

May 8, 2023

Middle Village CDD

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, May 8, 2023 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:

Michael Steiner	Chairman
Timothy Hartigan	Vice Chairman
Julie Arnau	Supervisor
Sherrie Mifsud	Supervisor

Also present were:

Marilee Giles	District Manager
Mike Eckert	District Counsel
Jay Soriano	Field Operations Manager
Chalon Suchsland	VerdeGo

FIRST ORDER OF BUSINESS

Call to Order

Ms. Giles called the meeting to order and called the roll at approximately 2:00 p.m.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Daniel Riddick stated I'm the pastor of Trinity at Oakleaf. We've been a part of the community for a long time, and we're excited about the progress of the construction on site. I wanted to start a conversation about addressing the general maintenance and responsibilities related particularly to the perimeter of the site. I brought a printout that has an aerial of the property lines so everyone has a visual of what we're talking about. Our property line, if you look at the corner of the property, runs unusually through the parking area and in the maintenance beds in some cases, on the eastern side of the site, all the roadways and parking, trees and beds are outside of our property. We have electricity turned on currently that is powering light poles that are on our property and off our property. None of this is really the problem. We want to maintain and care for the corner property, but we are seeking some clarity about who is maintaining what. I sent an email to several members. Historically, and this is just observationally, since we've owned the property, the CDD has maintained some or all of the

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property. That has stopped, which is fine, but obviously there is an expense involved. There are trees and flower beds and there are potholes in the parking lot. A lot of that is off our property, so I wanted to begin a conversation on what is best for everyone in terms of maintaining it, how it should be maintained and who should be maintaining it. Chairman Steiner stated I understand your confusion. We have started looking very closely to ensure that property that we are maintaining is in our ownership. We don't maintain property outside the ownership. There have been some grey lines. What I'd like to do is ask counsel to explore the plat area to determine if there is a problem with what belongs to the church and what belongs to us. We share a lot of responsibilities with Clay County, so a lot of the property we maintain, upkeep of landscaping, falls under that area where it really belongs to Clay County. The area around that traffic circle, the lighting and all that, was set up when we still had a lot of developers, so before I can give you a clear picture, would it be all right if we ensure that the property lines that you have here and is maybe shown by the appraiser's office, truly exist as it's drawn here? That way we will know exactly what we can commit to.

Mr. Eckert stated I need to look at the ownership of Plantation Oaks Boulevard and Oakleaf Plantation Parkway. I've got to review a plat and deeds for these areas to try to figure out if we own any right of way, and if so, how did we get that right of way, or did we get some right of way that then was dedicated on a plat. It's not going to take that long to do that. I can report to the Board at the next meeting.

Chairman Steiner stated that way we're not speculating, and we will address things as they're supposed to be. I know the area around the slip lanes has been a grey area for us to deal with, both for lighting and ownership of the pavement.

Mr. Riddick stated that would be great. I think that's a great starting point, and I would like to put on record our intent, because we understand originally as it's been explained to us, that perimeter area for all practical purposes was originally created to serve the site, so our desire is not to offload the responsibility. It's actually the opposite. We desire to maintain and for lack of a better word, control the site. We just would like to have an understanding that if we are going to, that everyone knows that. We don't want to change the color of the mulch one day and then find out someone had a problem with that.

Chairman Steiner stated you'll have a clear understanding, at least from our viewpoint, of what is supposed to be your area and we can address the other areas as necessary.

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Mr. Eckert stated I will do that research and bring it back to the next board meeting. You're welcome to attend the next board meeting, or if you need to reach out to Marilee in advance if you can't make it to that meeting, maybe two or three days before if we need to jump on a call, we can.

THIRD ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the April 10, 2023 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**

Ms. Giles stated included in your package are the minutes of the last meeting, the financial statements as of March 31st, the assessment receipts schedule showing the assessments are 95% collected, and the check register. I didn't see any unusual variances.

On MOTION by Vice Chairman Hartigan seconded by Chairman Steiner with all in favor the consent agenda was approved.

FOURTH ORDER OF BUSINESS

Evaluation and Ranking of Landscape Proposals

Mr. Soriano stated we received five proposals. I dropped packets off to the board members to review and look through some of the items that can't be broken down into a quick number set. I emailed the board members separately with a cheat sheet. As I go through the books I pull numbers out for pricing, and that's just one aspect of the RFP. A lot of times that is a big aspect. There were quite a few items that I pointed out that were mistakes. Some were off by a penny, some a dollar. I'm not as worried about that, but there were a couple that missed whole sections, which creates a problem. It's hard for us to compare apples to apples when those lines are gone. We can't just assume we know what the mistake was. There were some that were obvious, but we have look at what they actually present. I gave you the numbers as they were in there and you can compare. There were a couple of other sheets of our totals. This was one that was important. It was asked for in the pricing, not only to give us the three-year total, but there was also a line that was there for discount if they were awarded both districts. Everybody filled it out, but realistically, there was only one that didn't add up to their same pricing anyway, so I showed that in there for you guys. Beyond that, that's really most of what I do is the pricing and catch anything I thought was strange. There were a few, but they were not big items, they were

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things I think depending on who you guys rank as number one, two, three and so forth, if it was somebody that wins the contract, we would work with them. For instance, there was one that asked for \$7,000 for a controller when everybody else was putting \$1,000 or \$1,500. I can promise you it's a mistake, but I had to point it out and that's what went into my sheet. Even we can buy it for \$1,500, so why would we have someone else do it for \$7,000? Those were things we could work with that vendor on afterwards, we just can't use that here. When it comes to making that decision, we have to go by what was in the book. There are a couple of things I know Mike's office goes through.

Mr. Eckert stated I want to go through the scoring criteria that you have. These were all in the RFP. It's not coming up after the fact. For personnel, we allocated 25 points; experience, 30 points; understanding scope of work, 20 points; price was broken down into 15 points for the lowest lump sum and those are already filled in on your score sheet because it's a mathematical calculation that staff can do, and then 10 points is discretion based on unit prices and the discount that we just talked about. Then you'll come up with the total points with a maximum of 100 points. There are two proposals we received that have defects, but when we look at these things, you always have the option if they don't submit a proposal that has everything in it, to reject that proposal as long as you're consistent with other proposals and how you treat that. You also have the option to waive the defects if they don't create a competitive advantage or disadvantage. In this particular circumstance, Duval Landscape failed to identify the addenda that were received; they failed to provide an insurance certificate, failed to fill out the public entity crimes statement and failed to provide a narrative approach to providing the services, they basically just filled out the forms that we provided. Trimac failed to provide an insurance certificate. I've provided a memo to the Board with your options for motions. Basically, you can either have a motion to waive the defects in both of those, and you can say we're going to waive the defects and we're going to score them or reject them outright. Based on my experience and the defects that are presented here, things like the insurance certificate, there is case law out there that says you can waive that defect, because whoever enters into your contract has to prove they have that insurance and if they can't, then you move on to the next one. My recommendation would be option one for both Duval and Trimac, which would be to waive the defects and score all of the proposals.

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Vice Chairman Hartigan stated I'd like to recommend canceling them out. If they can't provide all of the documentation, that is a red flag right from the beginning.

Ms. Mifsud stated I agree. I think it shows a lack of preparation and attention to detail.

Chairman Steiner asked would throwing them out make any impact on the selection of criteria.

Mr. Eckert stated yes, but I think we have a threshold question whether to consider them at all, rather than figuring out who you would select before that. I think we just need to decide, as a threshold issue, do you want to waive the defects or not. Whichever you want to do, you have the discretion to do, but I do think it's something you need to do before you get into proposed rankings.

Chairman Steiner asked legally, are there ramifications of waiving the defects?

Mr. Eckert responded certainly somebody could contest that you shouldn't have rejected their bid, so you could have a bid protest there. I feel comfortable telling you that you could reject them, because it was a requirement of the RFP and they didn't provide it, but there could be a protest that slows things down. If you waive the defects and go ahead and score everyone, then you're not going to be subject to a protest that you rejected somebody that you shouldn't have.

Vice Chairman Hartigan stated we're kind of caught between a rock and a hard spot because they didn't meet the basic requirements, but if we say we're not going to consider them for lack of information, you're saying they can contest something when it failed in the beginning.

Mr. Eckert stated I have not said they didn't meet the basic requirements of the RFP. All of these things are things that are waivable by the Board if you want to waive them. If it was a basic requirement of the RFP, such as giving us the price for year two and year three, then that would be something I would not recommend that you even consider waiving. You would have to reject that proposal because that creates a competitive advantage or disadvantage. In looking at these, when we say they didn't provide an insurance certificate, they did provide insurance limit information in their RFP, they just didn't provide the actual piece of paper that we asked for. So, they're minor deviations in my opinion.

Chairman Steiner asked based on that, do you wish to reject it?

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Ms. Arnau stated I think missing a certificate for insurance is minor. As far as Duval, these things don't bother me as much as they fact that they didn't give us the numbers the way we asked for them.

Ms. Mifsud stated I feel like Duval's missing information was more substantive than Trimac's. I looked at some of the things like the failure to identify the addenda, the failure for the public entity's crimes statement. There is nothing marked on the sheet and to me, that's just sloppy. We need to set a precedent for not accepting that kind of sloppy work and lack of attention to detail.

Vice Chairman Hartigan asked if they protest, what will happen?

Mr. Eckert responded it would just slow down our process. We wouldn't enter into a contract with the vendor until we resolved that protest.

Ms. Mifsud asked it's definitely an all or nothing, so we'd have to reject both?

Mr. Eckert responded no. Duval as I stated has four things that my office found missing. Trimac had one. I would say though, if you were going to waive the defect for Trimac on the insurance certificate, you should waive the defect for Duval on the insurance certificate. You could still find Duval non-responsive and reject the bid for failing to identify the addenda received, failing to fill out the public entity crimes statement, and probably most substantively, failing to provide a narrative approach to providing the services as everybody else was required to.

Vice Chairman Hartigan stated if we allow the portfolios to go through, then we have the ranking section to do.

Mr. Eckert stated probably on some of those areas where they didn't provide a narrative approach, in terms of understanding of scope of work, my guess is their score would be reflected there, but it's up to the Board. These are in the grey area, which gives you discretion. If it was price or something like that they didn't provide, I would tell you they're gone and wouldn't give you the choice. Maybe what we should do is deal with Trimac first because it's only one item. They have to be separate motions. The Board can either waive the defect and rank them or find them nonresponsive and reject their proposal.

Chairman Steiner stated I would prefer waiving the defect on Trimac.

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On MOTION by Chairman Steiner seconded by Ms. Arnau with all in favor waiving the defect in the Trimac proposal for failing to provide an insurance certificate and finding that the information does not create a competitive advantage or disadvantage was approved.

Mr. Eckert stated let's move on to Duval. Again, you can either waive the defects, or reject the proposal. If you are going to reject the proposal, it should not be based on the insurance certificate.

On MOTION by Vice Chairman Hartigan seconded by Ms. Mifsud with all in favor finding the Duval landscape proposal non-responsive and rejecting the proposal for 1) failing to identify the addenda received, 2) failing to fill out the public entity crimes statement and 3) failing to provide a narrative approach to providing services was approved.

Mr. Eckert stated now we get to the scoring part. Each one of the board members has a score sheet where you can make your individual notes and you can make your recommendations to the rest of the Board, but we do need to collectively score them as a Board in this meeting. What I would suggest is one board member have one of these score sheets and they can make a recommendation to the other board members. If there is disagreement and we can't get to a consensus, then I think we would have to go into an addition of score sheets and that sort of thing.

Chairman Steiner stated I can. On personnel I recommend 25 points for Arazoza. For experience I gave Arazoza 28 points. If you look at their proposal, you'll find that since 2022 they have moved away from CDDs and gone to where they're doing interstate landscaping. While it's not a major deduction, I didn't feel they had all the points.

Ms. Mifsud stated I scored similarly for the same reason.

Chairman Steiner stated for understanding the scope of work, I gave Arazoza 20 points. I did not give them any additional points on price because they did not identify a discount.

Mr. Eckert asked do any of the board members feel differently on the 25 points given for personnel?

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Ms. Arnau stated I did have less. It's a smaller company. I gave them 15. Experience I gave them 25. Understanding the scope of work, I gave them 15. As far as the unit pricing, I gave them 8 points. Their pricing was very competitive, but I think they made a mistake in their pricing, so that through me off. They are a minority company. Do we have to take that into consideration?

Mr. Eckert stated that was not in our RFP, but in the event there is a tie, that's where we take that into consideration.

Chairman Steiner stated Julie, you said they're not local, but they do have a Jacksonville office.

Ms. Mifsud stated I also considered in my review of personnel the number of years that the branch manager and supervisor have with the firm and one to two years was the average for the decision maker people. I came to 21 on Arazoza for personnel. Understanding scope of work, I did not give them 20 because they currently seem to focus on the larger road projects.

Chairman Steiner stated as I understand, understanding scope of work is based on their presentation to identify how they would do the job as opposed to their experience.

Ms. Mifsud stated I felt like other companies made a better pitch in their scope of work than Arazoza.

Mr. Eckert stated for experience, what were you proposing?

Ms. Mifsud responded I have them at 27.

Mr. Eckert asked and for understanding scope of work?

Ms. Mifsud responded 17.

Mr. Eckert asked and for the 10 points on unit price?

Ms. Mifsud stated I scored them at 5. I automatically scored 5 for the discount and then I took into consideration the other factors that were listed under the reasonableness of unit prices and quantities, so I gave them 5 for that.

Mr. Eckert asked do you want to make a recommendation, or do you want me to work from these numbers?

Vice Chairman Hartigan stated we were already so close. Personnel – 20, experience – 26, understanding scope of work – 18, and price at 6.

Mr. Eckert stated in looking at these numbers, just for personnel you had a 25, a 15, a 21 and a 20. Does the Board have a consensus number you want me to put there?

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Ms. Arnau asked do you want to work from an average.

Mr. Eckert responded we can. So, you're suggesting 18 for personnel.

Ms. Giles stated I have an average of 20.

Mr. Eckert asked is the Board comfortable with 20 for that?

Vice Chairman Hartigan asked what does the average come to?

Ms. Giles responded 20.25.

Mr. Eckert stated let's do 20.25. Experience?

Chairman Steiner stated I had 28.

Vice Chairman Hartigan stated I had 26. Ms. Arnau stated I had 25.

Ms. Mifsud stated I had 27.

Ms. Giles stated the average is 26.5.

Mr. Eckert stated then for understanding scope of work we had a 20, a 15, a 17 and an 18. That ends up being 17.5. Then on the 10 points for price you had a 0, an 8, a 5 and a 6.

Ms. Giles stated that would be 4.75.

Mr. Soriano stated the total would be 83.56.

Mr. Eckert stated before we move on to the next one, does anybody have any pitches they want to make to the Board on any of those categories, or feel that those don't properly reflect the will of the Board at this point?

There being none, Mr. Eckert continued, stating, the next proposer is Duval, which we are not scoring, because you rejected their proposal. Then we move on to Trimac.

Chairman Steiner stated I gave Trimac 25 points for personnel, 30 points for experience, mainly because their staffing is made up of folks that come from some of the companies in this area. Understanding scope of work, I gave them 20. On the additional price score, I didn't give them anything.

Vice Chairman Hartigan stated I gave 20 for personnel, 25 for experience, 15 for understanding scope of work, and 7 for price.

Ms. Arnau stated for personnel I gave them 25, experience – 25, understanding scope of work – 15, and for unit prices I gave them 8.

Ms. Mifsud stated for personnel I scored Trimac at 24, for experience I scored 28, understanding scope of work I scored 19, and price I scored 4.

Mr. Eckert asked does anybody wish to have any discussion before we add these up?

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There being none, Ms. Giles stated I have 23.5 for personnel, 27 for experience, 17.25 for understanding scope of work, and 4.75 for price.

Mr. Soriano stated the total I have is 86.14.

Chairman Steiner stated for United Land Services I gave 25 points for personnel. They have a history with CDDs, so 30 points for experience. Understanding scope of work, the narrative that was in there, I gave 20, and I gave them zero on price.

Ms. Mifsud stated for personnel I scored United at 22, for experience I scored 30, understanding scope of work – 20, and under the additional price column I scored 3.

Ms. Arnau stated for personnel I gave them 25, experience – 25, understanding scope of work – 20, and 4 for price.

Vice Chairman Hartigan stated for personnel I gave them 24, experience – 27, understanding scope of work – 18, and price – zero.

Mr. Eckert stated I have 24 for personnel, 28 for experience, 19.5 for understanding scope of work, and 1.75 for price. The total is 85. The last one we have is VerdeGo.

Mr. Steiner stated for VerdeGo I gave personnel 25, experience is 30, understanding scope of work – 20, and I gave them 10 points on the price.

Ms. Arnau stated 25 for personnel, 30 for experience, 20 for scope of work and 10 for unit price.

Ms. Mifsud stated for personnel I assigned 23, experience – 30, understanding scope of work – 20 and scored 9 out of 10 for price.

Vice Chairman Hartigan stated personnel – 25, experience – 30, understanding scope of work – 20, and price – 10.

Mr. Eckert stated I have 24.5 for personnel.

Mr. Soriano stated 30 for experience, 20 for understanding scope of work.

Mr. Eckert stated they were the low price, so they get the full 15 for price and 9.75.

Mr. Soriano stated I have 99.25 as the total score.

Mr. Eckert stated I'll read off the total price. Arazoza received 83.56, so they would be the fourth ranked. United Land Services received an 85, so they would be the third ranked. Trimac Outdoor received 86.14, they would be second ranked. VerdeGo received a 99.25, so they would be your first ranked proposal in this RFP. Does the Board wish to make any changes at this time? If not, we recommend the Board approve the rankings you've come up with and the

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scores I've just read to you and authorize District staff to start working on a contract with your number one ranked proposer. In the even we are unable to reach a contract, then we would look at going to number two, then number three and so on.

On MOTION by Chairman Steiner seconded by Vice Chairman Hartigan with all in favor ranking VerdeGo #1 with 99.25 points, Trimac Outdoor #2 with 86.14 points, United Land Services #3 with 85 points, and Arazoza with 83.56 points was approved with staff authorized to negotiate a contract with VerdeGo.

FIFTH ORDER OF BUSINESS

Discussion of Fiscal Year 2024 Budget

Ms. Giles stated just as a reminder, we will approve the budget at our next meeting, which is June 12th, and we will adopt the budget at the August 21st meeting. Jay and I have started looking at the agreements. We have a suspense to get changes back to the accountant by May 22nd before she generates a budget for the Board for our June meeting. If there are any changes or guidance you want to provide to us, we will accept it, and if not, we will work through the budget process as we know it with the accountant.

Chairman Steiner stated I've had some discussions with Jay on looking into personnel. Jay has done a very good job of attempting to take on tasks in-house. We do share manpower resources with Double Branch, so a lot of time some of the projects we have going will have people getting pulled off to work on other issues in our sister district, and while it's cheaper, it does create a lot of open-ended tasks that never seem to get completely finished. The nature walk is one. I understand fully, but I think we may need to look at the timeliness of getting things done. We do have funds, which can be addressed to outside contracts so that everything is not being handled by our maintenance folks assigned to the District at the expense of not being able to get the tasks that they were hired to do done. With that in mind, I've asked Jay to identify how many dedicated folks does he need to handle the maintenance activities that we have planned. Not projects, but things like pool upkeep, trash collecting, and all those things that they do on a weekly basis so that those folks aren't pulled away from doing those kinds of tasks. This also means that there will be some projects that Jay had scheduled to be done using those resources to keep costs down that we may have to pay to go to an outside contractor. Therefore, those folks come in, do the job, and they're gone, and we haven't impacted the daily tasks that need to be done. I've been told there are funds in the budget. We are an aging community. Our reserves

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have been built up, and some of this stuff does fall under that category of using reserve funds. I would like to know if the Board has any additional thoughts or objections to that approach.

Ms. Arnau stated I think it's a good idea, because I see some projects that take a long time to get done out here because we have shortages sometimes.

Mr. Soriano stated just to give you more detail on that. With our increase last year, we brought on one more person. When you add them all together, there are about five full-time people that get split with Double Branch. To operate this big place, all your parks and playgrounds, that works out to be two and a half positions on a normal day. That's if we can split them evenly. It doesn't always work out like that, but you only pay for what you actually use. That's not a lot, although that's more than what I started with. Twelve years ago, we had two people on a regular basis, but it was a lot easier because things weren't as old. The other side of that is even if I bring in another staff person, or two staff people, there is still a lot more out there. If we use some of those funds to subcontract, which I generally try to stay away from, because a lot of that stuff you pay about a third of what you would when we use an outside contractor, but you get to a point where you kind of have to or we just can't get things done quick enough. If it's not a problem, I don't mind for some things like if it's a safety issue and then you go down the line. If it bothers the day-to-day operations, that will be next, and then last is cosmetic. If it's cosmetic and it can sit and there's not a lot of people complaining, then we're fine saving the money, but I know a lot of people look at it like if we have the money, let's go ahead and fix it. That's where a lot of times you guys will have to twist my arm because I'm the miser. I like to save those dollars, but I get that sentiment when I'm out at the playground with the kids and I want things to look nice, especially when we go someplace else, and they say look at this in this neighborhood and how it looks. I have to remind myself it might be because they pay a lot more in CDD fees, but you still want to find that balance where we can show off our neighborhood and still have everything working good. If I have enough direction with you guys on sticking more money in there because a lot of times that can come with an increase in assessments, although realistically, the only complaints I've heard in the last year or two wasn't about whether we increased assessments or not, it was we want more plants for landscaping, or we want this painted quicker, or let's replace playgrounds. That stuff is expensive, so it might be an assessment increase.

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Chairman Steiner stated GMS has several districts in the area. Do we share manpower with any of them?

Mr. Soriano responded no. You don't share any hourly manpower with them. RMS pressure washing does. You don't really share, it's an outside contract, so they're not our hourly people. The last time they set up a work order to charge you guys was 2010, so they haven't changed their pricing for a very long time. That's the only thing you could call sharing, but you don't share a price or anything like that. They have a full-time guy. You guys have so many jobs you have to get done here and they go around with their trucks, but you guys might have a front entry that washes, and they pay for their own work, it's just subcontracted. It's still the same company, but it's not the same guys. That's also going to cause an increase. Your sister district asked me to look at that this year because they're requesting a lot more pressure washing. I'm fine with that, but since they haven't changed their pricing since 2010, they're coming out to be \$17 an hour and I can't find anybody that does work like that, so they're going to have to increase the amount they want to be fair if they want more pressure washing, especially if they're going to have to hire more people. I went out to get them quotes that I'll be presented tonight from other companies. For instance, our last authorization we break it down in the contract with how many linear feet of white vinyl fencing you guys have, how many playgrounds, how many entry signs and things like that. One of the things is playgrounds. They wash the playgrounds, sidewalks, benches and the little gazebos and they do it for \$150 a playground. The lowest quote I got is around \$900 and the highest one was a little over \$1,200 when you consider everything and they're still doing it for those low rates from 2010. We put more money in there to provide more time, but they just never changed their charges. If they can handle it, great. If you remember, last year RMS was the only vendor that didn't increase their hourly costs. We did it on the management side, but not the hourly guys. That was something I worked with them to make sure we could get everything done for a good cost and everybody else was going up. The only thing we can't handle is there is a lot more work to do and they have to hire a lot more people and I have to feel more comfortable that we can put a sixth or seventh person on and still meet our projects, so those numbers will go up a little bit.

Chairman Steiner stated the reason I'm bringing a lot of this stuff up is like the nature walk. We had planned for it to be completed last summer so that school kids would have that access through there and we were going to shut it down and get it completed as opposed to trying

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to do a little bit of work, keep it open, pack everything up, bring it back in, and pull people out to do other jobs and as it stands, we're now a third of the way done. The time you're losing bringing stuff out there, setting up, getting the guys started, they have to tear up the area, they have to be sure to close up all of the area because of foot traffic, we're losing ground on a lot of that and while it may be cheaper, it's just not getting done. My pet project has been with the cap stones. We came up with getting the forms, we had trouble getting the color right, we couldn't get the wall quite the way we wanted it, so we came up with taking the cap stones from around the gazebo and using those. Those have filled in nicely. We do have some of the pavers on the ground that are in the lake that probably need to be collected again, but these things have been sitting there and while you and I have come up with a potential solution to pour concrete and get that closed out, it's just dragging on. I can't say it's your fault. You're working with a limited number of resources to do this and pulling folks off every other day.

Mr. Soriano stated I understand. I would be leery of still allowing me the planning for some of that where we change and where we don't change, because that was a big one. That's how we saved when we were in the red. Yes, that nature walk is taking a long time, but right now we're barely at \$20,000. The original quote was \$170,000, so you're talking about when we're done something that might be \$40,000 or \$50,000. I have a hard time saying I'm going to do it in a month if we're going to save that much money, but if you guys want to spend \$50,000 to \$90,000 more to get it done quicker, I'm good, but I'd rather look at things like the cap stones. If you want to free up money and we spend that on a contractor, I can do that so the guys can go do the nature walk.

Chairman Steiner stated I'm not talking about wanting to have it done in a month. I'd be happy with three months on any of those contracts. It's the fact that it's years that some of these things have been maintained but never brought to completion. I would like for you to have the tools or the guidance to work those kinds of things and bring them to conclusion so we can get them checked off. That's why I added the open list, because we would talk about it in here and it would disappear for months, and nobody knew what was going on. It's bad enough when we run into problems with the gates, but for us to try and get some of this stuff done, we need to make some changes. I don't know if the rest of the Board feels that way.

Mr. Soriano stated that would bring me to my next thing. If we're going to use subcontractors and spend a little bit more money, we do have to talk about how I can go about

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spending that money. I have a limit on what I can do. If not, I have to come back to you guys monthly and ask for those things, so we would have to increase that.

Chairman Steiner asked what is your current limit?

Mr. Soriano responded \$2,500, which is extremely low these days. Just simple paint work sometimes can be more than \$2,500 when you consider supplies and labor. When it's in-house I have the ability to control that a little bit. When we're getting someone else, then it's whatever quotes they give me.

Chairman Steiner stated if it was proposed to go to \$5,000, would that meet most of your objective?

Mr. Soriano stated even if it's at \$5,000, I still have to watch the budget. It does increase costs and allows me to get it done quicker by going to outside companies at \$5,000.

Chairman Steiner asked do you need more?

Vice Chairman Hartigan stated it's got to be closer to \$10,000.

Ms. Arnau stated I would say \$10,000.

Chairman Steiner stated I was thinking \$7,500.

Vice Chairman Hartigan stated Jay is correct. When you look at a gallon of paint that used to be \$7 to \$9 a gallon, it's now \$50 or \$60 for the exact same thing, so going \$2,500 to \$5,000 is really nothing, so we have to adjust for costs.

Chairman Steiner asked do we need to have something drawn up to change that?

Mr. Eckert responded this District may or may not have a spending resolution that we approved in the past. He could have just been given authority by motion. We have a resolution I'd like to present to the Board at the next meeting that gives spending authority to Jay on his own for things that are non-routine items that need to be handled between board meetings and then there would be another threshold for things that would require Marilee's approval as well and that would be a little higher threshold and then we would have another threshold that is a little bit higher that and would be approval of the District Manager and the Chair. You can accept or reject that resolution, but I would suggest I prepare that, present that to the Board at the next meeting. I'm hearing \$10,000 for Jay and the other ones I've done before have been \$15,000 for the District Manager and then the District Manager and Chair I've had \$25,000. You all can adjust that at your next meeting unless somebody wants to give me different direction.

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Chairman Steiner stated the latter that you mentioned, the approval of the Chair and Marilee, that would be for emergency things?

Mr. Eckert responded it would be things that maybe don't qualify as an emergency but can't wait until the next meeting. For example, you have \$22,000 pool repair that needs to be made. Is it an emergency if you have to shut down the pool, because that's an option, or is it better to go ahead and do that because that's not technically an emergency that couldn't wait? That kind of an expense. Or that you're going to lose funding if you don't proceed, or you're going to lose landscaping if you don't make this irrigation repair because everything is going to die because it's not getting watered.

Mr. Soriano asked are they able to vote tonight to make the changes, but then go through the resolution next month so I can go forward? We talked about the cap stones. I was planning on just bringing the same mason that does our sidewalks to come out and do that. I have a lot of sidewalk repair that have to be done currently. He can handle all of that. That way we can move forward this month instead of waiting for the resolution next month.

Mr. Eckert responded I think we can go ahead and approve Jay's increase to \$10,000 today and then we will bring the resolution back for everybody else at the next meeting. I would rather that, because there is some qualifying language in there that we use.

On MOTION by Chairman Steiner seconded by Ms. Arnau with all in favor increasing the field operations manager's spending limit to \$10,000 was approved.

Ms. Giles stated the only thing I'll add is that no matter what, you all see the invoices in the financials.

Mr. Soriano stated that will allow us to use that because if I'm going to be using outside contractors more, it will cost two or three times more, so I have to be able to plan that in the budget, so going forward we will look at that and you'll probably see those increases in the repair and replacements line and general facility maintenance line.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Counsel – Memorandum Regarding Addition to Amenity Policies for Requests for Accommodation

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Mr. Eckert stated the four-hour ethics training bill just passed, so as of January of 2024, you'll be required to have four hours of ethics training each year. We will work with the Board on giving you your options on that. Internally we're looking to determine if there is any sort of program we should come up with, or if the ones that are already out there are good enough, so we will look at that and come back to you sometime before January on that. The other thing is I put a memo in your agenda package as a result of a discussion at the last board meeting and we came up with some language to add to your policies so that people can make advance requests for accommodation. Also, I suggested in the memo that the board may want to have that on your website.

Chairman Steiner stated the only thing I would suggest is when we add that to the policy, that the Plantation Oaks reference in there be removed and be replaced with Middle Village to be a little more consistent. Also, Oakleaf Village is in there and it's in the pool section. In other areas throughout the policies, we refer to it as the District or a specific district.

On MOTION by Vice Chairman Hartigan seconded by Ms. Mifsud with all in favor adding a policy regarding advance requests for accommodation and changing references to Plantation Oaks and Oakleaf Village to the District in the amenity policies were approved.

Mr. Eckert stated I'll look at the real property ownership. I looked at some deeds while we were sitting here, so I have more questions than answers on the church parcel at this point, but we will get to the bottom of that by the next meeting.

B. District Engineer

There being nothing to report, the next item followed.

C. District Manager

1. Report on the Number of Registered Voters

Ms. Giles stated Florida Statute 190 requires us to provide the number of registered voters to the Board of Supervisors. As of April 15th, there are 4,928 registered voters in Middle Village. Last year you 4,873, so a slight increase there.

2. Consideration of Amenity Policies

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Ms. Giles stated Jay and I looked at your amenity policies, cleaned up some of the formatting, put a picture on the front cover, and the Chair was talking about the language about the pool on page 11. I'll make those changes where it talks about the Plantation Oaks pool and the Oakleaf Village pool. Also, another recommendation was the interlocal agreements. You have an interlocal agreement with Double Branch already. The Chair recommended adding something to the policy referencing that agreement in there. I think what we came up with is on that same page, 11, just making paragraph 20 read that a reciprocal agreement exists between Middle Village and Double Branch districts, which allows District-issued access cards to be used at either district's amenity sites. Cardholders should review the policies in effect for the amenities site. They are visiting as they may differ from the policies established in their own district.

Chairman Steiner stated in other words, there are dog parks on the other side and there none over here. There are some differences I think in the weight room and there are probably differences at the pools, so when Middle Village cardholders use an amenity at Double Branch has access to it, but they need to comply with the rules there.

Mr. Eckert asked do we want to add to that, that if there is a rule violation that results in a suspension that the suspension is handled by the district in which the resident resides in? That's how we've always done it, but I'd like to clarify that in some form or fashion in the policies.

Mr. Soriano stated there is a section in there already that explains that they end up getting the same consequence at both, but it doesn't say where it goes to first, so that will be a good clarification.

Mr. Eckert stated it doesn't have to be in that section, but somewhere in there we should add that.

On MOTION by Vice Chairman Hartigan seconded by Ms. Arnau with all in favor the amenity policies were approved as revised with the changes detailed above.
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D. Operations Manager

1. Memorandum

2. Update on Open Items (Gates, Nature Walk Repair, Gazebo Cap Stones)

Mr. Soriano stated the last community event was the yard sale. We did have the movie the week before that was in my report. We have a movie coming up this week at your sister district.

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It will be our first dive-in and then we have dive-ins in May and June, we take July off because it's busy every weekend here, but then we go back to dive-ins in August and September. Then we have the School's Out party at both sides.

We are getting busier now, so you'll see an uptick in rentals to where this room is by pretty much every weekend. We did have a couple of issues this past weekend. The same issue we have every year with prom and homecoming to where the poor guy downstairs was getting yelled at by the rental that was up here. There was a wedding and there were people trying to take pictures on the stairs and up here. They get angry at the staff because the staff asks them to leave, or we even get the security guards and the off-duty Sheriff's officer. Eventually he just came and parked his car up front with the lights on because these guys were getting so upset that everybody was disturbing their wedding. Sometimes it works out that there is nobody up here the night of homecoming and prom and people have a valid complaint of why they can't take pictures if there is nobody there. We don't put the rental schedule out to the neighborhood and sometimes with cancellations it changes, so we don't always know. The rule is you just can't take pictures. The gates were supposed to help with that. Eventually we're going to have a gate right there, so they may come up on the stairs to where you can see their heads, but they wouldn't be able to come up here and walk around and get pictures by the windows. That will cut down on some of the conflict. When we're renting the place out, we want to make sure the rentals are happy here and we want to get back to where we're renting every weekend. That's where you guys brought in off-setting revenue at one point.

I have a couple of items to update you on. Right after the fencing company received the letter they showed up the following week, however we're in the same spot now. I received an email last week from them saying we're just waiting on them to come back from powder coating and that's where we were at before. Although I got to see gates and they had a nice custom leaf on the inside, but it wasn't the gate I was expecting. All of the gates were eight-feet, which is extremely high. We saw the posts when they put them in, but I thought they were going to cut them down. I asked them why we're putting these big gates up here when there is a four-foot fence next to it. Downstairs we wanted the big gates, so nobody is jumping them, but up here I needed it to match, so that's why they took them back. They were supposed to cut them, get them right and powder coat them. I will caution you that if we allow them too much leniency because just because I saw it doesn't mean it's going to get back to us anytime soon and it creates a

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problem. We've done everything else, and we've paid, so we've done our part. They've already cashed all of the checks.

Vice Chairman Hartigan asked we already gave them a 20-day notice, right?

Mr. Eckert responded we gave them a 30-day notice that they needed to have the gates installed within that 30-days. The deadline has not run out yet. I want to say it's the 14th or 16th of this month.

Vice Chairman Hartigan stated just remind them they have until that date.

Mr. Soriano stated we can do that.

Mr. Eckert stated I can send a follow up letter. The other thing that I did include in the last letter is that we would pursue damages. I'm putting a dollar amount on some of the security that we're paying for and that may scare them a little bit more. I can certainly file a suit any time the board wants, but I'd like to see how this goes over the next week and a half or two weeks.

Vice Chairman Hartigan asked aren't they six months overdue anyway?

Mr. Soriano responded by now eight or nine months. We started in April of last year and we gave them a two- or three-month contract and they got done with the fence part, it's just been the gates.

Vice Chairman Hartigan stated right. Nine months at \$5,000 a month for the additional security is \$45,000 and that bill is going up, so that's why I'm pushing a little bit harder.

Mr. Soriano stated we can send a follow up letter if we don't get anything else between now and the deadline.

Mr. Soriano continued with his report stating, we talked about the cap stones. We do have the concrete guy coming out because of sidewalks and our Whitfield sign. It was taken out by an accident and I'm getting no response from the insurance company. At the moment I have quotes. Our guys have already welded and repaired the sign, so the sign is taken out, but the problem is the brick column, and we have custom caps on that too, so our concrete guy who does all of our sidewalks has replaced two before. He helped with Hamilton Glen when we did that. Our guys did most of the brick work, but he did the cap stone on top and also Silver Leaf was taken out about a year ago by a car and we had to replace that, so he already knows where to get the custom tops and how much it costs and how much work is involved, so I was going to bring him out to do that. Unfortunately, the District may front that until we're done dealing with the driver's insurance company. Since he was coming out for that, I was going to ask him to quote us on the

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cap stones for him to do it instead of our guys. That's the direction we will be moving in now that I have more leeway on the expense. One last thing that isn't on there because I don't have quotes for you, but it's the treadmills. The first part I did was research. We asked about the stopping, so I looked at Life Fitness. I mentioned the treadmills we have at your sister district, and they don't do that, but I contacted Life Fitness to find out why and they said they actually do that also. It depends on what type of error code comes up and what the treadmill thinks is happening. So, for things like power outages, those treadmills downstairs just stop when they shut off. They don't slow down. That's different than the Life Fitness treadmills over there, but Life Fitness tells me they do have error codes that will stop it and it's for safety reason. The way he described it is, imagine if somebody had their arm stuck underneath. You want that thing to stop, not just slow down. So, it depends on the error code coming from the computer on what it will do. Cybex was the same way. Both Cybex and Life Fitness would be your top tier manufacturer when it comes to these things, but they were all the same when I reached out to find out what the design is on that, but like I said, I haven't had that problem with Life Fitness. It seems like anytime anything happens with the Trues, they shut off and come to an abrupt stop and that's what everybody complains about. I would rather look at those top two manufacturers either way, but that is also the top of your price point. Life Fitness and Cybex were both around \$7,000 plus for a new treadmill. If you want to wait, I can bring quotes back on it, but I don't know that we're going to get away from that design.

Chairman Steiner asked how are we on funding?

Mr. Soriano responded you were going to have to replace those sooner or later. We were only at five years, and I wasn't planning on replacing them until seven to nine years.

Vice Chairman Hartigan stated we did talk about replacing two out of three.

Ms. Mifsud asked didn't we say we were concerned about the repercussions. Do they all work?

Mr. Soriano responded only one is down right now, but the problem with that one is I can't get parts for that. Southeast Fitness who handles all of work goes through the manufacturer. They can't get the parts anytime soon, so that's the other problem is if they're going down, they can't get parts quick enough.

Vice Chairman Hartigan stated we were going to take out all three and just replace two.

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Mr. Soriano stated I'll bring back quotes for just two for both Cybex and Life Fitness and you guys can compare the two.

Chairman Steiner asked what is the warranty on those things usually?

Mr. Soriano responded you're always going to get at least a year for labor and parts. After that, depending on which manufacturer you go to, some parts might last three years, and some might be five. Things like the frame might be seven years. It's a long list that you have to go through. That is the only thing I can say is good for True. We started having these problems with these treadmills within the first three years and their labor warranty was three years, so because we had that problem and they couldn't figure it out, we didn't pay any labor up until this last fiscal year. They did a good job on that aspect, but we're past that point now.

SEVENTH ORDER OF BUSINESS

Audience Comments / Supervisors' Requests

Audience Comments

There being none, the next item followed.

Supervisor Requests

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Next Scheduled Meeting

Ms. Giles stated our next meeting is scheduled for June 12th at 2:00 p.m. here at the Plantation Oaks Amenity Center.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Arnau seconded by Vice Chairman Hartigan with all in favor the meeting was adjourned.

DocuSigned by:
Marilee Giles
3B3269E1043B434
Secretary/Assistant Secretary

DocuSigned by:
Michael Steiner
835D57052CED44D
Chairman/Vice Chairman