

**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 Monday, March 10, 2025 at 6:00 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065.

Present and constituting a quorum were:

Michael Steiner  
Sherrie Mifsud  
Julie Arnau  
Gerald Bowen  
Eric Marx

Chairman  
Vice Chairperson  
Assistant Secretary  
Assistant Secretary  
Appointed as Assistant Secretary

Also present were:

Marilee Giles  
Mike Eckert  
Jay Soriano  
Chalon Suchsland  
Triston Cottrell  
Carl Eldred *by phone*

District Manager  
District Counsel  
Field Operations Manager  
VerdeGo  
S3 Security  
Counsel from Stearns Weaver Miller

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Giles called the meeting to order at 6:00 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There being no audience members present, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Acceptance of Resignation of Shawn Bland**

Ms. Giles stated they received a resignation letter from Supervisor Shawn Bland. Unless there are any comments or questions about his resignation letter, I will ask for a motion to accept it.

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On MOTION by Mr. Steiner seconded by Ms. Mifsud with all in favor Accepting the Resignation of Shawn Bland was approved.

**B. Consideration of Appointing a New Supervisor to Fill the Vacancy (11/2026)**

Ms. Giles stated that item B is consideration of appointing a new supervisor to fill that vacancy. Just as a reminder, this District has a policy in place of how to fill the vacancy. I emailed that to you a couple weeks ago. There are four things you can do. One, candidates can be nominated by the Board members to fill the vacancy. Any resident of the District can express their desire to be considered. The Board can formally post a notice of vacancy to widen its search. Or lastly the seat can remain vacant. That's up to the Board, this is open for Board discussion of how you want to fill that vacancy. We did receive one resume from a resident named Eric Marx. Eric is here in the audience and you have his resume. This is open for Board discussion at this time.

Ms. Mifsud nominated Mr. Marx to fill the vacancy. I'm familiar with Mr. Marx. He's lived in the community for almost 10 years.

Mr. Marx stated eight and a half years.

Ms. Mifsud stated Mr. Marx has been involved with HOA meetings, attending them. He's familiar with CDD procedural versus HOA procedural. I think he would be an asset to the Board.

Ms. Arnau stated I thought Mr. Marx's resume was great.

Mr. Steiner stated my standpoint is that we have somebody that is interested in joining the Board. I'm not sure the last time we ever got anybody to actually come in when we did a posting advertising the vacancy. If nobody has any objections to the resume that we've got and don't see a problem in that, from my standpoint I feel it would be good just to go ahead with the nomination.

On MOTION by Ms. Mifsud seconded by Mr. Steiner with all in favor Appointing Eric Marx to Fill the Vacancy (11/2026) was approved.

**C. Oath of Office for Newly Appointed Supervisor**

Ms. Giles administered the oath of office to Mr. Eric Marx. Ms. Giles stated that Mr. Marx is now a government official in the state of Florida. As a government official, you are

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subject to comply by the Sunshine Law, if any business is to be discussed about Middle Village CDD, you can talk to anyone, but you may only speak to the other Supervisors in a publicly noticed meeting such as this one. Outside of the meetings you can talk about sports, kids, vacations, whatever, but if it's a matter that's going to come before the Board, a CDD matter, it has to be in a meeting such as this. You are subject to Florida's public records law, meaning any document you may acquire or generate pertaining to the District is subject to public records requests. Mike, is there anything else you want to go over with him?

Mr. Eckert stated what usually works the best is if you and I can have a follow up phone call either later this week or sometime next week. I can give you an idea of what the District is dealing with in terms of issues that are pending and then also go into more depth on the Sunshine Law, public records law, and the Code of Ethics as it relates to conflicts of interest. That would be my suggestion.

#### **D. Consideration of Resolution 2025-02, Designating Officers**

Ms. Giles stated item D on the agenda is consideration of Resolution 2025-02. This resolution is to add Eric Marx as an officer of the District. The current slate of officers is Mike Steiner as the Chairman, Sherrie Mifsud as the Vice Chair, Julie, Gerald, and now Eric as Assistant Secretaries. Unless there are any changes, I would look for a motion to adopt Resolution 2025-02.

On MOTION by Mr. Steiner seconded by Ms. Mifsud with all in favor Resolution 2025-02, Designating Officers adding Eric Marx as an Assistant Secretary was approved.

#### **FOURTH ORDER OF BUSINESS**

#### **Approval of Consent Agenda**

- A. Approval of the Minutes of the February 10, 2025 Meeting**
- B. Financial Statements**
- C. Assessment Receipts Schedule**
- D. Check Register**

Ms. Giles stated item four on the agenda is approval of the consent agenda Items. On page 17 are the minutes from the February 10, 2025 meeting. Unless there are any corrections or changes, I would look for a motion to approve those.

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On MOTION by Ms. Mifsud seconded by Mr. Steiner with all in favor the minutes of the February 10, 2025 meeting were approved as presented.

Ms. Giles stated on page 52 are your financial statements as of January 31, 2025, followed by your assessment receipt schedules on page 64 showing we are 95% collected. Then on page 66 is your check register. It's a big one, it totals \$1,553,381.87. It's for February 2025. This check register is much higher than normal. If you look in there, you'll see that the FY25 debt service assessment was paid to Hancock Whitney Bank. It's a little higher than normal, but I see no unusual variances with that. Jay and I wanted to point out that he did have an emergency purchase. It in the capital reserve fund, it was for \$13,400 to Titos. It was for Titos for the wood repair as they were working on painting. Anything to add to that, Jay?

Mr. Soriano stated yes, this was extra. This was not part of the actual painting contract.

Ms. Giles stated unless there are any comments or questions about the check register, I just look for a motion to approve it.

On MOTION by Ms. Arnau seconded by Ms. Mifsud with all in favor the check register was approved.

## **FIFTH ORDER OF BUSINESS**

### **Discussion of Draft Assessment Methodology**

Ms. Giles stated included in the agenda is that Supplemental O&M assessment methodology for the change that we've been talking about to Table 7, which is parks and aquatics. This change reflects on multifamily high-density aquatics from the .70 to a 1. Then on Table 8, which is the very last table, you'll see the difference that the change made using the FY25 budget. On the very back there, it says updated gross per unit. That's the change if we were in FY25. Using FY25 budget numbers, that's the difference it made. It's the same difference we talked about at the last meeting. Mr. Chairman, she did go through here and update the product types from what they were back in 2012 in the last assessment methodology. This is the Board's opportunity to have more discussion on this. I don't need a motion or anything tonight. We talked about having the public hearing during budget adoption. Your budget adoption is August 18, 2025. We would notice this as we do the budget in the paper and then we would have two public

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hearings, this one being the first one to offer the residents the opportunity to talk about it and then you would make a vote to adopt it.

Mr. Eckert asked that this be included in the agenda when we approve the budget in May or June, whichever that's going to be. They will approve it at that time for notice purposes and then we'll get the notices together and send them out. We'll try to put it in the exact same notice, we will say we're going to have two public hearings, one to change the methodology and the other one is to adopt the budget. If you have an increase in assessments, that will be a third public hearing.

Mr. Steiner stated using the 2025 budget figures, the only area that there was any impact was on the high-density multifamily aquatic.

Mr. Eckert stated yes, they went up and everybody else would go down.

Mr. Steiner stated I just wanted to make sure that that's what we were looking at and that was the intent, to bring everybody more aligned with usage and access.

Mr. Eckert stated that is correct.

Ms. Giles stated that staff will add that item to the June agenda as District counsel recommended.

## **SIXTH ORDER OF BUSINESS**

### **Discussion of Termination of Interlocal Agreement with South Village CDD**

Ms. Giles stated the next item is termination of Interlocal Agreement with South Village CDD. Carl, are you on the line?

Mr. Eldred stated he is on the line.

Mr. Steiner asked if Mr. Eldred would go over what we had discussed. Basically, we had gone with two questions. One had to deal with whether or not there was any requirements out there for Middle Village to continue maintenance of Clay County area on Oak Leaf Plantation Parkway. The other question had to do with were there any legal issues that the Board needed to be aware of when considering the South Village letter? If you would explain a little bit about that.

Mr. Eldred stated I'm Carl Eldred and I was asked to look at the Interlocal Agreement and the South Village termination of that agreement. In particular, the Chairman asked me to answer those two questions that he just posed. I'll start with the first one, which is whether there is an obligation for the Middle Village CDD to continue maintaining certain landscaping along

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Oakleaf Plantation. It's my understanding, based upon correspondence between District staff and the county staff that there is no separate obligation for the District to continue maintaining that landscaping. If the District no longer wanted to maintain that landscaping, that it may essentially allow the county or ask the county to take over that responsibility. The second question relates to the legal options that are available to the District in light of the termination letter that was received back in November of last year. I took a look at the interlocal agreement, which, as you recall, provides the South Village CDD to pay \$36,000 each year towards the costs associated with the landscaping and maintenance of the landscaping along Oakleaf Plantation. In the letter, South Village basically took the position that it was going to terminate the agreement and that it would make payment for the current fiscal year. Then after that payment, they would cease making any payments or performing under the interlocal agreement, again taking the position that they are terminating the agreement. We did receive the payment for this fiscal year. The question is, can South Village unilaterally terminate the interlocal agreement? After taking a look at the agreement, I've concluded that there is no ability under the specific terms of the agreement to terminate it unilaterally. There is no termination provision. Absence of a claim of a breach by the Middle Village District, South Village really doesn't have the legal right to unilaterally terminate the agreement. The Board has sat with the termination letter and certainly then can evaluate its options. One of those options would be to pursue legal remedies and file a lawsuit against South Village CDD claiming breach of contract and seeking specific performance of the agreement. That would include litigation and the costs associated with it. Another option would be simply to take the termination letter under consideration. There is no requirement for the District to take any formal action in relation to the termination letter. If the Board wanted to consider other options for maintaining the landscaping and taking over that responsibility of those costs itself, you could certainly do so without taking any further action. As I mentioned at the beginning, you could ask the county to take over that responsibility. In essence, the Board wouldn't have to take any formal action or response to the termination letter. It could sit there and frankly, the District would have up to 5 years from November 21, 2024 to bring any type of legal action if it so chose. Those are the basic options. One is essentially just proceed recognizing that South Village is no longer going to make the annual payment, or two, pursue legal action against South Village. I'll be happy to take any questions if the Board has any.

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Mr. Steiner stated basically what this would allow the Board to do is in the event that there's a large amount of discontent with the condition of the parkway by South Village residents, this Board could go ahead and get funds from South Village to bring it back up to its current state. It doesn't levy that requirement fully on Middle Village, if we let the letter just sit.

Mr. Eldred stated I think what you are acknowledging is the fact that we really don't have to take any formal action or provide a formal response to the termination letter. If the Board in the future wants to pursue any action against South Village and try to seek specific performance and continue to receive the annual payment each year, then the Board could evaluate its legal options and potentially file a lawsuit seeking specific performance in the future. Again, there's no need to take any formal decisions or formal action at this time. As I understand it from my conversations with the Chairman, the Board has been considering alternatives in light of South Village's position, and certainly the District can continue to evaluate those options without taking any formal action or providing any response to or even acknowledging South Village's position.

Mr. Marx asked did South Village actually say there's anything they disliked about what we were doing?

Mr. Steiner stated no, not to my knowledge. This was strictly a funding issue. They didn't see why they should have to pay when none of the other communities are paying into that landscaping through them. The property is all Clay County owned. It's been deeded over to Clay County. We do it because that's what we've always done. But in today's environment in order to keep things in check, they simply went ahead pointed out that it might be something that we want to look at to offset the loss of any funds from South Village. I believe Jay has something along with our landscaper later in this meeting to show what we are currently having to pay for and where the responsibility is. The quality of landscaping that we anticipate seeing from Clay County will not be to the standards that have been there. They don't cut as much. This is all centered around more than just Oakleaf Plantation Parkway. Oakleaf Plantation Parkway spans multi counties. It's going into Duval when you get up by Arbor Mills. So you're going to have a division line there anyway. One of the things that can be done is the entrance ways, some of our communities pay their maintenance on the entrance ways to beautify the access points of their community. Not all of them do that though. These are things that we're trying to isolate, where things are being paid for benefit all of the residents of this general area be it South Village or the new community going across the road down here, Double Branch community. There's supposed

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to be additional building coming up across from down where the nursing home is. There's a large development being planned back up in that way, and that's all going to impact us.

Mr. Bowen asked if we don't come with an agreement with them and for some reason we terminate the enhanced improvements, would South Village have any recourse to come back to us and say, hey just because we haven't paid you, you still haven't lived up to your agreement?

Mr. Eldred stated no, there's no separate requirement for the Middle Village to actually maintain the areas in question. Back in 2004, there was an agreement between the two Districts to share the costs in performing that landscaping maintenance. When South Village terminates that agreement, there is no separate or independent requirement that I'm aware of for the Middle Village District to maintain that landscape. So no, South Village wouldn't have recourse against Middle Village.

Mr. Steiner stated we will just go ahead and maintain status quo with what we've got without taking any action on the letter other than stating we received it.

Mr. Eldred stated you don't even have to do that. At this point, the Board can continue to consider its options in relation to the landscaping and carry those out as it wishes. Ultimately, if the Board does decide that it wants to seek recourse against South Village for the termination of the agreement, then we would just need the Board to provide direction to me to perform that analysis and present a complaint or the formal action for the Board to consider. Absent the Board wanting to take formal legal action at this point, I don't believe that the Board needs to take any other action other than continue to evaluate its options for addressing the landscaping.

Mr. Steiner stated we will just continue to explore our options. Covering the enhanced landscape is only that short area. The map here goes to show just what all areas we're looking at, and all of that in green is basically Clay County deeded roadway and medians. We're doing the grass cutting and mowing without any contribution from them. I've guided the Board to take an approach that if we don't own it, we shouldn't be maintaining it. We can assist in getting that done if somebody wants to contribute to making their entrance way very nice, which is what South Village has said. They were going to continue to do the enhanced landscaping for their area and turning into Eagle Landing. We're not restricting that. We're just simply putting a cap on some of the areas that we handle.

Mr. Soriano stated right now, this is our current contracted areas. All the green on the map we maintain in some form or fashion. We water it, we cut the grass there. If you go to the



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north end, you see the line where it changes to Duval County, that's Jacksonville. That's up by Arbor Mill. That is right where Clay County put their new sign last year that says, "Welcome to Clay County." As you come in, that's the line there. As you travel south, you see our roundabout and our quadrants, and then that's where Plantation Oaks cuts across and goes over to our other District. We cut both sides and we do that for both those major roads. We do go inside some of the single-family neighborhoods, but this discussion was just for the big major roads because that's what you see as you drive up and down here. These are the two major roads, Oakleaf Plantation Parkway and Plantation Oaks. You see our green there, when you flip to the next page those little areas of red mark is all that the District actually owns. So probably about 30% of that roadway. As you see in many areas, we own a little section, but it's only one side. That's also where this becomes kind of hard for this exercise to say, well maybe we should maintain what's not ours. Because when you look at it, it's a section of roadway. We may actually own a section, and then it stops for about 100 feet, and then we own another section. If you look over on Plantation Oaks Boulevard there, right in front of the schools for instance, Briar Oaks, if you were coming into Briar Oaks entry, where their gate is we own one side next to the sidewalk. We don't own the other side. They are actually owners up to the right of way for their property, yet we maintain the whole road. That's the way it happens pretty much everywhere through Oakleaf. We handle both sides up and down, even though we don't own that area. It's only the red that we actually have ownership. You have ownership in a sliver grass there. So most spots, it might be about 15 to 20 feet wide. That's where we put the white vinyl fences and things like that or we planted the paper pine trees that grow up and kind of make a border wall. That's what you actually own as you get closer to the sidewalk.

Mr. Marx asked do we manage all of the trees and grass cutting in front of all the schools?

Mr. Soriano stated we handle the grass cutting, not the trees. The trees are actually theirs. We planted them, but they cut them last year, the high school. So all those magnolias and the little oaks that are out there, they hacked them pretty good. They did a decent job. They made them look better than what Duval did at the north end a couple years ago. But we planted all those trees and it's on their property. That's actually what has happened over the years. The District does things like plants trees or does enhanced landscaping or even installs fence lines

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and we do it on somebody else's property. We kind of said, well, then we'll help maintain it even though there's no ownership there.

Mr. Marx stated when Oakleaf was built, there were only two schools. Now, all of these, Eagle Landing, all the other communities that are coming in, are going to take advantage of the schools and the condition we essentially leave them in. Just wondering if there's any way we can get the other communities around us to chip in at least a little bit to try to cover the difference to keep the schools looking nice.

Mr. Soriano stated the schools have their own school District funds and they do vote on that. If you guys recall, a year ago we had an increase in our property taxes for Clay County schools. They handle farther in; we just deal with where the sidewalk of grass is. As far as getting other neighborhoods, there's not really a way to force them. We can ask them, but I don't know how well that'll work out. It's different when we have CDDs and we have the ability to do an interlocal like this, and it almost ties them together. We can't do that with HOAs. Correct, Mike?

Mr. Eckert stated we can have an agreement with an HOA, but we can't compel them to enter into it.

Mr. Soriano stated that's the bigger problem we have here, we do have a lot more HOAs that popped up on this road. That may not have been the original plan, but then we also have a lot of commercial areas. Some of the commercial areas are not ours either. We do have some that fall under the District assessments, some do not.

Mr. Soriano stated this map was created so you can visualize and see what areas we are maintaining right now compared to what is actually ours on those main roads. I didn't direct Chalon to go in yet and start pulling apart how much it would cost to drop those out until we have better direction from the Board, because that would be a lot of work. Like I said, just on the main road you're talking less than half of that, probably 40%, maybe even 30%, if we actually measured that out. So that does make a big difference.

Mr. Steiner stated we have gone into an agreement with Trinity Church, and one of the things there is they've taken over the maintenance of that area right in front of the church and around the church, because they wanted to go ahead and have more enhanced landscaping than even we would provide. If you go by there, it was bright green. and I'm waiting for folks to start coming in here saying, well why doesn't the rest of our community look like that. Now, Clay

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County came in and took care of putting the landscape in there by the Clay County sign, if I'm correct.

Mr. Soriano stated no, we still did all the landscaping. They just put the sign in.

Ms. Mifsud asked for the irrigation on Parkway East, you said previously that's our irrigation?

Mr. Soriano stated all the irrigation on these roads on both sides, whether you own it or not, that is all your irrigation.

Ms. Mifsud stated even if we stop cutting it, we're still paying as far as the irrigation goes? There's still costs and burden.

Mr. Soriano stated that's right. We do have zones. So you could shut off certain zones, but not everywhere. We don't have it set up everywhere because the plan was ultimately to take care of both sides everywhere up and down these major roads. Those zones weren't set up perfectly to where I could shut off right where our property ends and then pick up again afterwards. There are some areas though, like if you look that northern part from the clock tower to the Duval line there, we only own a small part. It's next to a pond and a preserve area. Pretty much that whole road, we could turn that zone off. I have the ability. We have a well up there and valves to shut that whole road down. We don't really water the condos. I haven't directed the landscape company to do too much more until we have the direction of what we're going to do, because that can make a big difference on how things look and the response we get from residents.

Ms. Mifsud asked if we don't irrigate it, Clay County is not going to irrigate it?

Mr. Soriano stated no, they'll never take care of irrigation anywhere. So even if you can get them to deal with cutting the grass, which I said before is a little harder, they do have the responsibility of cutting the right of ways, but there's not really a count or a time involved. There's nothing that says they're going to come out, once a month, beginning of the month or anything like that. They may come once every three months. The one thing they've already told us for many places, they don't deal with irrigation at all unless it's a new install, just so they can get plants growing and things like that. They don't deal with the irrigation. They plant bahia everywhere for that reason.

Mr. Steiner stated with the irrigation; the grass is going to probably grow more. They only cut a limited number of times. They'll do it three times a year. Well, can we come in in

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between with some additional cuts? Do you have an objection? Rather than doing all of the work ourselves. The other thing is with the communities, if they want to go ahead and take over the maintenance, but they're not as big a residential area to where they can go ahead and pay high prices. We have the luxury of economy of scale that we could possibly work out an agreement to let our landscaper cut it with them paying for that service. We have a large contract which gives us better buying power and negotiating power than any of the communities. Their work would be billed to them or however, rather than having to do it themselves at a higher cost. I don't know if they can, but I'm just opening it up for ideas of how we can possibly work around it. The big thing is the irrigation. The wells are on. The wells themselves are on Clay County property.

Mr. Soriano stated for the wells; we have an easement where we install the well. Even though it sits mostly on their right of way or even an easement in private property. We have one over by the doctor's office. If somebody buys that up, that's going to be their property. But we have an easement there for that well and that will stay all ours.

Mr. Steiner stated we are trying to get feedback on other ways that we can approach this rather than just simply coming in and doing it ourselves. You've got the fire station up there. They're the ones that do all the way to the road, right?

Ms. Suchsland stated they go to the sidewalk. We do the sidewalk to the curb.

Mr. Steiner stated from that standpoint; they're already doing some of the property. They're just not going to do it to the same level that we've been doing it in the past. We're now getting a lot more traffic through here. Traction levels are going to go start going up. It never seems to fail. This is what we were looking at to offset that \$36,000. It may not take much to do that. We can work around some of these ideas of how we've always done, it doesn't make it what we should be doing.

Mr. Marx stated I don't know what \$36,000 means when it comes to our landscaping budget. It doesn't have any perspective for me. Does anyone?

Mr. Soriano stated our budget is about a half a million a year.

Mr. Marx stated so we're talking less than 1%.

Mr. Steiner stated but can we trim our budget to go ahead and offset that?

Ms. Giles stated this is for Board discussion, you're not going to solve it tonight. Mr. Chairman, if you'd like for the next agenda, I can rephrase this agenda item maybe just so that the Board can continue this discussion. You approve your budget in June and adopt it in August.

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We can make changes all the way up until the adoption. Whatever we approve in June, we can't go higher than that, but we can go lower and make changes when we adopt. I think ultimately that would be the goal is some type of consideration going into the budget, if you're just going to continue with this cost as is and staff figure out what lines we can lower or maybe to come up with the \$36k.

Mr. Steiner stated we have this year's budget taken of and that's why we were waiting on the check and everything else. So we have time to work this.

Ms. Giles stated yes, we do, but that's how this fits into the bigger picture. Your 2026 budget is coming up and if they're not going to pay, then we'll have that lawsuit potentially but where are we going to absorb \$36,000 from. From our own budget or are we going to stop mowing all these areas and decrease our agreement with landscaping?

Mr. Bowen asked can we get a cost breakdown if we cut out certain areas?

Mr. Soriano stated yes, but they would need a little detail and direction from the Board. That will take a lot of work for them to figure out because we're also asking them to take a cut in a long-standing contract. They have to measure it out and figure out what areas they conduct for that \$36,000. It would be somewhere along those areas that you guys don't own, but we would just have to figure out how so that it still looks good. When you look at the things like the overall number, it's not a big area. If we were to cut out a lot of those areas, we could come up with \$36,000. But like I said making it look good and correct is the harder part.

Mr. Marx stated if we only need to get 1% back. Even if we threaten to eliminate taking care of any of the areas in front of the schools, which the county would have to take care of anyway, since they're already over there taking care of the schools. We ask the communities around us to say if you want us to continue doing it, you're going to have to chip in the money for it. Because they're all shared resources. They all use the same schools so they all have a vested interest in making them look good. If they don't want to, then we just let them go to the county and we continue to maintain the other things. It depends if that's going to make up the 1% shortfall.

Mr. Soriano stated just like the fire department, at the schools they cut up to the sidewalk. We handle that section in between from the sidewalk to the roadway, which is county right of way, we handle that. So those areas, that's still a good amount of area, but I don't know that it would add up to \$36,000. I don't know that we'd be able to do that on this side with Discovery

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Oaks, but on that road we could because on that road, basically the school zones are one right behind each other. This one here is probably mixed in with the zones. I don't know that I'd be able to shut it off without shutting off Hamilton Glen. So it might be a little tougher, but we can look at those things. I think you would need a couple more areas like that to be able to add up to the \$36,000.

Mr. Bowen asked Jay, do we own that area where all the cars park for the school when they're picking up their kids?

Mr. Soriano stated if they pull onto the other side of the sidewalk that's ours. That big section between the sidewalk, and that's a wide sidewalk over there too, so a lot of times they're on the sidewalk and then from the sidewalk to the asphalt that's all county right of way. So we maintain it, but we don't own it. That's one I've complained to the county about lots of times. I've even asked them if there's a way to fix that because it damages our grass and they don't come out and stop. Last year I even reported to you guys that the principal and the sheriff's office got into an argument out there trying to kick people off the property so they wouldn't pull up there. But we don't actually own it, so we also don't have any real authority over those spots. We just cut the grass and water and pick up the trash.

Ms. Giles stated we'll keep this on the agenda going forward to give the Board time to discuss it.

Mr. Soriano stated I like the fact that we discussed it, we have a map. I don't think most residents actually know what we do most of the time. We get that same comment, kind of like what Mike said, we've just always done it. The District tends to take care of a lot of things that are not truly its responsibility and we just always paid for it. It's not always a good thing.

Mr. Steiner stated I'm sure Arbor Mill enjoys the fact that there's a bunch of flowers in front of there and they're ready to put out directly in front of them.

Mr. Soriano stated we've worked with them to help to do the beds right when they turn in. Not the ones that you see on the road coming down, but as you turn in. Because a long time ago when this was DTD, we did all the beds up there. They did kind of take over, and then they went back and forth and argued with us one side and not the other. Now do they do both sides? They do one side now, again, which is always tough because if they pick different flowers than we do, that kind of goes back and forth depending on what landscape contractor they have. But we have worked with them a bit, sometimes they are willing to work with us, not all the time.

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Mr. Marx stated again, if we're looking at a budget shortfall, we've decided to just stop doing them all together. They want to chip it in so it keeps happening for a standard, they may want to do the same because if we stop doing anything around the roundabout, they're going to probably not like that either. I think we should at least discuss it with them before we just choose to just stop decorating everything.

Mr. Steiner stated we are an aging community. The costs on this building alone with replacing roof, these are things that we have to maintain. The pools, people wanting them heated, people wanting all these things going on, and all those expenses come out of recreation and operations. We've got to look at those areas where something's got to give. We can't keep up. You saw how much it costs for some of the items for the paint job that we had on this building. Every little bit hurts and we're trying to look at those things that we have a requirement for. It is something that we are fiduciarily charged to maintain, this building, the pools, the playgrounds. These playground costs are outrageous. It's not just the landscaping on the highway. It is all those other things that make this community.

## **SEVENTH ORDER OF BUSINESS**

### **Consideration of Amended and Restated Maintenance License Agreement with Trinity Baptist Church of Jacksonville, Inc.**

Ms. Giles stated this is consideration of amended and restated maintenance license agreement with Trinity Baptist Church.

Mr. Eckert stated there's a map on page 208 of the agenda. From a historical perspective, the District and the Trinity Baptist Church came up with an agreement basically saying you can come on my property to maintain some landscaping and then we can come on your property. It was like a reciprocal license agreement where we could both go on each other's property because the landscape beds kind of overlap a little bit and the parking lots overlap. At the time we came up with that agreement, we owned part of Plantation Oaks Boulevard. When I recognized that we own part of that road, I came to the Board and said, we don't want to own that road. We talked to the county and the county was agreeable to taking over that road because they owned every other piece of Plantation Oaks Boulevard except for that one segment in front of the church. When we entered into the agreement, we owned it. Now that the county owns it, we can't be making assurances to the church like yes, you can come on county land to do X, Y, and Z, because we

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don't own it anymore. Really this is a housekeeping measure that allows the CDD to go on the church property, which is just little slivers that we maintain that go through flower beds. It allows the CDD to go on the property and do that work, but it doesn't allow them to come on our property since we don't own anything anymore. So we took that out. Whatever they want to work out with the county, if they need to, they can deal with that. The reason I have not talked to the church about that is I want to be able to present it to the church and say, hey, we don't own it anymore therefore we can't keep giving you permission over something we don't own, but if you want us to be able to maintain the little slivers that are on your property that we have been traditionally, we would need to enter into this new agreement. If you aren't going to enter into this. This new agreement, then at that point in time, I would just say, let's exercise our termination notice of 30 days termination for the license agreement period and move on. Then we probably wouldn't want to be maintaining whatever the little slivers are in their flower bed. This is really a cleanup item by virtue of the fact that we transferred that property to county and we no longer have any control over it.

Mr. Eckert suggested approving the agreement and authorizing staff to transmit the agreement to the church. In the event the church does not respond within 30 days, then we bring it back to the Board and ask the Board if you want to terminate the one that we have that's existing, which will be my recommendation at that point in time.

On MOTION by Mr. Steiner seconded by Ms. Mifsud with all in favor Approving the Amended and Restated Maintenance License Agreement with Trinity Baptist Church of Jacksonville, Inc. and Authorizing Staff to Transmit it to the Church, was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Consideration of Request to Encroach on a Drainage Easement for Pool Construction**

Ms. Giles stated the next item is consideration of request to encroach on a drainage easement for pool construction.

Mr. Steiner asked if this has come to us before?

Mr. Soriano stated when this resident did his initial research with the county, the county didn't have record of it being ours. The easement was still in AFI's hand. That's why you'll see on



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this, not just us, but Hudson companies who was over AFI was named in there. This got sent to them also.

Mr. Eckert stated I've reviewed this just enough to know marginally where we stand on this. Basically, the letter says there's three entities out there that may be in control of this easement. Give us what we want or we'll take legal action, even though we don't even know who is in control of the easement. In this letter there's a lot of confusion between the platted easement and the easement that is contained in the HOA documents, which are two totally different easements. They are treating them exactly the same in this letter which is a mistake. We did get a contact from the Water Management District that wanted to have a conversation because they were concerned about releasing this easement because it may be part of the permanent stormwater management plan. It's not uncommon in communities to have houses when they butt up against each other to have drainage swales that go the length of that fence and that line, and typically that's going to be something that's permitted through the Water Management District. Of course the Water Management District, if it's part of their permit, it was there for a reason and they don't want people encroaching in it and building a pool because that could displace water on the neighbors or not let the water flow past that particular house. We're going to have a conversation with the Water Management District. I think they gave us 10 days to respond and that was February 19<sup>th</sup> and we're at March 10<sup>th</sup>. So at this point in time, I would suggest letting us talk to the Water Management District. We were not given the easement on the plat and we were not given the easement when we took an assignment of a bunch of responsibilities from the developer for a stormwater management pond. Other than the fact that we are the permittee under the Water Management District permit, I don't know where we have a dog in this fight. It doesn't mean there couldn't be some assignment out there that I haven't seen because I haven't ordered title work on it but at this point in time let me talk to the Water Management District and I'll come back to the Board at the next meeting. I don't plan on engaging; I've never really thought it's a great idea to send a threatening letter before picking up the phone and saying hey can I talk to you about an issue that we're trying to resolve? I didn't get that call.

Mr. Eckert stated it would not be common for the District to be given this easement. Typically it would be given to an HOA by the developer, that is usually how it would go. The CDD typically wouldn't get involved in private easements between two lots unless we had a storm pipe through there. I don't think we do in this particular instance.

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Mr. Soriano stated I went out that was first thing that happened when the gentleman showed up in the meeting here before. I went out to look at that, there's not a pipe or cover. This is an area that, as Mike said, it's a bunch of houses back up to each other, such as a swale running through a completely surrounded island. The road goes around all of these houses so there's no common ground. There's also no way to get back and see any issues with the easement is my main concern. It's just the back of everybody's yard. That was the only odd part to me that you know would be ours because of something like that. There's no way for anybody to get to it other than private homeowners.

## **NINTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. District Counsel**

Mr. Eckert stated I talked to you before about sovereign immunity, I don't think I need to revisit that. We'll have to see how that shakes out. There was a bill filed that could actually save the District money, that's the first time I've reported on that in a few years. They might let us do publication on our website of all our notices. For instance, our publish notice when we raise assessments and things like that can be in the thousands of dollars. We publish notice for each one of our meetings. We publish notice for when we need to get an auditor or do a request for proposals for landscaping or stormwater manager or something like that. If that were to pass the Florida legislature, that would have a significant impact on our budget, because posting on our website doesn't really cost anything. We'll keep an eye on that, and certainly anything we can do to help push that one along, we will.

Mr. Steiner asked is there any further interest in our credits?

Mr. Eckert stated I talked to the broker, right before or right after your last meeting. She seemed encouraged on some of the discussions she's had. I'll reach out to her again, and then I can just report to the Board by email what she says. You don't have to wait 30 days for that.

#### **B. District Engineer**

Ms. Giles stated I did talk to Mike Silverstein earlier. He didn't have anything for the Board. To be good stewards of the funds in his time, we just asked to go over the agenda ahead of time and if he doesn't have anything and we don't have anything, we ask him to not attend.

#### **C. District Manager**

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There being nothing to report, the next item followed.

**D. Operations Manager**

**1. Memorandum**

**2. Update on Open Items (Deer View Column Repair)**

Mr. Soriano stated we are getting ready to start spring break. The kids get out the Friday after Friday, they're off for a week and then also the Monday following that. So we'll go from this next Friday all the way up to the 24<sup>th</sup>. At that time, we are fully staffed like this is a summer facility. Unfortunately, the weather is not always the greatest, but we do always plan on having it open and fully staffed. With the slides running, it can sometimes be a bit wasteful but this is a good chance to train and also get the residents into the habit of what's supposed to happen, how they check in, how they use the facilities, things like that. It is always funny now people forget in the winter what they're supposed to be doing when they're here. After spring break we kind of shut back down. April, we go weekends. By the time we get to May, we get to a more fully open type of facility. Coming up, we do have some events. So with spring break, we also have a movie over here over at your sister District. Friday night there will be a movie on the green. Coming into April, you have your garage sale. We have our virtual egg hunt and the first dive in. We actually started these a month early this year so that we could try to put in one more movie at the pools. There are three that were on that schedule over the Double Branch side just because they tend to get a little more participation than we do when we do the dive ins here. It's a bigger pool; we just don't get the turnout the same way that they did over there. We do have three over there and you have two here, but we start there in April.

Mr. Soriano stated I want to update you guys on some of these maintenance items. We'll be starting some of the playground repairs. Mike had mentioned that earlier this month. We originally wanted to start last month, but we were also working on some playground items over at Double Branch. Because of weather, we kept getting pushed off. We're still getting some nasty weather, but it's not as bad. Just a little windy. But it's the cold and the rain that makes it hard to deal with concrete when we're working with the units. Hopefully we're past most of that and we can get to that this month. To update you guys on the fire system, I did finally get one of our other written proposals and that is in front of you. I am still waiting unless anybody has any objections, I'm going to be waiting a little longer on Bender Modeling and IMC, they are supposed to come out and tour the property. There are two other fire system repair and oversight

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companies that are licensed in the state. This right here is the company that used to be W.W. Gay. They are pretty large and they handle this type of work everywhere. They were at \$11,000, a little higher than what they quoted me verbally when they were out here. Our contractor was at \$18,000. So this is much better. This is still a little bit above my amount. If it was under the 10k, I just would have moved forward because I don't want to wait too much longer. I'm hoping one of the other two may come in at below the \$10k. If that happens, I will move forward automatically with one of those. Right now, these guys would actually be my preferred over the contractor just because of the price it is for the same amount of heads and the same labor. That would be something I would still give to Mike this proposal here so that we could work up our normal agreement through the law firm and then work with signs to go ahead and start the work.

Mr. Steiner stated the only question I would have dealing with the waiting is this is a fire issue. We're not at any risk getting on the wrong side of the fire marshal.

Mr. Soriano stated no, not at the moment. He already knows about them because they've been reported before. They've been on our quarterly reports to be replaced. He hasn't contacted and said, hey are you guys replacing these in the next month or anything like that. They still work; that's not the concern. It's that we do have to get them updated.

Mr. Soriano stated unless there's questions on some of the other maintenance items listed on there, that was it for me. I did have one thing I wanted to show you guys. I don't have a quote or proposal on yet, but this is something I am going to have to work on this next month. I do have a pool repair that's going to come up. This is your rather large filter tank that handles your slide pool. The image you see there is the big tank that holds our motor for the slide pool. It is a 25-horsepower motor. It's very large. That tank is about five and a half feet deep. You see that little ladder that climbs into it. My problem right now, there's actually a couple there. I circled the two major problems which are the old valves. Right now I'm having problems with my aquatic's director being able to help do work to clean because these are getting so old and hard to open that I have to replace them. We use in house cleaning. So all the staff that clean pool is hired by the District. We don't have another company that comes in like Porterfield Pool or anybody like that Pinch a Penny. We do everything in house because it's much more cost effective. We also have around the clock service. If there's a problem and the pool gets dirty during a storm. My lifeguards are here. There's many of them that are trained to do this work. However, when the equipment gets to be like this and they can't work on it, I have to be able to

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update it. These valves are very expensive and the work to take them out, you have to take all this piping apart. I am also going to address the motor. Below that you can't really see it in the picture, there is another valve that's hooked to the motor. A few years ago I reported to this Board that during one of our hard freezes, it's kind of rare we ever have issues with freezing, but we did get a crack in our valve. This is a big 10-inch flange and the plastic just cracked. Now it's in place and it's held in place by these big bolts. You can see they're the same flanges and valves that are on those red handles that you see there that are circled. It's still held in place by these big 10-inch bolts but the fact that it is cracked, it will eventually move and it will start to leak. If it leaks inside that tank, you drown your motor. It's a very expensive motor. We've been lucky. I check it every year and I constantly climb down in that tank to see if that pipe is leaking at all. We haven't had a case yet, but I would like to get it fixed. If I'm going to fix these handles, I might as well fix everything. To pull that big 25 horsepower out takes a lot of work. They have to bring in a device to help lift the motor up out of the ground, set it to the side. You have to actually kind of rebuild the motor when you do that, you take a new seal and shaft sleeve every time you do that and put that back in position to put the motor back in. Then they'll replace all these valves. So this, this job could easily be close to \$10k just to fix these couple handles and valves. I don't have a written proposal yet. Blue Solutions, who's doing a lot of our work lately, they were out last week to look at this. I purchased the valves because if they purchase the valves, they're going to be closer to about \$800. I was able to purchase the valves for closer to \$300, so I save a few hundred bucks every time I do things like that. It adds up. But I still have no way to get around the labor. That's the biggest thing. When I have a proposal, I'll bring it. If it's above the \$10k, it is something I will need you guys to consider discussing and approve. But if it's under the \$10k, I will be just moving forward.

Mr. Steiner asked if this will be a time-consuming job.

Mr. Soriano stated it would be a few days. I already told them as soon as he gets me a proposal, the job we're going to do. But I did let them know Clay County spring break is coming up so we're not looking to start the job until after the kids go back to school.

Mr. Steiner asked how much time do you have before it opens officially?

Mr. Soriano stated after that, we have quite a bit of time. We have about a week and a half left in March. In April, we're only open the weekends. So I would have two weeks before that first weekend that we're open.

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Mr. Steiner stated that would be my only concern is that we're not in the middle of shutting down the slide and pool when we could have done it earlier.

Mr. Marx asked if staff usually opens the box and closes the valves?

Mr. Soriano stated yes, we do have CPOs which are certified. They go through training to deal with the pools, clean, and deal with all the equipment. And then we also train our lifeguards and our managers to deal with all this stuff.

Mr. Marx asked if that electrical box usually unsealed?

Mr. Soriano stated no, that's one that we had to take off to check for that motor.

Mr. Marx asked how are people reaching in there?

Mr. Soriano stated over the years, one of the things we've done is, they don't climb down in that box in a normal day, the only thing they do is reach down and turn the valves. Unless we're doing something with a motor, there's no reason to climb down to that five-foot pitch. But even then. To address your concern, I don't even like them touching breakers. Almost every motor we have has what's called a BFP on it now, and they are push button computer control so that they don't have to mess with breakers or anything like that and electrical wires. Everything is turned on and off, we can even reset when we have electrical issues through that computer.

Ms. Mifsud asked Jay, what's going on with the repaired to the tower.

Mr. Soriano stated he sent the county right of way coordinator an email this last week. I did the right of way permit and that was all they asked me for. They put Mike in touch with Courtney Grimm, who he already worked with quite a bit so that we could get some kind of paperwork that would absolve us from any liability for working on their right of way. The plan was we would pay for everything, but I did have to go through the permitting process. We are still sitting around waiting for them. I actually drove by there today to take a picture. I haven't been over there in a while to look at it, but it almost looks like it's leaning even more. I want to send them a picture and kind of say, hey, I think you guys need to hurry up.

## **TENTH ORDER OF BUSINESS**

### **Audience    Comments    /    Supervisor Requests**

Resident (Sharon Fellows, Briar Oaks) stated the issue that we mostly came forward is the issue of motorized and electric vehicles on the walkway. It has created some major disturbances, people coming close to being hit. A few of us have been hit, and it just continues. There's a group of five, and then there's a group of three. These are not small bikes. These are big

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bikes that come very fast down the walkway, as fast as they can go, and someone's going to get seriously hurt. We have a concern for older people, seniors, young children, people pushing baby carriages, family out on the walkway, etc. They don't stop and they don't care and when they get to the end of the walkway, I live on the very end of the lake, when they come around the corner, they don't want to go back up the promenade or the walkway so instead what they do is they come across our properties, up through everyone's front lawns, and then out into the Briar Oaks entryway. I had one who came, lost control and seriously came within inches of my lanai door. I thought he was coming right through it. It isn't getting better, it's getting worse. And I think it is an absolute major issue that has to be addressed. The second issue that we want to talk about at some point is the dog issue. There have been two vicious attacks on the promenade in the last two weeks, and there have been other attacks before that. I'm not sure how to handle that. I think the first and most important issue for most of us right now are the motorized and electric bikes, and we'll deal with the dogs after that. I think there are other people here who want to address that issue as well. It is major. Something has to be done. One last thing, we are forming a community safety group with representatives from every community that live on the lake. We're planning a big event. It was going to be on the 5<sup>th</sup> of April, but now with the garage sale we're moving it. But we are inviting press, we're inviting news, we're inviting as many people as we can get there. We'd like a representative from the CDD and we have the reps from every HOA and we want to start putting a plan together.

Mr. Steiner asked how many of you have contacted Clay County Sheriff's Department?

Resident (Sharon Fellows, Briar Oaks) stated many of us have contacted the police. We have two police representatives from Cambridge. They're working with the police and the police are just fed up because it doesn't work with the police. There has to be other solutions. They throw their hands up because if we call them, they can't get there in time.

Mr. Steiner stated the problem that's there is they are the ones that have the authority to stop them, to get them for violating any kind of ordinances. We as CDD do not have any authority over them.

Resident (Sharon Fellows, Briar Oaks) stated you have the opportunity to put up signs. You control the walkway and you control the lake and the people who have put up signs, I think in Julie's Preserve condo area, it has been effective. Are there ways that we can make it walk only? Is there something that we can do to put in the walkways that prevent them from flying

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down through there? There are more alternatives than calling the police who at this point really can't do anything. We are asking the police to come and help us make decisions about what can be done to our properties to keep them off. But I think that the CDD has a responsibility to at least put up some signs or look at what you can do.

Mr. Steiner stated as a longtime member of this Board, have had owners coming in and complaining because why are we getting so many signs? The rules that are stated for that area and for CDD property is the fact that no motorized vehicles are allowed.

Mr. Eckert stated I owe the Board some signage language that is more harsh, and that will be presented at our next Board meeting. How many signs, where they go, if they even go at all, that will be a decision to the Board. But I do owe you language that we talked about at the last meeting, and you'll have that at your next meeting to consider. Trying to impress upon people why you can't be doing this without overstepping our bounds as a government entity is what I was wrestling with. We'll get that for the next meeting. In terms of walk only, that's something that the Board could do within your policies, but you have the exact same people who aren't paying attention to the policy now, which says no motorized vehicles. I'm not sure that changing it to walk only is going to change their behavior. The other thing that we have to keep in mind is as a government entity, we do need to make sure we don't put up obstacles or anything that would render the pathway non-ADA compliant. People in wheelchairs, people who have special needs, still need to be able to traverse that path too. You can't just randomly put up bollards or strips or something like that. To the Board, I will get you the signage language for the next meeting, and then you can talk about whether or not you want to try to have a walk only policy or something like that, which I think you have the authority to do, but I think you have the same enforcement issue that you have today.

Resident (Rich Hathaway) stated I don't want to spend a whole bunch more time on the discussion here. I wanted to thank you for all of your time that you all put in. My wife and I just moved here in September from Rhode Island. We love it. It's a beautiful area. We're super happy to be here. We live right on the northeast corner of the lake so I sit often out there during the day when I'm on meetings or the weekend on the lanai with my cat. I've seen a couple of folks almost get hit by those bikes. I'm very concerned with some of the folks that I see walking down there every day, which I love seeing. They wave hello and everything, but I've seen a few of them almost get hit. I appreciate the work that you're doing and the effort that you put in. I just want to



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make sure that I shared my voice, that I'm concerned about the safety issue there in addition to the nuisance, because they run right by my lanai as they come on the grass and tear that all up.

Mr. Steiner stated just so that everybody knows, those folks living on the promenade are very well represented on this Board. I've been attending this Board's meetings since 2006. Problems have changed, but all of us have had issues with the promenade, from bikes, to getting access, to the kids cutting through what used to be the woods where Towering Oaks is now. I sit on that promenade as well; I am well aware of it. I am very much frustrated with trying to find a solution. The problem is we're not pushing it up to the right person. We're pushing it down to somebody that really doesn't have any authority, which is where we're sitting now. But we do relate to it.

Resident (Leann, Buckthorne) asked who inspects the walkway? How often do you inspect it? Because you do a great job. That big hole that was there for a while you filled it in great. But some of those little stones are coming up again, raising. Me being elderly, I walked and I fell off a scooter, and I don't want to fall off and trip. You have to watch your feet when you're walking. Another thing too is the alligators, how do we know if there's one still in there? I know there's signs.

Mr. Soriano stated there are a bunch of alligators in there.

Resident (Leann, Buckthorne) asked how do we know? Because there's kids fishing.

Mr. Soriano stated hopefully the kids fishing, the parents have taught them to be careful. Every pond we have has alligators in it, some of them might be smaller. This pond is large, so we do have some good-sized alligators in here. You will not see the biggest ones. When we go in the back to deal with the big drainage culvert, we see their nests. They wallow everything out and you can see how big they are. The bigger ones will hide. You'll never see those guys. But if they're four foot or longer and you're concerned with them, the District will not initiate this step, but you can call Fish and Wildlife. Fish and Wildlife will assign a number so that they can get a trapper out. I'll need that number. So what you do is you can email me or call the office and give me that number. I have to call Fish and Wildlife back and give the number back to them. That kind of verifies that I'm okay with that.

Resident (Carol Vance, Cheswick Circle) stated last year we started having the Christmas Parade. That was pretty good and I think it's going to grow. I think everybody loves the excitement of having the parade. Is there a possibility that they can put more lights on the streets

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so you can actually see the kids coming instead of hearing them coming not seeing them until they get under a corner light?

Mr. Soriano stated that the county approves the lighting plan, but the Clay Electric deals with the lights themselves. We pay the bills, but the lights are Clay Electric lights. We would have to request and pay for more, and that has to get approved by the county if we want more installed. As far as the Christmas parade, when it came around time for them to ask for permission to use our property this next year, that's one I'm going to have to decline in my recommendation to you guys after the issues we did have with the Christmas parade this year.

Resident (Shelly Thomas, Buckthorne) stated I would just like to revisit very briefly the motorized vehicles situation again. I think the signs is a great first step. I would like us to be able to think out of the box a little bit about what we can put up structurally and still be in ADA compliance without just saying we can't put anything up because we have ADA limitations. We certainly do, but I would like to think it would be more of a discussion about what can we do in that realm of something structural and still meet the ADA requirements without just shutting that thought down.

Mr. Steiner stated in response, I would go ahead and tell you that the Board is open to any suggestions just as long as everybody understands we are a government agency and we have to live by a set of rules which may negate those suggestions.

Mr. Soriano stated we actually have discussed things like that multiple times. We had a couple meetings and we even came up with the idea of installing gates there that would be ADA compliant. The problem with that, so we would install them kind of near the walkways that come down from each neighborhood. You guys have your gazebos there in the stairs, and we would install them across that. This would be a deterrent. There's no way for them to gain speed. They almost have to stop and get off every time. When we announced that I shared the information with Mercer Management, who handles Cambridge and at our next meeting, if you guys recall, we had people here complaining because they like to ride the bikes. Now, these are good residents. They're probably watching out for everybody else. Not the ones you have to worry about, but that would stop them basically from riding their bike also. So they were upset about that. You guys kind of sometimes make those comments that everybody will be happy with this decision. That's not always the case. They showed up not wanting these gates because it would affect them as bike riders. It would, I agreed with that and we didn't go forward with that. We

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have discussed this many, many times. That's why we say we're open to any new solutions, too, but it's not an easy one to address. The biggest thing is we do need CCSO involved and we actually need them to stop throwing up their hands because they are one of the only ones that can do anything. Even when we catch somebody, I still have to call them to get them trespassing. They have to catch them on site to serve the trespass citation. Even if I get a picture of them, have them on video camera, they still won't do anything unless they catch them here on site. I'm not allowed to hold them. I'm not a bouncer at a bar or anything that can hold them in place. So that also makes it kind of tough. We do need them to step up now. They've heard from you guys so many times, that they're actually better. Years ago, this Board would hear residents that they would call CCSO and they would say, oh, it's not our problem. They would just kind of blow it off. But they've heard now from you guys at Briar Oaks, Cambridge, The Preserves, so many times that they are coming out. We actually did get a kid this past Sunday. I can tell you there's a lot more out there, though, than that. I didn't even receive a trespass citation. So I don't know if he gave him a citation or just took the kid home to mom and dad, but he let our staff downstairs know about it that they caught him out there on the promenade riding a motorized vehicle.

Mr. Steiner stated one of the things that was suggestion by a resident that you all may want to think about. Go speak to the school, talk to the principal, see if they can go ahead and get the word out this isn't what they're supposed to be doing. Get the parents, make it known that this is going on. We're not the only source of a solution and we are very much in tune with what you're seeing and having to put up with because we're doing it as well.

Resident (Vanessa Gonzalez) stated what about, because we have to think about elderly citizens that walk there, the puppies and all that. This is a family community. Why wouldn't you do it like between school hours? Because I see that a lot of kids use their electric scooter. Maybe that could be a solution because we have to make it ADA compliant. We still satisfy the needs of the kids that want to use their scooter if that's the case. I live on the lake side. I haven't seen but I don't go to lake as much the big bikes, motorized bikes. But we can do it between this hour to this hour. I've been living here since 2006 I started at The Preserves, now I'm in Briar Oaks, I've noticed that the lights were off during certain period late at night. We can maybe do like an hour of operations. Also since you guys mentioned it, this is something that I've been trying to resolve and I'm glad that Jay brings up the topic the trespassing. Sometimes I think the trespassing to an owner that is a misunderstanding is going way beyond two years. You guys probably know my

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name by my email that I sent when the CCSO sheriff told me that yes, you can stay with your guest if you stay in the pool. I had the guest pass. Then the Supervisor got mad and said no, you cannot stay because you don't have your ID. I have a guest pass that my two kid's guests had. It was a misunderstanding in communication. I was forced to stay although that I paid it doesn't matter. Then another manager came in and gave me a trespassing order because I stayed. Like Jay explained it's a problem of he said she said because the cameras here don't have audio. I think two years, even when I spoke to lawyers, they thought that was wrong. I have a puppy. My neighbors know my puppy is more famous here than my name. When she runs away, legally, I'm not even allowed to walk in the property that I own for 9, 10 years because if anybody wants to call the sheriff I can be arrested. Two years when I pay CDDs and everything I think is exorbitant. In this case, if I was violating, being destructive, trying to pick up a fight with anyone or whatever, I can understand what you can call the police on someone, but they know me. I've been here, never had any issue with anyone. Anyone's in my neighborhood, in my HOA, but because someone got mad because I challenged their leadership skills and overall thinking and wanted to call the police on me and give me a trespassing order, I said, okay, let's do it let's make this bigger than what it is. I don't think this should be done. I bring it here to your guys' attention so you guys can have a reconsideration.

Mr. Soriano stated the two years is not our decision when it comes to a trespass. That's a county code. That's for anybody and everybody in the county, no matter where you live, whether it's in a CDD or anything like that. The biggest issue was, once all was said and done, being asked to leave, they have to leave the property even if you think it's a misunderstanding. I've gone through this with people before. Leave the property before you get trespassed and then contact me after that. Because it may be something that's a misunderstanding.

Mr. Eckert stated if you want to make a formal request to the District to take some sort of action, you can send that to Marilee, get her information, and then the Board can decide if they want to do something different than what they've done so far at the next meeting. That would be more appropriate than us trying to respond during audience comments on this type of thing.

Resident (Eric Rodriguez) stated the sign is completely necessary because me, I'm one of the persons that will call the attention of those things, but they can tell me I didn't know I haven't seen a sign over here that is not allowing us to do this. If there's a sign at least we can just tell

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them it's on the sign. At least we got some sort of a strength, some sort of a force to tell them that you can't do that there.

Mr. Eckert stated I would just encourage you to look on the website on the agenda package for our next meeting, which will be out in probably about three and a half weeks. The language will be in there. I should be able to get something to you by like mid next week. The language will be in there and you'll be able to take a look at it and then if you have suggestions, you can email Marilee or come to the Board meeting.

Resident (Eric Rodriguez) stated the other thing is I'm a bus driver. I take care of all three schools over here. I'm seeing some things and I know that sometimes the people that take care of the landscape, they don't care too much. It's about a lot of branches that I'm seeing on the side of the road of the parkway over here and the school on the outside of the neighborhoods. Yeah, they do blow the leaves and everything inside. But branches, they don't decompose like leaves, they need to be picked up. I would like you guys to look into that just to be sure that they are just picking up those big branches because they shouldn't be there.

#### **ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – April 14, 2025  
@ 2:00 p.m. at the Plantation Oaks  
Amenity Center**

Ms. Giles stated our next meeting is scheduled for April 14, 2025 here at the same location at 2:00 p.m.

#### **TWELFTH ORDER OF BUSINESS**

#### **Adjournment**

On MOTION by Ms. Mifsud seconded by Mr. Steiner with all in favor the meeting was adjourned.

Signed by:



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Secretary/Assistant Secretary

Signed by:



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Chairman/Vice Chairman