

MINUTES OF MEETING
HERON ISLES COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Heron Isles Community Development District was held on Thursday, February 4, 2016 at 10:30 a.m. at the Compass Group Conference Room, 961687 Gateway Blvd., Suite 201M, Amelia Island, Florida.

Present and constituting a quorum were:

Greg Matovina	Chairman
Ricky Rowell	Vice-Chairman
Kathleen Blessing	Supervisor
Justin Blessing	Supervisor

Also present were:

Dave deNagy	District Manager
Jason Walters	District Council
Cheryl Graham	Leland Management
3 Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. deNagy called the meeting to order at 10:36 a.m.

SECOND ORDER OF BUSINESS

Audience Comments

There were no comments from the audience.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the November 5, 2015 Meeting

On MOTION by Mr. Matovina seconded by Mr. Rowell with all in favor the Minutes of the November 5, 2015 Meeting were approved.

FOURTH ORDER OF BUSINESS

Discussion Regarding Parking & Traffic Issues

Mr. deNagy stated there is a copy in your agenda package of the HOA parking rule in the covenants and restrictions. This item is discussion regarding parking and traffic issues.

Mr. Rowell stated I didn't send Cheryl anything because right after the meeting, they must of heard us because the issue I was talking about kind of went away, and I haven't seen any vehicles there. There are still issues with them parking close to that corner there, but I don't see how you are going to get away from that.

Mr. Walters stated there is currently a bill being proposed in Tallahassee that amends Chapter 190, which is a governing statute for CDDs. It makes clear in the statute that CDDs have the power to tow vehicles from their own property. That is important here because generally speaking at a lot of Districts, that means essentially your Amenity Center parking lot and common areas that you own, but in this District, the District owns the streets, we own the right-of-way. Certainly it is my opinion and my firm's opinion that once that statute is enacted, and it has now passed out of committee and is headed to a full vote and then for the governor's signature hopefully intact with that language, once that is enacted and effective, we will have the ability to tow cars from the streets. I know that is sometimes an issue as well. This is a starting point for discussion because there are a lot of ins and outs of that. You will have to have very clear and precise policies on that. It requires you to contract with certain towing companies so that, essentially, one of the board members doesn't go buy a tow truck and just start towing everybody out of the District. There are signage requirements to make sure it is clear where you can and can't park. At the end of the day, once that statute passes, I think we will have a lot more "teeth" to have enforcement on parking, for example, cars parked right across the street from each other that blocks other cars getting through. It will still require some cooperation with the HOA because I know an issue in every community is parking, for example, in your driveway, but it is blocking the sidewalk path, and you have people with strollers having to go out into the street to get around those cars, and the right of way is probably going to be right in the middle of that car, for example. The good news in terms of parking is coming up real soon, I think we are going to have a lot more authority and clear statutory right to enforce those things within the District, specifically Heron Isles because we do own the roadways.

Mr. Matovina stated but including the parkway because we don't own it?

Mr. Walters responded correct.

Mr. Matovina stated I don't think a whole lot of people park on the parkway.

Mr. Walters stated hopefully this will pass by the end of session. Usually there is an effective date attached to it. I believe the effective date is either October 1 or November 1. We will certainly know once it has passed. It is usually in the fall. Assuming it is in the fall, we can, over the next couple of meetings, kind of gear up toward that and create some policies, looking into where signage can be placed, etc. You are not required to do it, but it certainly gives us that power.

Mr. Matovina stated Cheryl, Don was going to get with you and ya'll were going to talk about allowing parking on this one side of this road, did you have a chance to do that?

Ms. Graham responded we haven't any discussions on it. Today I brought copies of the plats for Phase 1 and 2 for each of the board members to look at areas.

Mr. Matovina stated I know that Commodore is a long straight road that ends in a cul-de-sac. It has some curves to it but not really enough to make people slow down. It has the wider pavement to it, which all those things curb speeding. Put cars on both sides, and that road in particular, in my opinion, can be a real issue.

Ms. Graham stated construction adds to that too during the day although a lot of the home sites have not been built on.

Mr. Matovina stated when you go to the other street into the 40' lots, it is kind of the same thing. It have to make a turn at some point to get all the way around to the other entrance.

Ms. Graham stated I was talking to Ricky before the meeting, and there are a couple of officers that live there that are parking police vehicles on road, on the opposite side from where the home is, so it is right by that turn, so it is a little bit of an issue for the residents trying to work their way around it, but we will talk with them.

Mr. Blessing asked I think most of the issues are on Coral Reef, right? I don't have too much problem.

Ms. Blessing stated even though Commodore is a long road and a little wider, I go down it every night because I live down that way. Very rarely do you have two across from each other, but it occasionally does happen. The guy on the other side waits. I don't find it a problem. I do it every day. Coral Reef, I think Don was probably talking about this. He probably lives down that way, and it is narrow. I can see where it would be more of an issue. Two cars would clearly block the road.

Mr. Walters stated oftentimes, even if it is not a problem for us, sometimes what you will see is there are often county ordinances that will limit the certain width, you can't park directly across, and the reason is your car might impede fire trucks that need to get through in a emergency. They will plow them out of the way. Sometimes that is more of a county ordinance issue rather than CDD issue.

Ms. Blessing stated at one time there were some towing signs at the entrance from Heron Isles Parkway on Commodore Point, and somebody took them apart and disposed of them. Before this legislature passes, is it an issue if we replace these signs and put them back up?

Mr. Walters responded it is not, but again, if we are actually going to enforce that towing policy, we have to be pretty clear on that. Nothing will makes the neighbors less happy than towing their vehicle, and especially if there weren't aware they weren't allowed to park somewhere. To the extent that the board wants to down an enforcement path, and we can set this up and not start the enforcement as well, you have some leeway there, but I think you want to make it crystal clear what the policies are. You are going to get that information out in a mailer to all the residents. Probably start with more of a warning for the 1st offense. Have some sort of stepped-up enforcement. Just having one sign in front of the community I don't think is going to cut mustard when you start towing some of these cars, and they have to pay several hundred dollars to get it back.

Mr. Matovina asked Ms. Graham do you get many complaints?

Ms. Graham responded there are a couple of them, and they are more isolated because it is homeowners trying to annoy other homeowner, but they are parking on the street, so that is a problem there. It is blocking another owner's driveway for them to be able to get in and out of their driveway properly.

Mr. Matovina stated that is bad.

Ms. Graham stated that can be brought more into compliance too, because they are not using their driveway, they are deliberately doing it to their neighbor.

Mr. Matovina asked the audience members if they have any comments.

Ms. Debra Tardiff, 96358 Commodore Point, stated I worry about the kids. On those corners where they are parked on the street, people going through there, and kids can come out between those vehicles and not be seen.

Mr. Walters stated just to clarify, in talking about parking or speeding, those are going to be two very different issues. I know there was discussion last meeting in terms of speeding enforcement, which is a little bit more straightforward. We don't have that law enforcement power. We can't issue a traffic citation. We don't have law enforcement powers. We can request that the county step up enforcement, and sometimes they will and sometimes they won't. I think everyone is aware budgets are tight at counties and cities, and speeding just isn't a huge law enforcement priority. You can also contract with them for specified times. If it is that 5:00 rush, and everybody is going 80 down Commodore, we could set up a speed trap and contract with the local Sheriff's Department from 4:00 to 8:00 and issue tickets. Again, you are not going to make a lot of friends amongst your neighbors, but it is a safety issue sometimes. There was discussion regarding speed bumps at the last meeting, and I can tell you that even though we own the roads, that is traffic enforcement, so we would have to cooperate with the county to do that. It is not impossible, but I can tell it generally involves a traffic study. In St. John's County, we just went through this exercise, and they require a survey. Go out to all the residents saying we have counted the cars and have counted the speeds, and it has been requested to install speed bumps, are you in favor? They have to get a certain threshold to be in favor of that before they will do it. I don't know if Nassau has the same exact requirements, but I am guessing they are close. For the District in St. John's County, the board went through the exercise because we were getting "tons" of complaints and requests for speed bumps from people who came to the meeting. When the survey went out, it was like 80% opposed, and it got crushed. Nobody wants the speed bumps. "They tear up your car, I don't speed so why do I have to go over those, they are expensive, they are a nuisance." If it is the will of the board to move down that path, we can start it, but just know it is not as simple as saying okay, we are going to put up speed bumps here, here, and here and then it is done.

Mr. Matovina stated I don't know how to bring this to the next step. I am not sure we have a consensus that we want to do anything. I don't even hear anybody here saying they are worried about the parking.

Mr. Blessing stated I don't even think that speeding is that excessive really, I haven't noticed.

Mr. Rowell stated we just monitor it and keep moving forward. If it becomes an issue, we address it at that point.

Mr. Blessing asked how specific could we get with the parking rules on the streets; hypothetically if we said no parking on the streets and put the proper signage?

Mr. Walters stated I think hypothetically you could.

Mr. Blessing stated so we would have that level of control?

Mr. Walters responded I believe so.

Mr. Blessing stated what if we just said no parking on the corner because she lives on Commodore, and there is a specific truck that forces you into the left side of the road as you are coming around a corner.

Mr. Walters stated you don't want to target obviously one person. Within 100 feet of a stop sign or things like that or a 100' of a turn, and that would be community-wide.

Mr. Matovina stated we could have a sign at that 100' marker that says No Parking from here to the corner.

Ms. Blessing asked what if we did two-hour parking? We could never enforce it, but maybe it would make people think about parking in the street.

Mr. Matovina stated actually two-hour parking could be enforced because what happens is the towing company drives by, and they put a tag on the car and mark the tire, and they will come back in two hours, and if the car is there, it is gone.

Mr. Rowell stated I get aggravated with the parking sometimes, but I know from my real job that if we start towing vehicles, people are going to start getting P-off. I don't think we want to go down that path because, well I know Cheryl doesn't, because she will get a million phone calls because when we start costing people more money, they are going to get mad. I know that we have a certain liability to enforce the rules.

Mr. Matovina stated I am going to make a suggestion here because the corners bother me. If someone is parking their car right on the corner, that is not a good situation. I am going to make a suggestion that Cheryl look into, maybe it is 100', investing in signs to where nobody parks within 100' of those intersections. So at a corner, you have a T, it would be 100' around the corner.

Mr. Walters stated parking within a certain distance of a stop sign is illegal to begin with.

Mr. Matovina stated let's look into what we can do to keep those corners clear.

Ms. Graham responded okay.

FIFTH ORDER OF BUSINESS**Other Business**

There being none the next item followed.

SIXTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Mr. Walters stated I will circulate a copy of the legislation on the parking specific items. We also have a legislative update, which I will circulate by email. It gives a breakdown of all the statutes that we have been monitoring that we feel may affect District business. There is a specific 190 amendment that is going around, and that one gives a lot of issues. A lot of them are more related to early life of a District, establishment, mergers, things that you would be more affected by if we were in the first year of being a District. Some will not have an impact on us, but some of them will. There is a bill related to certain requirements for District websites, and I will highlight that when I circulate the report. Just a year ago, we were required to have a District website that met certain requirements. All the Districts got into compliance, and here we are a year later, and there is a new website bill requirement that is being proposed, and this one, quite candidly, is pretty draconian in their requirements. It would require all sorts of interactive graphs and maps and things like that related to the finances. When you look back on it, it would cost tens of thousands of dollars to find a company that has the capabilities to do this. Curiously, cities and counties are exempted from it, and even more curiously, from what we have seen, there is only one company that can do this. There has been a lot of opposition to this bill because it is going to be so costly, and at the end of the day it is almost a tax. If it gets passed, it will be included in budgets. It is not just CDDs, it is mosquito control districts, hospitals, it is a lot of entities. A formidable opposition is forming, and we hope that it will either result in the bill being killed or in the bill being watered down or that CDDs will be removed from the bill in terms of its enforcement. We will keep a close eye on that.

Mr. Matovina stated at the last meeting, we voted to get conveyances done for 2C-1 and 3A. Is that all finished?

Mr. Walters responded it is on the verge of being finished. I am trying to get in contact with our District Engineer, who we haven't been as involved with since the construction is done, just so he can sign off on it. As soon as we get that sign-off.

B. Engineer

There being none, the next item followed.

C. Manager

Mr. deNagy stated we were talking before the meeting about the General Elections coming up this year. Just to kind of prep for what will happen later on, at our next meeting I think we have a resolution where we send that Resolution to the county to have them conduct the general elections for the CDDs. That will be on the Nassau County general election ballot this November. There are three seats opening this November – Greg's, Ricky's, and Don Lyon's seats are all up this year. I just wanted to give you an update. The developer seat goes away at this point. The corresponding seat numbers are Greg is Seat 1, Ricky is Seat 5, and Don Lyons is Seat 3.

D. Property Manager

Ms. Graham stated in the agenda package, I provided an update on the landscaping. Martex is continuing to work on addressing the areas that had not been maintained well by Valley Crest. Right now we are in the off-peak timeframe, and until March 31, the mowing schedule is biweekly. They have trimmed the shrubbery along Heron Isles Parkway so things are looking much better. We have encountered some vandalism with a lot of the irrigation systems. Kids are taking the heads off of them. Right now the biggest area is on Heron Isles Parkway between Chester Road and Coral Reef. I have got another proposal to send in for getting those heads fixed. I have spoken with them about putting in pine straw or mulch to help improve the look and minimize weed growth in the landscape beds. The pine straw comes in at a better rate. To put in pine straw would be \$2,400. The sod, which we have been approved to add, will be in place late February or early March.

Mr. deNagy stated a point a reference is we did approve \$15,000 last year. It was not spent, but it was also not budgeted for in FY16, however, since we didn't spend the money, the cash can be placed there.

Ms. Graham stated I will send everything over to you. Regarding park equipment, the owners are still asking to have some benches or swings or other types of amenities that the kids could play with and for the board to consider a basketball court.

Mr. Blessing asked do we have any idea about the cost?

Ms. Graham responded I don't know what a basketball court would cost. Benches are generally around \$230 to \$280 per bench, but I can do some research on it. The prices vary. I can get some variation and have the board review it.

Mr. deNagy stated you can get some proposals for benches and bring that back.

Ms. Blessing stated I think it needs benches.

On MOTION by Mr. Rowell seconded by Ms. Blessing with all in favor to purchase and install park benches at select pocket parks NTE \$1,000 was approved.

Ms. Graham asked if the board would consider swings or some other type of amenity.

Mr. Rowell asked what is your suggestion?

Ms. Graham responded it depends. I think basketball courts are handy. Kids do use them, and you have a lot of age levels of kids in the community. Swings are something that is a combination. Some adults like to go sit and swing. We can get the regular type with the heavy chains and the slat seats and then have some for toddlers and little ones. I can get pricing together for the next meeting.

Mr. Walters stated when we look at playground equipment, we have to make sure we are ADA compliant, which can sometimes add costs in terms of access.

Mr. Matovina asked regarding the basketball court, do you have any trouble with keeping the nets and the hoops up?

Ms. Graham responded on occasion, but nets dry out in just the weather conditions anyway, and they are not real expensive to replace. They do give kids some place to go. There seems to be a lot of basketball players in the community because there are a number of basketball goals in driveways and along the streets.

Mr. Rowell stated I don't disagree that that is a great idea, and we need something for the kids to do, but my only concern is they have started playing soccer and everything on that field, and if we start taking away their playing field, then what are those kids going to do? I don't know if we can not take space out of the field but block a little space of that woods and put it right there without decreasing that field.

Mr. deNagy stated another consideration we have had at other Districts with basketball courts, something to think about that may not be an issue here, is it does draw people from

outside the community in to the use the basketball courts particularly if they are visible from the highway.

Mr. Matovina stated the last one I did, and I said I am never doing this again, we couldn't get the hoop on the backboard. They would break the metal hoop. We would get the super reinforced ones, and they would come in from outside our community and would jump up there and hang on the hoop until it bent down. It was every week. It was incredibly frustrating. I think you can spend \$20,000 building a basketball court. That is my experience with basketball courts.

Ms. Graham continued with her report. There are two foam/stucco tops on the brick columns have recently becoming missing. There is a homeowner that has been having a lot of parties, so I will get with them.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

There were no supervisor's requests.

There were no comments from the audience.

EIGHTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Register

Mr. deNagy stated included in your agenda package are the financials as of December 31, 2015. I need approval on the check register. The total of the check run is \$54,892.44.

On MOTION by Mr. Matovina seconded by Mr. Rowell with all in favor the Check Register was approved.

B. Balance Sheet & Income Statement

This item was not discussed.

C. Assessment Receipt Schedule

This item was not discussed.

NINTH ORDER OF BUSINESS

Next Scheduled Meeting is on Thursday, May 5, 2016 @ 10:30 a.m. at the at the Compass Group Conference Room, 961687 Gateway Blvd., Suite 201M, Amelia Island, Florida

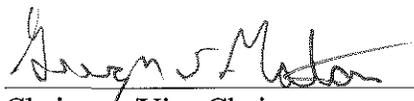
Mr. deNagy stated this will be our budget meeting for budget approval. The budget process is a two-step process where we approve the budget on May 5, and then 90 days later in August we get together and adopt the budget for the purpose of levying the assessments. Cheryl, we will get together to see what we need to budget for FY17. Board members, if you have any thoughts about the FY17 budget with things you would like to see in the budget but aren't there now, let me know so we can incorporate that in the budget for discussion on May 5.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Matovina seconded by Mr. Rowell with all in favor the Meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman