

**MINUTES OF MEETING
LANDMARK AT DORAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Landmark at Doral Community Development District held a Regular Meeting on March 11, 2021, at 10:00 a.m., at the offices of Lennar, 730 N.W. 107th Avenue, Suite 300, Miami, Florida 33172.

For Landmark at Doral CDD:

Todd Patterson	Assistant Secretary
Su Wun Bosco Leu	Assistant Secretary
Michelle A. Garcia	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC
Michael Pawelczyk	District Counsel
Juan Alvarez	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:03 a.m. Supervisors Patterson, Garcia and Bosco were present, in person. Supervisors Baluja and Orozco were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Update: Status of Continued DERM Monitoring

Mr. Alvarez gave the following update:

- SCS Engineers (SCS) declined the invitation to this meeting but provided a report to Mr. Alvarez. The Report was distributed to the Board and Staff.

Ms. Baluja joined the meeting and stated it was difficult to hear the proceedings due to the echo in the meeting room. Ms. Cerbone would call Ms. Baluja with an update after the meeting and forward an audio link to Ms. Baluja and Ms. Orozco.

- The one-page Report included a brief history of the lake. The Lake is artificial and was excavated, with the existing soil being used for filling purposes and then the muck in the bottom of the lake was disposed of, which was and still is standard practice in many development projects.
- The Department of Environmental Resources Management (DERM) issued a permit requiring monitoring to make sure that there are no metals in the lake that exceed certain County standards. In this particular case, the soil and ground water iron concentrations exceed certain Miami-Dade County standards.
- The study aimed to find the limits of the iron concentrations, which have yet to be found, so that DERM may impose future restrictions within the CDD, including in a few of the residential areas around the lake.
- DERM recommended future monitoring to make sure that iron concentrations are not expanding; additional wells and monitoring was anticipated.
- The matter remained ongoing.

Ms. Cerbone stated only approximately \$100,000 remained in the construction fund, as the expenses related to DERM monitoring and SCS removed the dollar amount cap. She inquired about the fund source if or when the construction funds are depleted and asked Mr. Alvarez to help incorporate the ongoing DERM monitoring in the proposed budget that would be presented in May.

Discussion ensued regarding DERM, a Declaration of Restrictive Covenant that could help lessen the impact of the continued monitoring expense, when and by which Developer the lake was constructed, drainage pipes, wells and the conditions of the permit. Asked why the District continues to pay for studies, if they are not helpful, Mr. Alvarez stated DERM wants to know the extent of what they consider deviations from the norm.

Mr. Bosco expressed frustration with the ongoing monitoring of the lake and wanted the DERM matter to be closed. Mr. Alvarez would provide Mr. Bosco with several Engineer's

Reports regarding the well and iron concentrations. Ms. Cerbone will collaborate to create a new line item in the budget for ongoing DERM monitoring.

FOURTH ORDER OF BUSINESS

Discussion: Additional Placement of Speed Limit Signs and Strategic Placement of Speed Bumps

Ms. Cerbone stated that Mr. Bosco inquired about traffic control. She asked Mr. Alvarez to explain the process and requirements to expand signage related to traffic control notices or devices within the community.

Mr. Alvarez reported the following:

- Speed limit signs on residential streets are optional and not required by Florida Statutes.
- The urban design of the CDD compels motorists to drive no faster than 30 miles per hour (mph).
- In his opinion, the community would start to look like a highway and lose its residential character if speed limit signs are installed and speed calming devices, such as speed bumps, could delay emergency vehicles by several minutes, which is critical in emergency situations.
- To install speed limit signs and traffic calming devices, the CDD must produce a traffic study showing that 85% of drivers are exceeding the speed limit and that there is a consensus among residents living within the community that they are in favor of installing these devices.

Discussion ensued regarding a neighboring community with speed bumps, the City of Doral, the HOA, enforcement, engaging off-duty police officers and road ownership. Mr. Pawelczyk stated, for budgetary purposes, it would cost the District \$10,000 to \$15,000 to conduct a traffic study and, in his experience, many traffic studies do not reach the necessary 85% of violators of the 30 mph speed limit necessary to facilitate approval of additional signage.

▪ **Acceptance of Unaudited Financial Statements as of January 31, 2021**

This item, previously the Sixth Order of Business, was presented out of order.

Ms. Cerbone presented the Unaudited Financial Statements as of January 31, 2021. She discussed the Balance Sheet and asked the following about “Area management services”:

Ms. Cerbone: Could you describe what occurs under the line item “Area management services”?

Mr. Alvarez: Yes, that is the lake and wetland contract.

Ms. Cerbone: And what do they physically do when they come out?

Mr. Alvarez: The Stormwater Management District and DERM permits mandate that no more than 85% of the plantings that are planted in the preservation areas survive and mandate that a percentage of plants are exotic, so the contractor goes there monthly to identify the exotic plants, pull them out, spray them and make sure that they comply with South Florida Water Management District (SFWMD) mandates.

Ms. Cerbone: Do they produce written inspection reports that they submit?

Mr. Alvarez: Every month they send a report, which goes to the District, together with the bill, which is then submitted to the Accounting Department.

Ms. Cerbone asked if any Board Members would like to receive copies of the invoices or inspection reports. Mr. Bosco voiced his dissatisfaction with the lake and wetland contractor and urged the Board to consider terminating the contract and engaging another provider. Ms. Cerbone stated the "Groundwater sampling" line item would be expanded in the new fiscal year or given a separate line item.

On MOTION by Mr. Patterson and seconded by Ms. Garcia, with all in favor, the Unaudited Financial Statements as of January 31, 2021, were accepted.

▪ **Approval of January 14, 2021 Regular Meeting Minutes**

This item, previously the Seventh Order of Business, was presented out of order.

Ms. Cerbone presented the January 14, 2021 Regular Meeting Minutes.

On MOTION by Mr. Patterson and seconded by Mr. Bosco, with all in favor, the January 14, 2021 Regular Meeting Minutes, as presented, were approved.

FIFTH ORDER OF BUSINESS

Discussion/Consideration: CDD and HOA Maintenance Services

Ms. Cerbone stated it was necessary to discuss a few of the District's service contracts, including the Maintenance Agreement with the HOA, Lake and Wetland Contract and the

Florida Power & Light (FPL) Trail/Bike Path Contract and how it might tie in with the District's Agreement with the HOA and/or Lake and Wetland Management.

A. Updated Exhibit A to First Amendment to HOA Maintenance and Parking Enforcement Agreement

Ms. Cerbone stated this was related to the Maintenance Agreement exhibits and could be skipped for now.

B. Consideration of Additional CDD and HOA Maintenance Services Responsibilities

Ms. Cerbone stated the non-EHOF/Lennar portion of the bike trail is not clearly defined in the Maintenance Agreement because the bike path is on CDD land and the final work was only recently completed; the Developer/contractor tries to maintain the area properly, especially if it is being used. This was brought up because, later in the agenda, the Board would consider conveyance of a permit and the improvement and there is no budget to maintain the Lennar portion of the bike trail.

Discussion ensued regarding the bike path conveyance, permit transference to the CDD, drainage and flooding concerns, the Maintenance Agreement with the HOA, the asphalt, increasing assessments to fund future road repairs, seal coating, etc.

Mr. Pawelczyk stated the CDD should budget for and control major projects, such as the roads, and allow the HOA to manage standard maintenance items. Mr. Bosco expressed dissatisfaction with how the HOA is maintaining the community. Ms. Cerbone suggested that the Board direct the District Engineer to perform an annual inspection and provide a recommendation of repairs and maintenance. She could send a letter asking the HOA to rectify and resolve reported issues within 30 days.

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2021

This item was presented following the Third Order of Business.

SEVENTH ORDER OF BUSINESS

Approval of January 14, 2021 Regular Meeting Minutes

This item was presented following the Third Order of Business.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.*

There being no report, the next item followed.

B. District Engineer: *Alvarez Engineers, Inc.*

I. Discussion/Consideration: Trash and Debris Clean-up of Conservation Area

Mr. Alvarez presented a \$1,400 Lake & Wetland Management proposal for a one-time debris cleanup and a Special Service Agreement for monthly debris removal for \$250 per month. Ms. Cerbone recapped that the Board would approve the proposal but would stipulate that the vendor provide before and after photographs of the conservation area to Management. Ms. Cerbone would send a letter and the photographs to Lennar advising that the CDD expended funds to clean up Lennar’s construction debris and Management would invoice Lennar for any additional debris after the clean-up. District Counsel would review the letter.

On MOTION by Mr. Patterson and seconded by Ms. Garcia, with all in favor, the Lake & Wetland Management proposal for a one-time clean up, in the amount of \$1,400, and \$250 per month for debris removal services, was approved.

II. Consideration of FPL Patrol Road and Bike Path Completion and Conveyance

a. Engineer Certification of Completion of Lennar Portion of FPL Patrol Road and Bike Path

Mr. Alvarez stated that Lennar completed the trail on CDD land and the SFWMD recognized that the work was completed and sent a letter indicating that it is time to convey the bike path to the maintenance entity. Ms. Cerbone stated that there is not a line item in the budget to maintain the bike path and the Board should consider modifying the Maintenance

Agreement because it might be in the CDD’s best interest to accept the conveyance with the following two contingencies:

1. That the HOA approves the change in the Maintenance Agreement.
2. That the bike path is properly maintained.

Discussion ensued regarding the conveyance, dirt on the bike path, maintenance scope, conservation area, asphalt, adopting a condition framework and the Developer. The Board’s consensus was to direct Mr. Alvarez to conduct a walk-through of the bike trail, with Mr. Bosco, go through a checklist of maintenance items, discuss discrepancies in the construction plans with Lennar and confer with FPL and the SFWMD.

On MOTION by Mr. Bosco and seconded by Ms. Garcia, with all in favor, authorizing District Staff to amend the second amendment to the Maintenance Agreement with the HOA to include bike path maintenance and current and future drainage maintenance, was approved.

b. SFWMD Acceptance of Engineer Certification of Completion of FPL Patrol Road and Application to Transfer to Permanent Operating Entity

No action was taken on this item.

c. Draft No-Lien Affidavit from Lennar for Conveyance of Bike Path

No action was taken on this item.

d. Draft Bill of Sale to Convey FPL Patrol Road and Bike Path from Lennar to the CDD

No action was taken on this item.

III. Consideration of Access to Conservation Area Authorization to SFWMD

Regarding the Doral Cay item, Mr. Alvarez stated the following:

- The District gave the adjacent property owner control to an outfall and they possess the permit, since it is on CDD land.
- It was recommended that the CDD portion of the permit application be executed to allow the SFWMD access to the property to visit the site.

Ms. Cerbone stated the CDD already received a capital contribution from the adjacent property owner to offset their percentage ownership of this area. The funds received would be placed in the construction fund. Since there are ongoing maintenance expenses and they would be charged an annual fee, the adjacent property owner asked for a one-time payment amount, instead of a monthly bill for their minimal usage of the stormwater pond. The estimated one-time figure would be \$36,000 to \$37,000.

On MOTION by Mr. Patterson and seconded by Mr. Bosco, with all in favor, authorizing Mr. Patterson to execute the Access to Conservation Area Authorization granting access to SFWMD, in relation to Doral Cay, was approved.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

I. Update: HOA Clubhouse Availability

Ms. Cerbone stated the Clubhouse was still not available for Board meetings. A copy of the correspondence was included in the agenda packet.

Discussion ensued regarding other potential meeting venues.

On MOTION by Mr. Bosco and seconded by Ms. Garcia, with all in favor, changing the meeting location, pending availability of the EHOFF residential area, was approved.

II. Update: EHOFF Congress Doral, LLC, Maintenance Agreement

Ms. Cerbone stated much progress was made working with the property owner in Ms. Garcia’s area and there was no need to consider the next item. The Agreement would be executed within the next few weeks.

Mr. Alvarez would send an Engineer’s Report to Mr. Bosco and Mr. Bosco would prepare an amended and restated agreement for the Lake and Wetland contract.

III. Discussion/Consideration: Special Assessment to EHOFF Congress Doral Retail, LLC and EHOFF Congress Doral, LLC, Regarding 10’ Buffer and Roadways/Sidewalks

This item was not necessary.

IV. NEXT MEETING DATE: April 8, 2021 at 10:00 A.M.

○ **QUORUM CHECK**

The next meeting will be held April 8, 2021 at 10:00 a.m., unless cancelled.

NINTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors' Requests

Discussion ensued regarding the meeting agenda.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Garcia and seconded by Mr. Patterson, with all in favor, the meeting adjourned at 12:35 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair
Asst Secretary