

MINUTES OF MEETING
ABERDEEN
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Aberdeen Community Development District was held Tuesday, April 26, 2022 at 4:00 p.m. at the Aberdeen Amenity Center, 110 Flower of Scotland Avenue, St. Johns, Florida.

Present and constituting a quorum were:

Dennis M. Clarke	Chairman
Lauren Egleston	Vice Chairperson
Angela Andrews	Supervisor
Thomas Marmo	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Belynda Tharpe	General Manager
Jay Parker	Operations Manager

The following is a summary of the actions taken at the April 26, 2022 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 4:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comments

A resident stated I'm concerned about cars flying through the intersection by the park and I put up a sign and cars did slow down. Someone complained to the sheriff's office and they made me take the sign down. I am requesting speed bumps or signage to help with that situation.

Mr. Oliver stated these roads are owned by St. Johns County, not by the district so the district alone could not put speed bumps on the country roads. St. Johns County has a process to apply for speed bumps or speed tables and as I recall it is a lengthy process. You can also call St. Johns County Public Works and ask what the process is to request adding speed bumps. Typically,

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it requires a polling of the people who live in that specific area to determine the level of support before they go through any type of process.

A resident stated there is no grass in that park and the play area for the kids I feel it is not age appropriate for my children.

Ms. Egleston stated we are in the process of reviewing some of the green spaces. No decision has been made yet.

Supervisor Marmo joined the meeting during this item.

A resident stated I want to address what I consider an illegal fence put on a common area behind a home off of Fort Williams Drive. I was told Ernesto put up the fence, he no longer works for the CDD, it is also a wooden fence, which is not within the regulations. The homeowner is getting verbally aggressive. I want the fence to come down, it was put up illegally and shouldn't be there, it obstructs our ability to use that common area and I'm asking the CDD to pull it down.

Mr. Oliver stated if there is a fence encroaching onto district property, we have a process by which we send a letter to that person, stating the fence is encroaching onto CDD property, and ask them to provide any evidence to prove otherwise. If they cannot provide that evidence, the CDD will have them take it down within a reasonable time. Wes and I have worked on similar issues at Heritage Park. In this particular case, it doesn't make sense to me that Ernesto would have allowed installation of a fence on CDD property by a resident. Requests for any type of improvement on CDD property or easement must come before the board. If approved by the board, we would issue that approval in writing. We don't have all the facts yet, but I would want to get the facts before we speculate too much.

Mr. Parker stated what Ernesto did was put up two bollards in front of this walkway to stop the golf carts from going through. On the other side, he also put up something like a horse fence, to also stop the golf carts from going through. This gentleman built a wooden fence on top of two posts. When I talked to him he said he had permission from Ernesto. He did have correspondence, but it talked about putting the posts there not the fence itself. He put the fence there himself.

Mr. Oliver stated it is important for us to document the process and we would start with the letter I described. The adjacent property owner would have a chance to respond or provide evidence. We realize that evidence may not be there based on what you described.

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Ms. Tharpe stated the fence you spoke about was put up within the last 48 hours. He did not get approval of any kind for that, but there were emails he provided where there was communication with Angela and Ernesto about that one fence that was installed.

Mr. Haber stated this board has the authority to determine how CDD owned property is used. It sounds like the intent was to allow it to be used by walkers and bicycles, not motor vehicles and that is why he put up the bollards. I think we can leave this meeting with direction from the board to send a letter documenting it, but if the board 100% does not want the fence there if the resident doesn't provide a reason that we think merits further board decision, then the District take the requisite action to require the removal or otherwise remove the fence off the District's property.

Mr. Oliver stated this situation is different than some of the other encroachment issues we deal with because we likely will not need to get on private property to remove the unauthorized structure.

The board was in consensus with staff taking that action.

THIRD ORDER OF BUSINESS

Consideration of Landscape Maintenance Proposals

Mr. Oliver stated at your last meeting you directed staff to issue an RFP for landscape maintenance, the deadline for submission was April 21, 2022, last Thursday at 2:00 p.m. We received six proposals. We also received a proposal from a seventh bidder the next day, but that was almost 24 hours after the deadline. We did not open that proposal and told the vendor it was being rejected. You have in front of you the six proposals received from the different vendors and three pages of scoring documents. The first page is linked to the second page which is the evaluation criteria. As part of the RFP manual, you approved evaluation criteria the proposals can be ranked according to this criteria: personnel, experience, understanding scope of work, and price. On the last page you can see the pricing for the six proposers. The initial contract included in the RFP package has a three-year term, followed with two one-year renewal options.

Going back to the first page I have already filled out the column called price. The score is purely objective. The lowest price proposal gets 20 points, and all the other bidders get a proportion the 20 points based on their pricing compared to the low bid. The other scoring columns are left blank for the board's determination.

Your general manager and Operations Manager have scored the proposals based on the evaluation criteria and their review of the submitted proposals. As a board, you will be able to

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accept those rankings. However, if you decide as a board that you want to rank the proposals, you have the opportunity to do that.

Ms. Tharpe stated there are some errors in some of them, basically with copy and paste, not the attention to details. All the proposers were present for the Q&A; one company was here for three days measuring the entire property to be maintained.

The board and staff discussed specifics of the proposals, and all were in agreement with the general manager's recommendation of Tree Amigos no. 1, Brightview no. 2 and Cohen (check the spelling on this) Outdoor no. 3.

Mr. Haber stated the ultimate decision is a board decision, you have been provided packages, had an opportunity to review, ask any questions. You have every right to adopt this scoring if you are agreeable to it, to ask questions, make any changes if you want to all agree on a final scoring. Most importantly it is your job to be familiar with and understand what the proposals are, what the project is and that you agree that based on the evaluation of these proposals you are choosing the proposer that you feel is the most qualified to do the work, not necessarily the lowest price.

Mr. Clarke stated I am comfortable with management's recommendation. They did a thorough job of vetting these proposals and are in a great position to judge the proposals based on their merit and knowledge and experience with these companies. I am in favor of accepting their proposal and offering the contract to Tree Amigos

Mr. Haber stated because this is a publicly noticed bid we would send a notice to all the proposers that essentially says the board met on this date, reviewed and evaluated the packages, and decided to award the contract to Tree Amigos. There is a 72-hour protest period and assuming there is no protest within the 72-hour period, we can then begin the process of entering into the agreement with Tree Amigos.

On MOTION by Mr. Clarke seconded by Ms. Egleston with all in favor Tree Amigos was ranked no. 1 and staff was authorized to enter into a contract for landscape maintenance services with Tree Amigos to be effective June 1, 2022.

On MOTION by Ms. Egleston seconded by Ms. Andrews with all in favor staff was authorized to send a 30-day notice of termination to the current landscape maintenance contractor.

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FOURTH ORDER OF BUSINESS

Update Regarding Improvements to Common Area Greenspace and Other CDD Owned Facilities and Assets

This item taken later in the meeting.

FIFTH ORDER OF BUSINESS

Consideration of Policy Regarding Trimming or Removal of Encroaching Trees or Brush

Mr. Oliver stated you have a copy of the updated policy and the key thing we want people to do is notify staff if there is a tree on district property that is dead or dying that may endanger their house. We recommend notification be not just want a phone call, but followed-up with an email so we have documentation of the request and resulting actions.

On MOTION by Ms. Egleston seconded by Mr. Marmo with all in favor the policy regarding trimming or removal of encroaching trees or brush was adopted.

SIXTH ORDER OF BUSINESS

Board Guidance Regarding Preparation for Fiscal Year 2022/2023 Proposed Budget

Mr. Oliver stated we will bring a proposed budget to your May meeting. Over the next few months, we will refine that budget before a public hearing in August. After the public hearing, the board will adopt the FY23 budget and certify the assessment roll. It will be provided to the St. Johns County Tax Collector for inclusion on the tax bills that go out November 1st.

Last year you balanced your budget by carrying forward \$77,000 of surplus. As we go through the process you will have to decide what amount of money you may use for carry forward surplus this year, or if you are not going to use it at all. You did have an assessment increase in FY22 and there was a range of increases based on product types. We will also be dealing with inflation factors. I expect some of these costs to go up significantly. Over the next 30 days staff, will reach out to all the current vendors to find out what their proposed pricing will be for FY23.

Mr. Clarke stated I would like First Service to go through the budget line items and see if there are any that can be combined or eliminated.

Ms. Tharpe stated there are a few line items such as special events revenue and special events expense, there is basically one revenue line item. I don't know if you want to break that

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out so you can see how many access cards are being replaced because we spend money for access cards. Same thing with this room rental. Everything is all lumped in together in one line.

Mr. Oliver stated there are sub-accounts.

Mr. Clarke stated if you could provide a detailed report every month, pick items that are meaningful. We don't need to have janitorial and facility maintenance broken out.

Mr. Oliver stated I would also say it is better to put the highest likely costs in the proposed budget for board discussion and adjustments.

SEVENTH ORDER OF BUSINESS

Consideration of Proposals

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Ratification of Addendum with Elite Amenities for Lifeguards

Mr. Oliver stated as we were preparing for Spring break, Elite Amenities informed staff their liability insurance premium is going to be sky high, with an increase ranging from \$28,000 to \$35,000. It made more sense for the vendor to contract directly with the district rather than through the management company.

On MOTION by Ms. Egleston seconded by Mr. Marmo with all in favor the addendum to the agreement with Elite Amenities for lifeguard services was ratified.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. Manager

Mr. Oliver stated we did receive a letter from the Office of the State Attorney dated April 13, 2022 and essentially states, "Please see the enclosed three restitution checks in the amounts of \$102, \$500 and \$500. This represents payment in full for your loss for pretty damage caused by

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vandalism.” The property damage occurred several months ago. The perpetrator also provided an apology letter.

D. Operation Manager

1. Proposals for Basketball Court Fencing Project

Mr. Parker reviewed the three proposals received for the 10-foot fence around the basketball court.

On MOTION by Mr. Marmo seconded by Ms. Egleston with three in favor and Mr. Clarke opposed the proposal from Fencescape, Llc in an amount not to exceed \$15,000 for a 10-foot black chain link fence around the basketball court was approved.

2. Fountain Project

This item tabled.

3. Monument Project

This item tabled.

Prince Albert No Trespassing Signs

Mr. Parker stated at the end of Prince Albert there used to be a fence that we believe JEA tore out and now we have a couple kids flying through on their dirt bikes. We put in bollards with a cable running through them and I painted it fluorescent yellow so that people on bikes can see them and we put up no trespassing signs. They hit the signs with a baseball bat and tossed it into the woods.

Mr. Clarke stated before the meeting Wes and I talked about the plat and the property, it is CDD owned, some is conservation area, some was predesignated as common area, park area and there may be some that could be sold as lots.

Mr. Haber stated there are two narrow strips of land, one is identified as open and the other is encumbered by a JEA utility easement, which means we are probably limited on what can be done in the easement area, but the park area is on the other side. Importantly, JEA needs to be able to have access to it.

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Mr. Parker stated they should be able to get over the cables without any problem. I'm hoping they don't cut them. I hope they reach out to me so that I can unlock it for them. That cable stops anybody from flying in and out of there. The kids can get through with their bikes they just have to lift the cable and slide their bikes in. The dirt bike is going to have a problem getting through there now.

Mr. Marmo stated I have some sheriff's office no trespassing signs and they are subject to being arrested after they have been warned. I think the fence needs to be fixed or taken down because it looks badly damaged and pushed over. If we don't need the fence or need to maintain it or fix it, let's take it down.

Mr. Parker stated JEA said they did not take down the fence, they have nothing to do with the fence.

Ms. Egleston stated if we take it down we are going to have to install more of the barriers.

Mr. Parker stated the bollards go up and down I would just have to get more of the wire.

Mr. Clarke asked do we want to direct the attorney and engineer to see if it is viable to use that property back there?

Mr. Haber stated on either side of the corridor that is the JEA easement are tracts identified as park.

Mr. Clarke asked if we can find out what the footprint, acreage, is it viable to put a tennis court or pickleball court or some other facility back there for the community?

Ms. Tharpe stated that was one of the areas identified in the green space meeting.

Ms. Egleston stated the area by the white vinyl fence belongs to D.R. Horton maybe reach out to them and maybe they will give us the property.

Mr. Haber stated if they are not willing to give the property maybe they will be willing to grant an easement to the CDD to put up a fence.

Mr. Marmo stated we need to do what we can to minimize the juveniles and the dirt bikes and protect the CDD.

Pool Equipment

Mr. Parker stated the equipment is fixed, everything in the pool area has been replaced. The power of the new pumps made a little leak and he is going to fix that. It is going to cost a

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couple hundred because there is a valve he has to fix and once that is fixed with all new equipment we shouldn't have to worry about that for a couple years.

Next is to get the pool cleaned and they are going to start taking all the rust stains out of the pool.

Mr. Clarke asked what about the enclosure around the pool equipment?

Mr. Parker stated they want us to have an architect draw it up for them, then put it out for bid, same as the monument. If you are willing to pay \$1,500 to \$3,000 for an architect, I will be glad to hand draw one up but he was talking about putting in a new wall. If we can protect the equipment with an awning over the top that will save a lot of wear and tear.

Mr. Clarke stated reach out to the residents and see if there is an architect in the neighborhood willing to do that. We will compensate him for that.

Ms. Egleston stated I work for a designer and I can get her to draw us something, she won't do it for free but I just need the survey.

Mr. Clarke stated also ask for a schedule of materials.

Ms. Egleston stated I can approach her and put her in touch with Jay.

Additional issues

Mr. Parker stated we have two properties where they are driving over CDD land, one drove over the playground at 203 North Aberdeenshire to get a deck put in and the HOA said he didn't have permission to put in a deck, but he tore up our grass. The other one is 707 Grampion, they took down their fence, drove over our property, broke our pipe and tore up all our sod. I want to make you aware of. We are charging the pool company at 707 for everything. I haven't gotten in touch with anybody at 203 North Aberdeenshire, they tore up the grass and dumped all their materials on the playground side.

The county is tearing out the areas on Longleaf where there are easements because they have to clear out the grass they are trying to make the water flow to the other side.

E. Amenity Center Manager - Report

Ms. Tharpe reviewed the amenity center activities and maintenance items, which were outlined on the monthly memorandum, which was included as part of the agenda package.

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Common Area/Green Space Survey Monkey questions

Ms. Tharpe stated question No. 2 includes Prince Albert. The questions were grouped by greenspace, amenity center and common areas.

Ms. Andrews stated I don't know that residents who live next to an area want something and that is something we have to consider.

Ms. Tharpe stated this is for you to approve before we send this out to the residents.

Ms. Egleston stated there is nothing on here about just having turf and a green space. Also, we don't have a write-in spot.

Mr. Clarke stated we should have a space so the residents can identify the closest facility to their residence.

Ms. Tharpe stated I can update this with your comments and send it out.

Mr. Haber asked do you want to put in a sentence that says, this survey is being sent to get the community's input, however, the final decision for any improvements shall be subject to board approval. It is not a vote.

Ms. Andrews stated it is also subject to funding.

TENTH ORDER OF BUSINESS

Supervisors Requests and Public Comments

Ms. Andrews stated there is a lot of trash blowing out of the construction dumpster.

Mr. Parker stated I will reach out to them.

Mr. Clarke stated on the east side of the Eastwood sign the right light is out.

Mr. Parker stated there was a tree reported to Brian and it was not taken care of and the tree came down and destroyed the people's fence. It cost \$70 to get it fixed. There is another fence that was supposed to be taken care of and I have not heard anything from this family.

ELEVENTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the March 22, 2022 Meeting**
- B. Acceptance of the Minutes of the March 22, 2022 Audit Committee Meeting**
- C. Balance Sheet as of March 31, 2022 and Statement of Revenues and Expenses for the Period Ending March 31, 2022**
- D. Assessment Receipt Schedule**
- E. Approval of Check Register**

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On MOTION by Mr. Clarke seconded by Ms. Eggleston with all in favor the consent agenda items were approved.

TWELFTH ORDER OF BUSINESS

Next Scheduled Meeting – 05/24/22 @ 4:00 p.m. @ Aberdeen Amenity Center

Mr. Oliver stated the next scheduled meeting will be May 24, 2022 at 4:00 p.m. at the same location.

On MOTION by Mr. Marmo seconded by Mr. Clarke with all in favor the meeting adjourned at 6:03 p.m.

DocuSigned by:
Jim Oliver
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Secretary/Assistant Secretary

DocuSigned by:
Lauren Eggleston
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Chairman/Vice Chairman