

**MINUTES OF MEETING
VILLAGES OF BLOOMINGDALE
DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Villages of Bloomingdale Community Development District was held on Tuesday, November 23, 2021 at 9:00 a.m. at the Villages of Bloomingdale Clubhouse, 6301 Valleydale Drive, Riverview, Florida, 33578.

Present and constituting a quorum were:

Jackie Darden	Chairperson
Curtis Brown	Vice Chairman
Dave Moore	Assistant Secretary
Derryll Fox	Assistant Secretary
Mulumbet (Fifi) Hussein	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Mike Eckert (<i>via phone</i>)	District Counsel
Clayton Smith	Field Manager
Jason Greenwood	GMS
Sara Bachelder	GMS
Brian Young	GMS
Resident	

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and called the roll. All Supervisors were present with the exception of Mr. Fox who was not present at roll call.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams stated I don't see any members of the public present.

THIRD ORDER OF BUSINESS

Approval of Minutes of October 26, 2021 Meeting

Ms. Adams stated included in your agenda packet is a draft of the minutes from last month. I'm ready for any corrections. Otherwise, we would be seeking a motion to approve them.

Mr. Fox joined the meeting.

On MOTION by Mr. Brown seconded by Ms. Hussein with all in favor the Minutes of the October 26, 2021 Meeting as presented were approved.

FOURTH ORDER OF BUSINESS

Business Items

A. Discussion of Meeting Date/Time

Ms. Adams stated as the Board Members likely recall, earlier you adopted a meeting schedule for the current fiscal year. You meet the fourth Tuesday of each month at 9:00 a.m. It turns out that there is a meeting conflict with District Counsel and we are asking if the Board Members could consider moving to the third Tuesday of the month at 9:00 a.m. That would allow for more frequent participation from Mr. Mike Eckert.

Ms. Darden MOVED to move the Board of Supervisor meetings to the third Tuesday of each month at 9:00 a.m. and Mr. Fox seconded the motion.

Ms. Adams asked is there any further discussion? Hearing none,

On VOICE VOTE with all in favor moving the Board of Supervisor meetings to the third Tuesday of each month at 9:00 a.m. was approved.

Ms. Adams stated your next meeting will be scheduled December 21st. We will send out a notice to Board Members and staff. We will also send something out that can be utilized in the community so residents are aware of the changes.

B. Ratification of Retention and Fee Agreement with Kutak Rock LLP

Ms. Adams stated this agreement was reviewed by the Chairman of the Board and executed. This is a companion motion to when the Board recently discussed switching District Counsel to Kutak Rock LLP from Hopping Green & Sams. Mike, did you have any comments on the agreement?

Mr. Eckert responded I would like to thank the Board for moving the meeting date. The agreement that is before you are the exact same rates that we all talked about and worked under for some time. The only difference would be that it's a different firm, but I would remain District Counsel and hopefully, would not have to have coverage every other month now that we resolved the meeting conflict. Thank you very much for your consideration. Tricia, after the Board approves it, if you can send me a copy of the agreement today, that would be great and I can send you an executed copy.

Ms. Adams stated I have a signed copy, so we are looking for a motion to ratify.

Mr. Brown MOVED to ratify the Retention and Fee Agreement with Kutak Rock, LLP. and Ms. Darden seconded the motion.

Ms. Adams asked is there any further discussion? Hearing none,

On VOICE VOTE with all in favor the Retention and Fee Agreement with Kutak Rock, LLP. was ratified.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Adams stated included in today's agenda packet are several memorandums prepared by District Counsel as a result of some legislative changes. Mike, are you ready to present these memorandums?

Mr. Eckert responded yes I am. We have three memorandums that are based on legislative changes at the last session.

i. Memo on Publication of Legal Notices

Mr. Eckert stated we have been trying to get the Legislature for many, many years to allow the District to run its notices on its website rather than paying for the newspaper. We have what I would call a baby step in that the Legislature that said, *“Yes, you can run notices on your website, but you also have to run a notice in the newspaper.”* So, I don’t think its advantageous for the District to take advantage of this, this year, but I assume that we will see changes in the next year or two. We will keep you posted on that.

ii. Memo on Prompt Payment Requirements

Mr. Eckert stated the second memo is on the prompt payment requirements. As a local government, you are required to pay your bills on time. If you don’t pay your bills on time, there is a penalty. The Legislature changed the per month penalty on construction contracts for late payments from 1% per month to 2% per month. So, that’s just something that we want to bring to your attention. We may have to amend our policies. We will bring those back to you at a later date, but it is important, if we have a dispute with a vendor that we document it in a timely way so we do not run up against paying 2% per month for a late payment when there is a legitimate dispute.

iii. Memo on Public Records Exemptions

Mr. Eckert stated the third memo is on the public records exemption. There are certain people in Florida whose personal information is exempt from the public records. Specifically, this pertains to judges, prosecuting attorneys, firemen and police officers. Their information can be withheld from the public records if someone makes a records request. However, it has always been difficult in the past to determine who actually is entitled to this exemption. So, this new law puts the burden on the person claiming the exemption, a police officer for example, that they have to notify the District Manager and provide them with an affidavit that they are exempt. Then the District Manager will have a registration of that so they don’t inadvertently provide information that is otherwise protected from this law. Those are the three items that I had to report on and I’m happy to answer any questions.

Ms. Adams stated thanks, Mike. Are there any questions for Mike? Hearing none,

B. Amenity Services Manager

i. Presentation of Amenity Manager's Report

Ms. Adams stated the Amenity Service Management Report was included in the agenda packet. The report looks great. Mr. Brian Young is here.

Mr. Young stated good morning. It was a fairly simple month. Weekly pool safety inspections will be completed as scheduled. We got the new treadmill in. I was able to confirm with Fitness Logic that it is commercial grade. We got one bathroom light repaired. The new computer that we ordered arrived. They installed it and its working great. We did obtain a quote from Fitness Logic for the gym equipment. After speaking with Dave, he wanted a few more pieces of equipment, so I'm going to get a new quote. The event was successful. The children loved it. We were able to accommodate a dry movie viewing and served popcorn. It started to rain a little, but the children loved the event. They had a great time. They loved the movie. I don't think I know one person that doesn't like the movie *Halloween*. It was one of my favorites growing up. That is about it for the amenity side. If you have any questions, please feel free to ask.

Mr. Moore asked do we have an ETA on when Fitness Logic is going to come out and look at the middle treadmill that doesn't work?

Mr. Young responded I did want to bring something up to the Board as well. We have had a huge problem this month with Fitness Logic being very unresponsive to us. She called yesterday about the treadmill and left a message. I called them multiple times about the quote for the equipment and it has been an absolute nightmare to get them to respond to us in a timely manner. So, I reached out to another vendor. They told me that since that treadmill is so old, there may not be parts. It probably needs to be replaced. I am going to wait for Fitness Logic to get back to me to see if maybe they have a different answer.

Ms. Adams asked Brian, don't we have a Preventative Maintenance Agreement with Fitness Logic that is currently in place?

Mr. Young responded yes.

Ms. Adams stated if we are going to be switching fitness service providers for maintenance and troubleshooting, we need to look at cancelling the current agreement.

Mr. Young stated yes. I reached out to the other company just to see how responsive they were and if they can help us in the first place. I sent them pictures of all of that equipment

and had communications with them this morning. They said that a lot of that equipment in there needs to be replaced.

Mr. Moore stated I won't argue with that.

Mr. Young stated they have no problem doing that. Like I said, they have been much more responsible than Fitness Logic. So, switching to a different company definitely may be something that we need to look at.

Mr. Greenwood stated I will work with Brian on that because if it wasn't at the last meeting, it was at the meeting prior. It was your yearly agreement with Fitness Logic. If they are going to continue this unresponsiveness, maybe we look at all of the avenues. I think by the next meeting, we will have better answers.

Mr. Young stated they are responsive at some point, just not right away.

Mr. Moore stated I know we've had Fitness Logic since forever and they have normally been responsive.

Mr. Brown stated its strange that they would just suddenly go silent.

Mr. Moore stated all of a sudden. I don't know if they are having employee issues.

Ms. Adams stated labor is a challenge.

Mr. Moore stated they are a long way from here. It probably takes them an hour or more to get here. That might be part of the problem, but that shouldn't be a problem we face. Again, the treadmills get the most use. We finally had two working for the first time in a long time and now we are back down to one. I do see a lot more newer people coming to the Gym. The Gym is more active. Most of the people come over to use that treadmill. So, when we are down to one, they turn around and leave because they are not going to sit there for 30 minutes while someone is on it, so, if we can get somebody out fairly quickly.

Mr. Young stated I happened to call them the other day to light a fire under them, but like I said, I sent emails and called. Every time I called, it goes to voicemail and they don't call me back.

Mr. Moore stated if they are not being responsive, what are we going to do? I know that we are getting quotes from them on this equipment. Is there somewhere else that you can get quotes from?

Mr. Young responded I can always contact the other vendor to see if they will provide us with a quote. I emailed them right before we started the meeting and they got back to me. I've had communication with them this morning. I will see if I can get something from them.

Mr. Moore stated we are only talking maybe \$200.

Mr. Young stated I can definitely work on getting that for you.

Ms. Adams asked is there anything else for amenity management?

Ms. Darden responded yes. I would like to establish an event budget going forward. The movie event was good. It had a pretty good turnout. It was a great idea and a great setup. We just need to budget so we can host properly. Is that right?

Ms. Adams responded yes. The Board met and reviewed the budget, eventually adopting it at the August meeting. It does not include any funding for activities specifically. Any activities that happened have been taken out of Contingency Funds.

Ms. Darden stated okay. So, when we are looking at another event, we just put it together. At the next event, I would like to see the plan.

Mr. Young stated If we decide to do another event, all details will be communicated before it is held. I will get that.

Ms. Darden stated okay. Thank you. That's it.

Mr. Young stated thank you.

ii. Presentation of Aquatic Services Report

Ms. Adams stated Clayton is here this morning to present the Aquatic Services Report. Good morning, Clayton.

Mr. Smith stated they haven't provided us with a report yet. They had a shift in personnel. We do have a tech that is treating our property. He was here last week treating some aquatic vegetation in different ponds. So, they are back to treating. We are going to keep monitoring them to make sure that they keep up with their contractual responsibilities, but right now, there are no real concerns. They have a tech on staff that is going to be treating our property going forward. I have a couple of other items. The tree trimming was complete. They look significantly better. They cleared the main boulevard. Two additional cameras were ordered, but they are going to take a lot longer to get to us than they usually do. The "No Parking" signs arrived, but we just haven't been out to put them up yet. He will be there on

Monday and will put them up when he does all of his tasks. He's been doing quite a bit, removing some graffiti from the sidewalks. He painted the doors, touched up the pool deck, painted and pressure washed. There are a lot of activities that he's been working on as far as the maintenance side goes. Some of the other things that we have going on, we are waiting on the landscape. We will be holding off until Spring. The trash removal did begin behind Amberdale. We did a couple of other sections and then the rain came back. So, it's been pretty wet to get back in those swampy areas to get the trash. We are going to let it dry out a little bit before we go back into there, but like I said, we are working on it when we have free time. I know that Fifi pointed out some areas that we want to address. We will get it all addressed. It's just harder to get to the trash because it is swampy and wet back there. Other than that, those are all of my updates for today.

Ms. Adams asked are there any questions for Clayton?

Mr. Fox responded yes. I know it's a county road, but some cement truck dumped cement up here about halfway to the theater on the right-hand side. There is a good old pile of cement right on the side of the road.

Ms. Adams asked is there anything else for Clayton? Hearing none,

iv. District Manager

Ms. Adams stated just a couple of notes. At last month's meeting, I heard information regarding a new requirement as a result of legislative changes from the last session, requiring local governments and Special Districts to have needs analysis reports prepared regarding your stormwater system. I reached out to the District Engineer. They planned to have that proposal ready for you, either December or January for the Board to consider. That will be the proposal for the preparation of that report, which is due by June. Also, the District Engineer is in receipt of communication from me regarding providing a proposal in order to prepare bid documents for the Fitness Center expansion. There were three different options that the Board discussed, in relation to exterior door access and expansion of the Fitness Center. They are working on getting a proposal in order to provide specifications. The specifications are required in order for a General Contractor to provide a bid of that type of remodel. So those are in process. I hope to have something before you soon. Also, we had Board Members that requested email addresses that you can manage your CDD email in one account. That would be an account that is posted

on the Villagesofbloomingdale.com website. So, if you have any issues with that, let me know. We have one IT issue that we are troubleshooting for at least one Board Member. So be sure to log in and let me know if you have any concerns or anything that needs to be adjusted.

1. Approval of Check Register

Ms. Adams stated included in your agenda packet under Tab C is the Check Register. The total items presented excluding CALM for your Operating Fund is \$12,153.40. We also have capital items of \$2,895. The detail for these items including a summary and invoices were included in the agenda packet. I'm happy to answer any questions. Otherwise, we would be seeking a motion to approve.

Mr. Brown MOVED to approve the October 1, 2021 to October 31, 2021 Operation and Maintenance Expenditures excluding CALM in the amount of \$12,153.40 and capital items of \$2,895 and Mr. Fox seconded the motion.

Ms. Adams asked is there any further discussion? Hearing none,

On VOICE VOTE with all in favor the October 1, 2021 to October 31, 2021 Operation and Maintenance Expenditures excluding CALM in the amount of \$12,153.40 and capital items of \$2,895 were approved.

Ms. Adams stated the next item are the CALM invoices totaling \$14,974.93. We need a motion to approve.

Mr. Fox MOVED to approve the October CALM expenditures in the amount of \$14,974.93 and Mr. Brown seconded the motion.

Ms. Adams asked is there any further discussion? Hearing none,

On VOICE VOTE with Ms. Darden, Ms. Hussein, Mr. Fox and Mr. Brown in favor and Mr. Moore abstaining, the October CALM expenditures in the amount of \$14,974.93 were approved. (Motion Passed 4-1)

Ms. Adams stated Mr. Moore has a Form 8B on file with the State of Florida.

2. Balance Sheet and Income Statement

Ms. Adams stated this is a sneak peak of your first month's unaudited financials for your new fiscal year. The fiscal year started on October 1st. These are unaudited financials through October 31, 2021. It does have a cash balance for your General Fund as well as your Capital Reserve Fund on Page 1. On Page 2, you start to get a picture of your adopted budget versus the spending for the first month. There still may be some payables that trickle in, but overall, your spending was under budget. So, you are doing a good job controlling expenses. Are there any questions?

SIXTH ORDER OF BUSINESS

Other Business

Ms. Adams asked is there any other business? Hearing none.

SEVENTH ORDER OF BUSINESS

Supervisors' Request

Ms. Adams asked are there any Supervisor requests? Hearing none, we need a motion to adjourn.

EIGHTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Darden seconded by Mr. Fox with all in favor the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman