

SPRING LAKE COMMUNITY DEVELOPMENT DISTRICT

November 2, 2021 Minutes of the Public Hearing & Regular Meeting

Minutes of the Public Hearing & Regular Meeting

The Public Hearing & Regular Meeting of the Board of Supervisors of the Spring Lake Community Development District was held on **Tuesday, November 2, 2021 at 6:30 p.m.** at The Clubhouse at Lucaya Lake located at 11301 Lake Lucaya Dr., Riverview, FL 33579.

1. CALL TO ORDER/ROLL CALL

Rick Reidt called the Public Hearing & Regular Meeting of the Board of Supervisors of the Spring Lake Community Development District to order on **Tuesday, November 2, 2021 at 6:30 p.m.**

Board Members Present and Constituting a Quorum:

Warren Keipper	Chair
Ruth Brown	Vice-Chair
William Kidwell	Supervisor
Chrissy Nieves	Supervisor
Tom Bigelow	Supervisor

Staff Members Present:

Rick Reidt	District Manager, Meritus
Michael Eckert	District Counsel, Hopping Green & Sams
Phil Chang	District Engineer, Johnson Engineering
Paul Woods	OLM

There were various representatives from the landscaping companies in attendance.

There were many audience members in attendance.

2. AUDIENCE QUESTIONS AND COMMENTS ON AGENDA ITEMS

A resident commented on fence approvals and treatment by staff.

3. RECESS TO PUBLIC HEARING

The Board recessed to the public hearing.

43 **4. PUBLIC HEARING ON ADOPTING LAKE AND DOCK RULES**

44 **A. Open the Public Hearing on Adopting Lake and Dock Rules**

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46 MOTION TO: Open the public hearing.
47 MADE BY: Supervisor Brown
48 SECONDED BY: Supervisor Keipper
49 DISCUSSION: None further
50 RESULT: Called to Vote: Motion PASSED
51 5/0 - Motion Passed Unanimously

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53 **B. Staff Presentation**

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55 Mr. Eckert reviewed the lake and dock rules with the Board.

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57 **C. Public Comments**

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59 Residents commented on the restrictions on the vessels, defining a personalized watercraft, the
60 beach area and access, the causes of erosion, thanking the Board for incorporating comments and
61 trying to be fair, the 24-inch draft being in the HOA rules that passed in May, the timeline for
62 dock permits and boat registrations, and HOA covenants regarding having lake owners meet for
63 lake changes.

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65 **D. Consideration of Resolution 2022-01; Adopting Lake and Dock Rules**

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67 The Board reviewed and discussed the resolution.

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69 MOTION TO: Approve Resolution 2022-01 with the amendment to
70 include the three revisions as stated.
71 MADE BY: Supervisor Bigelow
72 SECONDED BY: Supervisor Brown
73 DISCUSSION: The Board discussed the rules and comments and
74 made 3 revisions: to clarify how the draft is measured
75 add “dead rise angle” after 20 degrees, and
76 incorporate a definition for personalized watercraft.
77 The Board agreed to amend the resolution with these
78 three revisions.
79 RESULT: Called to Vote: Motion PASSED
80 5/0 - Motion Passed Unanimously

84 **E. Close the Public Hearing on Adopting Lake and Dock Rules**
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86	MOTION TO:	Close the public hearing.
87	MADE BY:	Supervisor Brown
88	SECONDED BY:	Supervisor Bigelow
89	DISCUSSION:	None further
90	RESULT:	Called to Vote: Motion PASSED
91		5/0 - Motion Passed Unanimously

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94 **5. RETURN AND PROCEED TO REGULAR MEETING**

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96 Mr. Reidt directed the Board to return and proceed to regular meeting.
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99 **6. STAFF REPORTS**

100 **A. District Engineer**

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102 Mr. Chang went over concerns with runoff from the school property to the south. The school
103 district sent a memo that said the water is not traversing from the school property to the District
104 property because the channel is uneven. They have not provided any survey grades. Mr. Chang's
105 professional analysis is that he does not agree with what was stated in the memo, and he asked
106 the Board how they would like him to respond back. He said that once the school is constructed,
107 they may no longer have the same issue. The Board asked Mr. Chang if there is an advantage to
108 ask for survey grades from the school district. Mr. Chang answered. The Board directed Mr.
109 Chang to ask for the school district for the survey grades.
110

111 Mr. Chang also provided an update on the potential sub-dividing Tract E. He had a pre-submittal
112 meeting with the County, and it does not sound like there will be opposition from the County's
113 point of view. He is waiting on information from the County regarding the fee and the process.
114

115 *Mr. Chang exited the meeting via conference call.*
116

117 **B. District Manager**

118 **i. Action Item List**
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120 Mr. Reidt reviewed the action item list with the Board. He provided an update on Blue Pacific.
121 The Board allowed residents to comment on Blue Pacific. A resident commented that the builder
122 did not inform them in the purchase agreement and asked for CDD accounting info. Residents
123 also asked if there would be a gate put in, commented that bushes have been removed and part of
124 the fence has moved, asked if the existing fence would remain and who is responsible for
125 damages, wanted to know why the District needs access and if residents can put a fence with the
126 HOA alleyway restrictions, asked for clarification on what the form is saying, commented on

127 possible options for what happens if all of the Blue Pacific residents do not sign the agreement,
128 and asked what the maintenance expectations are for the homeowners. Mr. Reidt, Mr. Eckert,
129 and the Board responded to the residents' questions. The Board will talk about preliminary steps
130 forward at the February CDD meeting after the number of agreements received from
131 homeowners is known.

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C. District Counsel

135 Mr. Eckert went over that the deed for the larger park outside of the gate has been provided to
136 the HOA and it is currently under review. He reported on some new legislation that has come
137 into effect. The District will need to do a 20-year stormwater needs report to make sure there is a
138 good maintenance plan for the stormwater management system and that it is fully funded. It will
139 need to be coordinated between the manager and the Engineer. Mr. Eckert also went over new
140 laws for release of public records, meeting publications, and prompt payment percentage
141 changes.

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7. BUSINESS ITEMS

A. Consideration for RFP for District Counsel

- 146 *i. Kutak Rock, LLP*
- 147 *ii. Straley Robin Vericker*

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149 Mr. Eckert went over that Hopping Green & Sams will not providing legal services after November
150 12, 2021 and many of the remaining attorneys from Hopping Green & Sams are opening a Florida
151 office of the national firm Kutak Rock, LLP. Kutak Rock will honor the same legal fees. Mr. Eckert
152 noted that the Board has two alternatives: to continue on with Mr. Eckert to Kutak Rock or to get
153 legal services from another firm. The Board discussed the options and timeline for transition.

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155	MOTION TO:	Agree Alternative #1 to transfer with Mr. Eckert to
156		Kutak Rock, LLP moving forward until a time in the
157		future to be determined.
158	MADE BY:	Supervisor Brown
159	SECONDED BY:	Supervisor Keipper
160	DISCUSSION:	None further
161	RESULT:	Called to Vote: Motion PASSED
162		5/0 - Motion Passed Unanimously

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Mr. Eckert noted that authorization will be needed for the Chair to sign the new agreement with Kutak Rock, LLP.

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MOTION TO:	Authorize the Chair to execute the new agreement with Kutak Rock, LLP with the same terms.
MADE BY:	Supervisor Brown
SECONDED BY:	Supervisor Kidwell
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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- B. Consideration for RFP for Landscaping Services**
- i. Brightview Landscaping Services*
 - ii. Greenview Landscaping, Inc.*
 - iii. LMP Landscaping Maintenance Professionals, Inc.*
 - iv. Russell Landscape*

183 Mr. Eckert went over the proposals with the Board and noted that LMP withdrew their proposal, the
184 Greenview proposal did not acknowledge the two addendums that were issued, and there were
185 errors in the mathematical calculations in Russell Landscape's sheets which made it so staff and the
186 Board could not accurately calculate prices in years 2 and 3. Mr. Eckert also stated that all of the
187 proposals were in excess of the amount budgeted. Mr. Eckert recommended for the Board to make a
188 motion to acknowledge the withdrawal of the LMP proposal.
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MOTION TO:	Acknowledge the withdrawal of the LMP proposal.
MADE BY:	Supervisor Brown
SECONDED BY:	Supervisor Keipper
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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Mr. Eckert recommended for the Board to make a motion to find the Greenview proposal nonresponsive for the failure to acknowledge the two addendums.

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MOTION TO:	Find the Greenview proposal nonresponsive for the failure to acknowledge the two addendums.
MADE BY:	Supervisor Kidwell
SECONDED BY:	Supervisor Bigelow
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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Mr. Eckert recommended to find the Russell Landscape proposal nonresponsive because of errors made by Russell Landscaping in filling out the proposal forms, thereby causing the District to not be able to definitively determine the pricing of years 2 and 3, and therefore no ability to score the proposal since the price component must be based on all three years.

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MOTION TO:	Find the Russell Landscape proposal nonresponsive because of errors made by Russell Landscaping in filling out the proposal forms, thereby causing the District to not be able to definitively determine the pricing of years 2 and 3, and therefore no ability to score the proposal since the price component must be based on all three years.
MADE BY:	Supervisor Keipper
SECONDED BY:	Supervisor Kidwell
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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Mr. Eckert recommended a motion to reject all proposals in accordance with the District's Rules of Procedure 3.9(2)(H) and 3.9(2)(K) because 1) the proposal amounts exceeded the amount budgeted, 2) because there were not enough responsive proposals to be competitive, and 3) rejecting all the proposals is in the best interest of the District but given all the facts and circumstances surrounding the proposals and their submission.

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MOTION TO:	Reject all proposals in accordance with the District's Rules of Procedure 3.9(2)(H) and 3.9(2)(K) because 1) the proposal amounts exceeded the amount budgeted, 2) because there were not enough responsive proposals to be competitive, and 3) rejecting the proposals is in the best interest of the District but given all the facts and circumstances surrounding the proposals and their submission.
MADE BY:	Supervisor Brown
SECONDED BY:	Supervisor Bigelow
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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248 Mr. Eckert recommended authorizing a re-solicitation of proposals now using the same criteria as
249 before, but he and Mr. Woods believes the District will get better results if they wait until after the
250 first of the year. In the pre-bid meeting, he recommended that staff work on instructing the
251 proposers how to fill out the proposals so the District does not find themselves in the same situation
252 again.

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254 Supervisor Brown asked if Mr. Woods can introduce an inspection component to the existing
255 contract. Mr. Eckert said yes, but they cannot use the performance criteria tools in the
256 administration of the existing contract.

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MOTION TO:	Approve the bid package as outlined and authorize the re-solicitation of proposals with re-advertising in January with a pre-bid meeting in February and a March meeting selection.
MADE BY:	Supervisor Kidwell
SECONDED BY:	Supervisor Brown
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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268 The Board discussed if they would like to have OLM go ahead and start a monthly oversight
269 inspection for the current landscape maintenance provider.
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MOTION TO:	Have OLM begin the oversight of the landscapers.
MADE BY:	Supervisor Nieves
SECONDED BY:	Supervisor Bigelow
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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C. Discussion on Motorized Vessel Application

281 The Board reviewed the motorized vessel application. The Board noted the draft language would
282 need to be changed to match the new language approved by the Board in relation to the Rules earlier
283 this evening. Mr. Eckert recommended adding the expiration date and policy limits to the insurance.
284 The Board discussed how to do an annual renewal of insurances.
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MOTION TO:	Approve the draft of the motorized vessel application with the revisions noted.
MADE BY:	Supervisor Bigelow
SECONDED BY:	Supervisor Keipper
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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D. Discussion on Boat Registration Decals

296 The Board discussed the boat registration decals and if they should charge a fee for non-motorized.
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MOTION TO:	Do not require a fee for non-motorized boats and have the application and decal be through the mail.
MADE BY:	Supervisor Bigelow
SECONDED BY:	Supervisor Brown
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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The Board agreed by consensus to have Supervisor Bigelow make the decision on the decals and then have Mr. Reidt order them.

310 **E. Discussion on Rhodine Palm Brace Removal Proposal**

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312 The Board reviewed the proposal to remove the palm braces on Rhodine Rd. not to exceed
313 \$1,066.88.
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315	MOTION TO:	Approve the proposal for the removal of the palm
316		trees on Rhodine Rd. not to exceed \$1,066.88.
317	MADE BY:	Supervisor Brown
318	SECONDED BY:	Supervisor Kidwell
319	DISCUSSION:	None further
320	RESULT:	Called to Vote: Motion PASSED
321		4/1 – Supervisor Nieves opposed.

322
323 Supervisor Nieves asked about resident volunteers to remove the braces. Mr. Eckert explained
324 that dealing any activities involving traffic is a significant liability concern.
325

326 **F. Discussion on Blue Pacific Exterior Maintenance Proposals**

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328 The Board discussed the Blue Pacific exterior maintenance proposals. The Board would like for Mr.
329 Reidt to work with Supervisor Bigelow to document the conditions before the work is done and
330 agreed to have him make appropriate decisions on the proposals based on need.
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333 **8. CONSENT AGENDA**

334 **A. Consideration of Minutes of the Board of Supervisors Regular Meeting October**
335 **5, 2021**

336 **B. Consideration of Operations and Maintenance Expenditures September 2021**

337 **C. Review of Financial Statements Month Ending September 30, 2021**
338

339 The Board reviewed the Consent Agenda items. Supervisor Bigelow asked about the charges for
340 administration fees from US Bank. Mr. Eckert explained US Bank's continuing role as bond
341 trustee.
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343	MOTION TO:	Approve the Consent Agenda.
344	MADE BY:	Supervisor Keipper
345	SECONDED BY:	Supervisor Bigelow
346	DISCUSSION:	None further
347	RESULT:	Called to Vote: Motion PASSED
348		5/0 - Motion Passed Unanimously

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352 **9. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**

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354 Supervisor Brown expressed some concerns with management and stated that she would like to
355 go out to bid for District management companies. The Board discussed going out for RFP. Mr.
356 Eckert explained the potential processes available. Supervisor Nieves said she could reach out to
357 management companies. Mr. Eckert cautioned her about putting herself in a position of voting on
358 which company to go with if she is the one contacting the companies. The Board discussed and
359 they would like to have for Mr. Eckert to reach out to five companies.
360

361	MOTION TO:	Have Mr. Eckert to reach out to RFP for management
362		companies with a minimum of five companies and
363		bringing the proposals back to the Board for the
364		January meeting.
365	MADE BY:	Supervisor Nieves
366	SECONDED BY:	Supervisor Bigelow
367	DISCUSSION:	None further
368	RESULT:	Called to Vote: Motion PASSED
369		5/0 - Motion Passed Unanimously

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371 The Board noted that the Ryan Homes signs need to be removed. Supervisor Brown would like
372 to get a plan from Ryan Homes since they will be leaving soon.

373
374 Supervisor Brown went over what she received from her record request to the HOA.

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376 Residents commented on the RFP for District management, enforcement of the new lake rules,
377 adding things to the park like additional swings, changing the lock at the boat ramp, not
378 understanding why the District needs to pay someone to have oversight over the landscape
379 vendor, and that the CDD Board is doing a good job.
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383 10. ADJOURNMENT

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MOTION TO: Adjourn at 9:31 p.m.
MADE BY: Supervisor Brown
SECONDED BY: Supervisor Keipper
DISCUSSION: None further
RESULT: Called to Vote: Motion PASSED
5/0 - Motion Passed Unanimously

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392 *These minutes were done in summary format.

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394 *A copy of the audio recording is available on request.

395

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

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400 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
401 meeting held on 12/7/2021.

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403 *Rick L. Reidt*
404 Signature

Warren C. Keipper
Signature

405

406 Rick L. Reidt
407 Printed Name

WARREN C. KEIPPER
Printed Name

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409 Title:
410 Secretary
411 Assistant Secretary

412 Title:
413 Chairman
414 Vice Chairman

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Recorded by Records Administrator

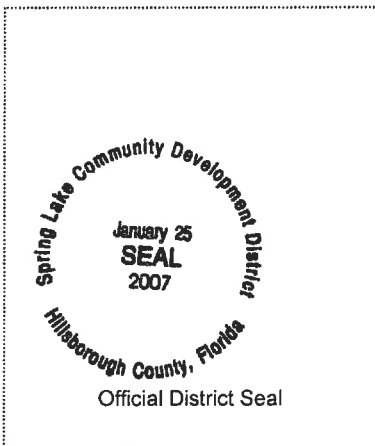
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MAY
Signature

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12/13/2021
Date

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