

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, November 28, 2022, at 9:00 a.m. at the Vista Lakes Clubhouse, 8841 Lee Vista Boulevard, Orlando, Florida 32829.

Present and constituting a quorum were:

Frank Sebestyen	Chairman
Paula Edwards	Vice Chairman
Carla Daly	Assistant Secretary
John DeCrotie, Sr. (<i>by phone</i>)	Assistant Secretary
Aaron Simmons	Assistant Secretary

Also participating were:

Gabriel Mena	District Manager
Scott Clark	District Counsel
David Hamstra	District Engineer
Brett Perez	Area Field Director
Freddy Blanco	Field Manager
Scottie Feliciano	Servello & Sons
Residents and Members of the Public	

FIRST ORDER OF BUSINESS **Call to Order and Roll Call**

Mr. Sebestyen called the meeting to order at 9:02 a.m.

Mr. Sebestyen called the roll and indicated a quorum was present for the meeting.

SECOND ORDER OF BUSINESS **Public Comment Period**

There being no comments, the next order of business followed.

THIRD ORDER OF BUSINESS **Administrative Items**

Discussion ensued regarding vacant seat number two. Ms. Daly suggested that the matter regarding Mr. DeCrotie be discussed prior to any other items so that he may speak during the meeting.

Mr. Sebestyen stated there was a vacant seat and suggest that a motion be made to appoint Mr. DeCrotie.

Discussion ensued for a motion prior to appointing Mr. DeCrotie. He also stated per statute the Board would need to declare the seat vacant prior filling it.

On MOTION by Mr. Simmons, seconded by Mr. Sebestyen, with all in favor, unanimous approval was given to declare seat two vacant.
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On MOTION by Ms. Daly, seconded by Mr. Sebestyen, with all in favor, unanimous approval was given to appoint Mr. DeCrotie to fill seat number two.

A. Acceptance of the Minutes of the October 6, 2022

The minutes are included in the agenda package and available for public review in the local records office or the District Office during normal business hours.

On MOTION by Ms. Daly, seconded by Mr. Simmons, with all in favor, unanimous approval was given to accept the minutes of the October 6, 2022, meeting, as presented.

B. Approval of Check Register and Invoices

The check register and invoice summary are contained in the agenda package and available for public review in the local records office or the District Office during normal business hours.

On MOTION by Mr. Simmons, seconded by Ms. Daly, with all in favor, unanimous approval was given to accept the Check Register and Invoices.

C. Acceptance of Financial Statements, October 2022

The financial statements are contained in the agenda package and available for public review in the local records office or the District Office during normal business hours.

Discussion ensued regarding change with interest rates and investments. Mr. Mena stated the finance department looks into this matter daily. Mr. Mena made suggestions to the Board of different investments.

On MOTION by Ms. Edwards, seconded by Mr. Simmons, with all in favor, unanimous approval was given to authorize the finance department to invest \$500,000 into a CD (six months or longer), and stagger two or more \$250,000 investments.

Discussion ensued regarding the reserves and deficits. Mr. Mena explained to the Board purposes of the reserves and how they are used.

Discussion ensued regarding Encore and Atrium apartments. Mr. Sebestyen questioned whether we had the discussion with the apartment complexes about splitting the costs of the wall. Mr. Sebestyen stated they are about two years out from putting up the wall and he will follow up on this matter.

On MOTION by Ms. Edwards, seconded by Mr. Simmons, with all in favor, unanimous approval was given to accept the Financial Statements, October 2022.

FOURTH ORDER OF BUSINESS

Continued Discussion of Hurricane Ian and Hurricane Nicole Flooding

Discussion ensued regarding Hurricanes Ian and Nicole flooding. Mr. Hamstra discussed the flooding and the feedback he received due to the flooding and stated there was some structural flooding.

Discussion ensued regarding the \$50,000 for approval of pipe work. Mr. Hamstra stated he would like to receive \$10,000 of that to do more surveying of the pipes prior to cleaning them out again. He would like to get the elevation of the homes to hopefully prevent future flooding. He also stated the survey will be available by the next meeting.

On MOTION by Ms. Daly, seconded by Ms. Edwards, with all in favor, unanimous approval was given to re-allocate any amount the \$50,000 previously approved for the CCTV work for the topographic work, including a survey, authorizing the Engineer to spend as necessary.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Discussion ensued regarding the Sunshine Law. Mr. Clark refreshed the Board of the requirements of the Sunshine Law. Mr. Clark stated that email is the biggest problem. Mr. Clark stated that all business communication must be done inside a public meeting. Mr. Clark also advised the Board about using social media and to stay away from topics regarding the District.

Mr. Clark reminded the Board to file the annual financial report.

Discussion ensued regarding the code of ethics. Mr. Clark briefed the Board on the requirements of the code of ethics.

Discussion ensued regarding how to handle emergency issues outside of a meeting. Mr. Clark stated a state of emergency grants authority to the Board Chair and District Manager to make emergency decisions. Mr. Clark stated that he recommends that a meeting be scheduled to inform staff.

Ms. Daly questioned whether an emergency meeting be conducted so that staff can all decide on any emergency matter.

Discussion ensued regarding if it is in violation for a Board member to post anything regarding the meeting to their personal social media. Mr. Clark stated he would advise

not to do so, that you could violate the Sunshine Law. Mr. Clark suggested to have a District social media so that the District Manager could post regarding the meetings, that it would not violate the Sunshine Law.

Discussion ensued regarding how to inform residents on emergency situations.

Discussion ensued regarding electric streetlighting. Mr. Clark discussed an agreement with the City of Orlando that is about 15 years old, which states they are to reimburse the District about \$40,000 for the cost of electricity lighting for the public right-of-way. Mr. Clark would like to see if they would make an increase. Staff was directed to follow up on this matter.

B. District Engineer

Mr. Perez stated due to the hurricanes, the solar lights were not fixed and the work should be done within the next two weeks.

Discussion ensued regarding conservation encroachment. It was stated that two residents have cleared away some of the conservation area behind their property. He also stated this will need to be remedied and the property owners pay for the costs.

Mr. Sebestyen stated he wrote a letter to the residents when he was notified and stated the homeowner will do what he needed to make it right. The property owner has been in contact with Mr. Hamstra. When the policy was enacted a few years ago, it stated the residents would be charged by the District to remedy the conservation area. St. Johns RiverWater Management District (“SJRWMD”) will most likely want it restored. They will need to survey and evaluate necessary remedies. He will send follow up letters to residents at 9068 and 9084 Lake Avon Drive, to notify them there will be a cost.

Mr. Sebestyen questioned what the difference was between this clearance and the clearing the residents performed. Mr. Hamstra stated we are only authorized to remove of invasive plants.

Discussion ensued regarding property owners will have to keep them out and have a professional step in so that the District is in compliance with their master permit. When the cutbacks were done, it was invasive plants that were removed.

Mr. DeCrocio questioned Mr. Hamstra if the residents were notified of the costs. Mr. Hamstra stated that it would be up to SJRWMD what the costs will be. A letter will be sent to notify them of the costs and invite the residents to attend the next meeting.

Mr. Sebestyen will write an article for the HOA newsletter notifying residents not to encroach in the conservation area.

Discussion ensued regarding the maintenance plan for the conservation areas. Mr. Hamstra stated only one proposal was approved: number 21. Work is completed at number 21. Ms. Daly stated Pembroke was placed on hold, and this one is necessary and should have not been placed on hold. She suggested to have it the Pembroke area and the other two areas fixed and get them completed.

Discussion ensued the cutback is on the wetlands. Mr. Sebestyen would like the cutbacks done. Cutbacks were done but need to be cutback further. Mr. Sebestyen questioned whether Servello is to determine how far to cutback. A lot of the work done was for the impeding pedestrian, on sidewalks. Mr. Feliciano stated they are typically approved for ten to twelve feet but are allowed to push back 20 feet of the invasive plants.

Discussion ensued regarding the maintenance plan from July 2022. Mr. Sebestyen would like the cutbacks done for drainage purposes. It was stated that if the conservation areas are not maintained, they could be fined.

Mr. Hamstra advised the Board that the wetlands should be a part of the maintenance plan and the District could get a wetland scientist to do an annual inspection regarding wetland maintenance. Mr. DeCrotie stated that there are companies that specialize in assessment and cleanup of conservation areas. He stated Sunshine Land Management was a company he had worked with previously. Mr. Perez will get with Sitex regarding an addendum for maintenance of the conservation areas.

Discussion ensued regarding the entrance monument sign. Mr. Hamstra stated the building permit application by Infinity has been submitted.

Discussion ensued why we were tearing down the sign according to the documentation presented. Mr. Hamstra stated we are not tearing down the existing sign.

Mr. Hamstra stated the survey for Lee Vista Boulevard is complete and will now proceed with the drainage/sidewalk project. He is working on getting a speed bump placed at Junction Park.

Discussion ensued regarding a letter from Encore Apartments. It was stated that we had received a letter from Encore Apartments regarding flooding. The letter was sent to the HOA.

C. Field Management

There being none, the next order of business followed.

i. Field Report

Discussion ensued regarding the irrigation. The City of Orlando has approved the permits and work can now commence.

ii. Servello

Mr. Feliciano stated he will be doing a walk through. Due to the high-water levels, they have not been able to do treatments. Mr. Simmons questioned regarding number 13 has been on the agenda for a while. Mr. Simmons would like to know when it will be assigned to Servello. Ms. Daly stated that 14 has been on the report for two meetings.

Ms. Daly suggested for the proposals from Servello to have a completion date moving forward. Mr. Feliciano stated they have a contract they can provide with a completion date. Mr. Sebestyen stated he would like to start using a completion date on the proposals, as suggested by Ms. Daly.

Discussion ensued regarding the sod in the whole community. Mr. Feliciano stated that some of the irrigation was repaired, so the anticipated sod replacement has been reduced. Mr. Feliciano has the proposal for the sod.

Discussion ensued regarding the walking path with the trip hazard. Mr. Simmons stated he has seen this for the past year and inquired about the status. Ms. Daly stated this should be a priority due to a liability issue. Mr. Feliciano will have some cones placed surrounding the area.

Discussion ensued regarding the edging of the fence at Wyndham Harbor. Mr. Feliciano stated they should be edging in the area, and he will have a look at it. Ms. Daly also stated the path leading to Winter says the edging near an electrical box is being missed.

On MOTION by Ms. Daly, seconded by Mr. Sebestyen, with all in favor, unanimous approval was given to authorize not to exceed \$35,000 for Servello & Sons to replace sod throughout the District.

iii. Proposals

a. Inframark Proposal WOVL09092022, Installation of Metal Bench

Discussion ensued regarding an additional proposal from Servello #7344 which is the second part of the irrigation repairs from the storm. Ms. Daly stated cars drive through the puddles, splashing water into homes and damaging irrigation systems.

On MOTION by Ms. Daly, seconded by Mr. Sebestyen, with all in favor, unanimous approval was given to approve proposal #7344 from Servello & Sons for irrigation repairs, in the amount of \$5,875.

iv. Sitex Report

Discussion ensued regarding the water levels. Mr. Perez stated it took about two weeks longer to get the water levels back in line. There are eight aeration systems down that are submerged. He will provide proposals for replacement.

Ms. Edwards questioned if we had any reserve lines for our aeration and fountain systems.

Mr. Mena stated there are reserves.

Discussion ensued regarding the repair of the aeration and fountain systems. Mr. Simmons questioned whether FEMA would cover the costs. Mr. Mena stated they most likely will not reimburse for any landscaping. Mr. Mena stated he will submit for reimbursement for irrigation.

Discussion ensued regarding lights in the fountain. Mr. Perez stated he will look into it. It was mentioned that a resident had advised Mr. Perez there was a loud buzzing noise coming from one of the lights. Mr. Perez stated the light had burned out while he was checking it. Ms. Edwards questioned when it is replaced can we check the decimal reading. Mr. Perez stated the replacements will have silencers.

Ms. Edwards questioned whether they already had silencers. Mr. Perez stated yes, they did have silencers. Ms. Edwards suggested to have the boxes relocated due the humming noise. Mr. Perez will look into the boxes being relocated.

v. HOA Liaison Report

There being no comments, the next item followed.

D. District Manager

Mr. Mena read Resolution 2023-02 into the record by title.

Discussion ensued regarding the appointing of officers on the Board. Mr. Mena advised statute requires we appoint by resolution, even if no changes are made.

On MOTION by Ms. Daly, seconded by Ms. Edwards, with all in favor, unanimous approval was given to Resolution 2023-02, designating officers to keep all positions the same.

SIXTH ORDER OF BUSINESS

New Business

A. Motion to Assign Fiscal Year 2022 Fund Balance

Discussion ensued regarding the financials for fiscal year 2022. The Board agreed to remove gates. Ms. Daly suggested we add more funds for the ponds, fences, and entry walls. Ms. Daly suggested to move more funds to the other fund balance.

Discussion ensued regarding the reserves and allocating money.

On MOTION by Ms. Daly, seconded by Ms. Edwards, with all in favor, unanimous approval was given to assign fund balance for fiscal year 2022 by reducing pavement, concrete, basins, and curbs, as discussed.

B. Consideration of Resolution 2023-01, Fiscal Year 2022 Budget Amendment

Mr. Mena read Resolution 2023-01 into the record by title.

On MOTION by Ms. Edwards, seconded by Mr. DeCrotie, with all in favor, unanimous approval was given to approve Resolution 2023-01, amending the fiscal year 2022 budget.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

There being none, the next order of business followed.

EIGHTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Sebestyen, seconded by Mr. Simmons, with all in favor, the meeting adjourned at 12:17 p.m.



Gabriel Mena, Secretary



Frank Sebestyen, Chairman