The CDD would have to put up its own wall.
- The wood fence is not sturdy.
- Servello is maintaining up to the wall.
- Mr. Hamstra recommends running a fence from the Vista Promenade wall to the Vista Lakes property line, and continue the same stucco wall, and dead end at the wood fence, which is in poor shape.
- If the CDD can obtain permission from Vista Promenade for the easement, Mr. Hamstra will present cost estimates at the February meeting.
- Mr. Clark commented the current owner of Vista Promenade is local to Lake Mary, as opposed to a large company. Mr. Clark was directed to discuss the easement with them.

iv. River Walk (Vista Park) Update

- There was a meeting regarding this issue. It will be mostly residential, but there will be a town center as well as a multi-family area.
- The developer has not responded regarding construction plans. They plan on a downtown area.
- The traffic issue will have to be studied. In the meantime, all traffic will go north until Hazeltine National Drive is extended from the west into the community, which will happen over the years.
- It appears they are going to tie into the wetlands system, as opposed to the CDD's outfall pipe.
- The site will have to be raised.
- Mr. Hamstra does not believe there will be a drainage issue, but he will monitor the situation.

v. Update on the Privacy Wall Between Windsor Subdivision and Vista Park

- This is a wall between the future new neighbors to the east and Windsor to the south end of Vista Lakes. There is a brick wall to the north, but there is no buffer to the south.

- Mr. Hamstra obtained a price on building the same brick wall on the south side of Windsor in the amount of approximately \$700,000.
- Nothing needs to be done at this time.
- vi. **Update on the Replacement of the Wood Fence Between Windsor Subdivision and the Narcoossee Road Off-Site Properties**
- The wall is being compromised by tree growth.
- Mr. Hamstra has not obtained a price, but when he does, he will send it to Ms. Suit to present to the Board.
- vii. **Future Privacy Wall Between Windsor Subdivision and the Extension of Hazeltine National Drive**
- When Vista Park has enough homes built, the City will extend Hazeltine National Drive from west to east through the south tip of Vista Lakes into Vista Park.
- There will be a right-of-way.
- Mr. Hamstra predicts something robust and security-minded will be needed to separate a major roadway from the south end of Vista Park at Windsor.
- He would like the wall to be eight to 10 feet, but needs the City's permission. It will be a brick wall to provide a buffer.
- A sound barrier wall is possible.
- Mr. Hamstra will follow up with the City.
- viii. **Outfall System Modifications**
- This is in preparation for emergency events and requires permission from SWFWMD, to lower water levels in advance of a storm.
- Mr. Hamstra will keep the Board updated through Ms. Suit.
- ix. **5509 Florence Harbor Drive (Newport Subdivision)**
- The homeowner contacted Inframark, and she indicated a large area of her yard is eroding.
- Mr. Hamstra has to determine private versus CDD property.
- Mr. Hamstra is requesting permission from the Board to have a surveyor locate the property corners on both homes, and get back to the owners, to determine whether it is their responsibility entirely, or if the CDD has some joint responsibility on this erosion and downed vegetation on the properties.
- Mr. Hamstra believes the survey will cost between \$750 and \$1,000.

- The owners are willing to correct it at their cost if necessary.
- Mr. Pass suggested the owner provide their current boundary survey.

On MOTION by Mr. Pass, seconded by Ms. Edwards, with four in favor by roll call vote from Mr. Sebestyen and Mr. DeCrotie, Sr., the District Engineer was authorized to have a limited survey conducted at 5509 Florence Harbor Drive, to establish property limits in an amount not to exceed \$1,000.

x. Maintenance of Conservation Areas

- There was an on-site meeting between Servello, Mr. Medina and other staff, and it was determined a maintenance plan has to be prepared and submitted.
- Mr. Pass indicated there is no Melaleuca, but Camphor and Chinese Tallow should be added to the list.
- Ms. Daly did a walk-through with Servello yesterday, and a list was prepared with all of the areas and exact locations of invasive plants.
- Mr. Pass noted weed eating and mowing has not been done for a number of years, which has caused the issue with the invasive plants. He believes the landscaping company should bear most, if not all, costs associated with the invasive plant removal.
- Staff needs to determine how much they are responsible for in this regard.
- Servello staff should attend the next meeting to determine responsibility.
- Mr. Pass will be the point person regarding this issue. He will take photos.

B. District Counsel

i. Discussion and Consideration of Resolution 2021-01, Adopting Policy of Encroachments on CDD Property

- Planting and other items regarding encroachments on CDD property were discussed at the last meeting.
- Mr. Clark was directed to prepare a Rule in this regard.
- A Rulemaking Hearing is necessary, which would have to be advertised.
- Mr. Clark sent letters to three residents who were encroaching on CDD property. There are no lawsuits at this point.
- Comments from Mr. Pass are included on Mr. Clark's document.
 - Mr. Pass is in favor of this.

- He believes residents encroaching should be made aware of the situation before any fines are assessed or official letters sent out. However, the Board is not statutorily required to do so. Most of Ms. Suit's other Districts are not doing this.
- They should be given no more than 30 days.
- Mr. Sebestyen advised the CDD should be flexible depending on the situation. Some residents should be given less time to remedy a situation. Mr. Clark confirmed he may include wording on the document in this regard.
- Mr. Sebestyen noted minor changes to the document. Mr. Clark indicated there is to be no favoritism.
- Mr. Clark advised the Board should not adopt the Resolution, but should adopt the procedure as Policy, with the revisions, as discussed, and direct District Counsel to schedule the Public Hearing. The Resolution will be presented at the Public Hearing.

On MOTION by Ms. Edwards, seconded by Mr. Pass, with all in favor by roll call vote, the Encroachment Policy was adopted as amended, and District Counsel was authorized to schedule a Public Hearing regarding the Encroachment Policy on Thursday, February 11, 2021 at 10:00 a.m. at the Vista Lakes Clubhouse, located at 8841 Lee Vista Boulevard, Orlando, Florida 32829.

C. District Manager

i. Consideration of Engagement Letter for the Fiscal Year 2020 Audit

- This is in line with the budget.

Mr. Pass MOVED to approve the Engagement Letter from Grau & Associates for the Fiscal Year 2020 Audit.

- Mr. Clark indicated a formal opinion on internal controls would require a higher level audit. They will indicate whether there were any problems with the audit. This is consistent with what has been done in the past.

Mr. DeCrotie, Sr. SECONDED the prior motion.

There being no further discussion,

On VOICE vote, with all in favor, by roll call vote, the Engagement Letter from Grau & Associates for the Fiscal Year 2020 Audit was approved.

D. Field Manager (Continued)

i. Field Management Report

- The tower near Home Depot was shut down and new tiles were installed.
- The electrical component on the new fountain at Chickasaw was installed. A No. 2 cable is needed for the fountain to work properly. Duke Energy will be there tomorrow to install it.
- Jorge has been pressure washing the entrances.
- Lakes are being cleaned.
- Political signs should be removed.
- Mr. Medina has been meeting frequently with Servello, as some areas appeared to be incomplete. They should trim when they mow. The edging also was not done. All issues are being corrected. Servello staff prepared a new rotation schedule. It will be discussed this week.
- The bat house was built.
- Cabling is being installed along Lee Vista. The equipment is damaging the grass. AT&T is doing the work.
- Mr. Medina has a meeting next week with Orange County Utilities. Staff is having problems locating the meter.

iii. HOA Liaison Report

- With regards to the Vista Lakes entrance monument sign to be posted at Chickasaw Boulevard outside of Newport, Ms. Daly will meet with vendors next week and will send bids to Mr. Medina, along with diagrams. Ms. Daly described the area where the sign will be placed. Ms. Daly was authorized to obtain quotes.

FIFTH ORDER OF BUSINESS

Supervisor Requests

- Mr. Pass indicated the area behind Central Park condominiums is washed out by a drainage pipe coming from Central Park. Nothing has been done with it. It was


damaging CDD property. Mr. Hamstra met staff from the Central Park HOA a couple of months ago and made them aware it is not the CDD's responsibility. He assisted in obtaining the services of a contractor. It is a dangerous situation which needs to be repaired.

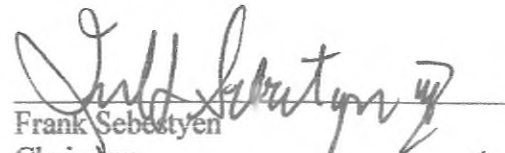
SIXTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Pass, seconded by Mr. McCright, with all in favor by roll call vote, the meeting was adjourned at approximately 12:30 p.m.


Kristen Suit
Secretary


Frank Sebestyen
Chairman