

MINUTES OF MEETING
MIDDLE VILLAGE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Middle Village Community Development District was held on Monday, February 8, 2021 at 2:00 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065.

Present and constituting a quorum were:

Rocky Morris	Chairman
Michael Steiner	Vice Chairman
Rod Swartz	Supervisor
Mike Reynolds	Supervisor
Tim Hartigan	Supervisor

Also present were:

Jim Perry	District Manager
Mike Eckert	District Counsel
Jay Soriano	Operations Manager
Chalon Suchsland	VerdeGo Landscape

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Audience Comments

There were no members of the public in attendance.

THIRD ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the January 11, 2021 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**

Mr. Perry stated included are the minutes of the last meeting, financial statements as of December 31st, your assessment receipts schedule showing you are 95% collected and the check register.

On MOTION by Mr. Hartigan seconded by Mr. Swartz with all in favor the consent agenda was approved.

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2021-04,
Adopting Prompt Payment Policies**

Mr. Eckert stated what you have in front of you is a resolution adopting prompt payment policies. As you may be aware, the District is already subject to Florida's Prompt Payment Act, which is a series of statutes that are designed to both provide protection to the government so you're not paying fraudulent invoices, but at the same time protecting people who do business with the government so that they get paid on time and their invoices don't get drug out over a long period of time. You're already subject to those statutes and just in general for non-construction services the deadline is 45 days from submission of a proper invoice. For construction services where for instance an engineer or somebody needs to approve it before it comes to the board, that's 25 days and when there's no need for an agent to approve the invoice before it can be paid that is a 20-day limit, so those are already in the statute. These policies were prepared by our office and they're designed to provide flexibility to the district to deal with payment disputes so that we are not stuck with the rigid statutory scheme and basically the statutes say, unless the district adopts some policies then this will apply so what we tried to do is build in some more protection for the district through these policies, more so than the statute allows. We are allowed under the statute to adopt these. Your typical payment dispute is something staff will catch, reach out to the vendor and they get it resolved quickly, but if you ever do any major construction projects you want the flexibility and extra protections we built into these policies. We are recommending the Board's approval today.

Mr. Swartz asked is this something going around the state that districts like ours are seeing this need or is there something that prompted this?

Mr. Eckert responded we came up with these policies a couple of years ago and I was going back through and doing some due diligence in terms of what you had adopted and what you haven't in the last couple of years and this is just one I picked up that didn't look like you had adopted. A couple of years ago we were getting more payment disputes and trying to deal with them in a way that gave us more flexibility to work with the vendor to try to resolve the dispute rather than have some rigid deadlines.

On MOTION by Mr. Hartigan seconded by Mr. Morris with all in favor Resolution 2021-04, adopting prompt payment policies was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being nothing to report, the next item followed.

B. District Engineer

There being nothing to report, the next item followed.

C. District Manager

There being nothing to report, the next item followed.

D. Operations Manager – Memorandum

Mr. Soriano stated your sister district is holding off until this month to finalize one of the events that we've spoken about in the last couple of months and that is the vendor fair that is run by a resident. They're still hesitant on whether they want to allow it to go on. She has asked about a couple of different options. One was to come over here and I did let her know that we are trying to get the weekends going again. We've pretty much been steady at one or two events the last month or two, so I'd rather not get in the way of that and she was understanding so now she's also talked to the HOA of that side about using the parking lot of that strip mall, so that may be an option for her, but I'm going to talk to your sister district today about giving her a definite answer of whether she can move forward or not. Our next event is going to be planning for the spring garage sale and once we set a date on that we will make sure we send that out by email newsletter to everyone and chances are we will be able to update both of those items with this next meeting in March with you guys. I presented a tentative events schedule. These are mostly events that we do; things like the spring and fall yard sale, dive-in movies and items like that. We are still kind of hesitant on what events we're planning. We're not trying to do a lot of these big parties so if you've noticed there are a lot of the movies and those are great because I can put them out on the green and have plenty of space and stay away if they're not comfortable being in the big groups. We can still do that at the pool because this deck is very large. We may limit capacity slightly because that deck can hold 700 or 800 people and that doesn't mean we

need to have that many people here, but we don't have to do the 25% or 50% capacity limit. I will also pass along tentative pool hours that match pretty much everything we've done for the last 12 years or so. Even the things like the alternating days that we've only done for the last four or five years are on there and we are planning the same schedule. The schedule was different last year, but only because we were worried we were going to close. We actually added hours last year if you recall and we opened in April every day because the kids were out of school and it was warm, we just had pool monitors. This does put us back to that regular schedule with lifeguards that we've had every year. There are a couple of things I'm looking at. Over the years I've gotten requests for later nights. We don't have the greatest usage and we can't do late night because we don't have the lighting at this pool. Your sister district doesn't have lighting at all. At least you guys have the big lights in the adult pool, which was set up for nighttime swimming. What I was looking at was possibly four or five weekends starting after the July 4th weekend until they go back to school leaving them open a little later. I'm working with Susie's group to see if we can fit in the August/July budget with our staffing to go until 9:00 or 9:30 p.m. Dusk isn't until 9:05 that second weekend of July so doing that would get rid of some of those last complaints on our operating hours. I people use it, that would be great, but I also don't want to waste it and have staff members out here and no one is out here. That's mentioned on your event calendar as summer nights in Oakleaf. If we can do it, we will continue that for years to come if it's really well used. The only other thing I had was regarding Easter weekend. Some years we have been closed and some years we have not. It really depended on what weekend it fell into. In the past when Easter was the very first weekend, I would just stay closed if say April 1st fell on a Sunday. It's a big holiday to me and a lot of other people too and we close down for those major holidays such as Thanksgiving, Christmas and New Year's. Everything else we're open because holiday like July 4th, Labor Day and Memorial Day are days when people want to be out doing things. Easter is that first weekend and we're set up to open right now, but I did want to get direction from you guys as far as whether we should close that weekend. We typically will close the fitness center too if we close the pools.

Mr. Hartigan stated my personal opinion is everybody has families, so I'd say close it.

Mr. Reynolds asked is there a demand for it? I would think this place would be a ghost town.

Mr. Soriano responded it really depends on if it's 80 degrees that weekend, then they will want to be out. It is that first weekend in April and that's the only reason I say that. If Easter falls into that second or third weekend, we've always been open. It's really just that first weekend and the last time that has happened is three years ago and we were closed and did get some complaints. That's really why I'm looking for the direction. I can go either way.

Mr. Morris asked what's your preference?

Mr. Soriano responded to be closed. I know it upsets people because they want to be at the pool, but that's a big family holiday to me and staff members have their families too.

Mr. Morris stated let's close it.

Mr. Swartz stated I say close it.

Mr. Steiner stated I have no objection.

Mr. Reynolds stated I say close.

Mr. Soriano stated it will start that next weekend, so April 9th and 10th is the first weekend we will open in April.

Mr. Soriano continued. I have a couple of special requests for you guys. The YMCA is re-marciting their pool. They do have a year-round swim team and they're going to be out of commission for two to three weeks. When they first called me, I was thinking I might be able to fit them in. They're talking about 25 kids, which we could fit in really easy and they even offered to pay. It wasn't until they start to ask me for the timing. They need a 5:00 or even 6:00 start until 7:00 or 8:00 and that is not something we do right now. I told her I would bring it forward. They were hoping to get in because they don't really have a lot of other options, however it's not open for our residents. They're actually starting construction this week.

Mr. Reynolds asked doesn't it get dark at 6:00?

Mr. Soriano responded it does and that's why we cover the pool. We actually cover by 4:00 or 5:00 to save gas and I did mention that and that's where they said they'd be willing to pay, however they're not going to be able to pay enough. If you remember, I warned you a couple of months back we were going to start covering early this year because it's been a cold and long winter. At the end of this month, we are over that budget. I envisioned \$4,000 or so over the budget if we didn't start using those covers right away. We are going to easily hit that overage and I don't know that I want to add time to the nights if we're going to have these cold nights. At first, I thought I could fit them in because we work with the high school and in fact this last

year, we made room for two high schools, however it's the timing. They were in and out because they get out of school at 1:40 so it's easy. There are a couple of their families that live here.

Mr. Morris asked but their construction time was two weeks?

Mr. Soriano responded two to three weeks. My suggestion to them was if we couldn't get it done then they could look at something like Cecil Field.

Mr. Morris stated I'd say no.

Mr. Swartz stated or if they can be done before 4:00.

Mr. Soriano stated I did ask about that, but many of these kids are younger, so they don't get out of school until 3:00 and that's why they were looking at 5:00. I will let her know. The other request is we have our local boy scout group that is an all-girl troop. One of their potential eagle scouts would like to do one of the boxes to turn in retired flags. I do like the idea, but I also told her I wanted to bring it to you guys. I'm not sure if she wants to put it in this neighborhood or phase one yet. We have the little libraries at both districts, and I have less concern with this one. Where with the little library I worried about people stealing the books and vandalizing the box, I would hope there's not any real need for kids to steal old, tattered flags. They could put in a neighborhood, maybe at one of our parks or playgrounds instead of here. My only concern is just having boxes all over this property.

Mr. Morris asked how many are you talking about?

Mr. Soriano responded right now it's just the one for her. We already have two boxes. They would look the same.

Mr. Hartigan stated I think it's a wonderful idea.

Mr. Soriano stated what they will do is once a month or every other month somebody will come by and collect the flags and at the worst if me or my guys have to one month, I do turn in flags a lot at places like American Legion. We have a boy scout troop here at the church so we can turn them in for proper ceremonies. I don't see it as much of a concern.

Mr. Swartz stated I was going to say we do a ceremony, so we collect those flags and do a formal retirement ceremony.

Mr. Hartigan asked is it your troop?

Mr. Swartz responded yes. This is our scout master's daughter.

Mr. Soriano stated moving on to the maintenance side of things, we're still knee deep in projects that we're finishing up. I do hope we have the gates coming in. The gentleman that does

our fencing has been on your sister district's side finishing up some of the fencing there with the dog park going in and the basketball was increased to 10-feet. That is something to look at. We've talked about our courts here. Over the years we've had a lot of work to do to those 8-foot fences. Right now, they're getting torn up a bit still. We have times where we actually lock those down early in the morning and people are pulling up those fence lines.

Mr. Swartz stated on those fence lines, I've often wondered why we didn't have a brick foundation on the bottom couple feet of that to keep people from going under the fence.

Mr. Soriano stated for this district when those were built and even when the fence was put up, you were living on the other side. Years ago, we didn't even have fencing around it, so it was an afterthought. Eventually we moved to using some of the heavier duty eight-foot fencing that we had extra from other sights to there, but it just gets torn up. If you guys get a chance to look at the new fencing at Double Branch, it is much taller and a little more impressive. I'm sure kids will still try to scale it, but it blocks everything out pretty good. We also have a fence screen almost like the tennis courts so there's privacy and they've also voted to jazz it up with landscaping around it so that may be something to look forward to here. Other than that, one of the other jobs I do have something for you guys really quick. The fencing in the back we originally planned for me to do it. It's under my amount until I got to the gates. The double gates that we want to put in are about \$1,500 by themselves. If I broke it up into two projects I could do it under my amount, but I want to make sure it's done correctly, so with the fencing, shipping and gates I had already set up I'd be looking for \$4,400.

Mr. Steiner asked where is this fencing?

Mr. Soriano responded just behind the bathrooms so that big area coming from the gazebo across.

Mr. Steiner asked so this is where we're moving the entrance back?

Mr. Morris responded yes.

Mr. Steiner asked and the double gates is what you're talking about?

Mr. Soriano responded yes, but we're going to leave those gates at the front. We talked about reusing gates but during the winter we still want the adults to still be able to get to the bathroom and we have to hard lock those gates so they can't come over here and hang out in this pool. Just to be clear too, even with that amount of money it's not the same gate. That is a big expensive gate with the archway cut in it. That alone was probably about \$5,000 and that's not

what I was looking at. They're basically double gates that match the fence and they have all of the specs to be a pool surround.

On MOTION by Mr. Swartz seconded by Mr. Morris with all in favor purchasing fencing and double gates for the pool area was approved at an amount not to exceed \$4,400.

Mr. Soriano stated we have to get ready for spring break, which is the second week of March so we're transitioning over to some of the pool items to get ready for this month.

Mr. Hartigan asked the backboard that was damaged, how often are they being damaged?

Mr. Soriano responded this is the third in the last two years. We had two that were on the same pole that were damaged.

Mr. Swartz asked is it just kids hanging on the rim and breaking it?

Mr. Soriano responded the first two were from hanging on the rim. One happened to be from a kid throwing a ball pretty hard. He came to me and admitted he broke it. They're acrylics so they don't shatter but they will break. The other two were just kids trying to dunk and hanging from it and they will eventually break. If you recall, I originally mentioned this last one during the summer. We just put it up a month or so ago. We left it to almost get through to them that if they keep breaking things, we're not going to have anything to play on and they have to move over to the other court. When you walk up from the parking lot, that first one is their favorite so for months they were on the separate favorite.

SIXTH ORDER OF BUSINESS

Audience Comments / Supervisors' Requests

Mr. Swartz asked are we going to talk about the security guards next month?

Mr. Soriano responded I'm actually going through it. I sent requests to probably about ten different companies for bids and I've been through three. One no-showed on our meeting to do a walk-through of the property but I have one that is really impressive and will actually kind of guide those walk-throughs from here out. This one in particular is S3. One of the things they do is daily reports where as they are walking they will take pictures of problems and things like that and send them to us every night so their guards are here taking reports and pictures of everything. They also provide a centralized dispatch so if residents want to call that there are problematic kids out on the basketball court, they just call that dispatch, and that dispatch will

get a hold of their security guards in the area to make sure they're checking it out and including a report so the guards can't forget things on the report either. Dispatch is going to keep track of a lot of stuff, and they want to see that included and then they send it to us every day. It's nice, but it's getting up into the \$25-\$26 per house expectations, however if we're going to be paying for it, that's the kind of thing I want. It takes it out of my hands, I don't have to deal with it as much and they know what to do and when to do it. What I did for all ten of them is I gave them the setup of what we do now, and they are to provide pricing based around that. Line for line will be higher since ours is pretty low. Then I wanted them to be able to walk the property with me and go through our problems and try to figure out what they can do that's different that would work and bring that pricing down total, whether it's getting away from the fact that we have somebody here seven days a week. How we can work with them possibly increasing our off-duty officers and taking away from security a bit. It's impressive if they're willing to do that and they think it will work better and they've already thrown that out there as things they would look at getting rid of or changing. There was also the option we talked about of using our own staff to help out with monitoring and doing things like checking cars, making sure people are following the rules, coordinating between the off-duty officer and staff downstairs so we know where everybody is at; how we can do that and bring that total line down instead of just going up. Right now, we're averaging \$13 an hour and we're looking at companies that might be \$23-\$26, that just takes that line way up so whatever I can do to bring it down from there, they're going to bring me those options. We had talked about with that security company now if we're going to make a change, once we do make a decision, I'm going to give them a 60-day notice so it would still be months from them and at that time we can finalize which company we're going to go with and which format we're going to go with.

Mr. Steiner stated we have line items for security in the budget now. This new service that we were looking at, if I remember correctly from our last discussion, this is not just going to be additive. The overall total will be more, but not by the amount of this contract, it'll be reduced somewhat because we're replacing some of the services we have now.

Mr. Soriano stated that's where it depends because the security line includes off-duty officers and our security guard officers, so it really depends on who is going to get more or less hours. The off-duty officers are already set up at a specific price so if we take away from them then yes, we have savings there. I don't know that I'm looking to take much away from them.

No matter what security company we go with, we're still stuck in the same position that we still have to get Clay County Sheriff's Office involved because they can only do so much. They do have armed divisions; however, they still have certain laws and rules they have to follow as far as detaining people so with that change in operations I want to take away from one or the other and balance out what is needed most so that line just doesn't go up. If we do an apples to apples match the whole thing is going to go up drastically.

Mr. Steiner stated I understand it's going to go up. We're adding more requirements to what we have now. What we're going to go out to get will replace some of what we're doing now, I assume. We're not just going out and getting additional manpower. We're getting replacement manpower with additional skills, which is going to come at a higher dollar value than what we're paying now.

Mr. Soriano stated right, so one of the initial plans we were looking at is instead of seven days a week, they may only be here five days a week and they may even be on a rotating schedule where one week they're here four days and one week they're here five days. I prefer making sure they're always here for the weekends and during the week there could be less time. I wish I could get a company that could control locally four days like last weekend where it's cold and raining all day so there's nobody out here. Unfortunately, I can only control that so much because they don't have a way to send them home, but that's where if we had a staff person that would be a district employee, they could easily be sent home, just like the lifeguards.

Mr. Hartigan stated if the security always has to call Clay County, would it be easier to control it internally by having your staff increased and increasing the off-duty officer?

Mr. Soriano responded that's going to be one of the options. What limits that option is who I can get for staffing and how well they listen to them too because I can have adults working for me and some of the residents or non-residents just don't listen to them either. I'm still paying them more than we're paying our security guards right now. I have some lifeguards that make \$13-\$14 an hour. Maybe we identify those low usage hours and that is when that staff person is here and at the higher use hours, we have security and Clay County Sheriff's officers. If I can try to find the best way to balance that so we're not just increasing everything that is the ultimate goal.

Mr. Steiner stated I would like us to be very conscious of one of the things we identified as a problem with our existing security environment and that is the fact that residents have grown

more knowledgeable of the fact that these folks don't have any authority or power and therefore, whatever we bring in and do needs to be with the understanding that they have the power to go and do corrective action. It's not a matter that these folks are only going to be sitting out there and basically being a target for being dressed down by the residents who are violating our policies. Whatever approach we take I want to make sure we're not tying their hands behind their back, otherwise we're just going to be paying more for what we have now, which is basically ignored.

Mr. Soriano stated that is been addressed directly with those that have done the tours with me. A lot of that comes from professionalism, the way they look, the way they carry themselves and even how they communicate with those residents because it goes a long way with getting those residents to listen to them and unfortunately that's not what we have right now. I'm not trying to throw any of these guys under the bus, but that's just not what's been done at this point.

SEVENTH ORDER OF BUSINESS**Next Scheduled Meeting**

Mr. Perry stated our next meeting is going to be March 8, 2021 at 6:00 p.m. at this location.

EIGHTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Morris seconded by Mr. Steiner with all in favor the meeting was adjourned.
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Secretary/Assistant Secretary

Chairman/Vice Chairman