

**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 September 9, 2021, at 10:00 a.m., at The Landmark South Clubroom, 6055 NW 105th Court, Doral, Florida 33178. Members of the public were able to participate in the meeting via conference call at 1-888-354-0094, Passcode: 528 064 2804.

For Landmark at Doral CDD:

Carmen Orozco (via telephone)	Vice Chair
Todd Patterson	Assistant Secretary
Su Wun Bosco Leu	Assistant Secretary
Michelle A. Garcia	Assistant Secretary

Also present were:

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

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 10:05 a.m. Supervisors Patterson, Garcia and Bosco were present, in person. Supervisor Orozco was attending via telephone. Supervisor Baluja was not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Update: Status of Continued DERM Monitoring/DERM Response

A. Discussion: Miami-Dade County Department of Regulatory and Economic Resources Correspondence Regarding the Site Assessment Report Addendum (SARA) Dated April 19, 2021, Prepared by SCS Engineers

B. Discussion: 60-Day Extension Request for SARA Submittal

Mr. Rom stated SCS Engineers (SCS) was unable to attend today’s meeting. He discussed SCS’s recommendations to install shallow and intermediate wells at various points in the lake and presented the response letter from the Department of Environmental Resources Management (DERM) to the CDD, which included proceeding with SCS’s recommendations. He recalled SCS’s suggestion and Board discussion regarding contacting the property owner to the north, given that the CDD has reached its northern boundary.

Mr. Alvarez stated SCS requested and DERM granted a 60-day extension, which would end September 22, 2021; he anticipated an additional extension would be requested because DERM has accepted SCS’s recommendations. The water samples would require disposal, which would be discussed and considered next.

Discussion ensued regarding contacting the property owner to the north, which party would be responsible for funding and monitoring wells on the northern property and the need to install wells on the northern property. The Board directed Mr. Alvarez to work with SCS on requesting for an additional extension and contacting the property owner to the north.

FOURTH ORDER OF BUSINESS

Discussion/Consideration: Estimates for Drum Disposal

A. Clark Environmental, Inc., Quote Number 18785

B. JAM Environmental & Vacuum Services, LLC. P.O. Number 071221A

Mr. Rom presented the quotes obtained by SCS; a third was requested but SCS thought that company would be the highest bidder. Discussion ensued regarding the proposals. Mr. Rom would request a revised proposal in a not-to-exceed amount of \$4,730.28.

On MOTION by Mr. Bosco and seconded by Mr. Patterson, with all in favor, the JAM Environmental & Vacuum Services, LLC Proposal, in a not-to-exceed amount of \$4,730.28, was approved.

FIFTH ORDER OF BUSINESS

Discussion/Consideration: SCS Engineers Change Order to Consulting Services Agreement

Mr. Rom presented the SCS Engineers Change Order to Consulting Services Agreement.

Discussion ensued regarding Task 16 related to meeting attendance. The consensus was that the proposal would be revised to include the following:

“\$575 per meeting attended as requested by District Manager.”

On MOTION by Ms. Garcia and seconded by Mr. Bosco, with all in favor, the SCS Engineers Change Order to Consulting Services Agreement, amended as discussed, was approved.

SIXTH ORDER OF BUSINESS

Discussion/Consideration of Resolution 2021-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Rom presented Resolution 2021-05.

The following changes were made to the Fiscal Year 2022 Meeting Schedule:

DATE: Change dates to the third Wednesday of the month.

TIME: Change “10:00 AM” to “4:00 PM”

LOCATION: Change “TBD” to “The Landmark South Clubroom, 6055 NW 105th Court, Doral, Florida 33178”

On MOTION by Ms. Garcia and seconded by Mr. Patterson, with all in favor, Resolution 2021-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Presentation of Audited Basic Financial Statements for the Fiscal Year Ended September 30, 2020, Prepared by Keefe McCullough

Mr. Rom presented the Audited Financial Report for Fiscal Year Ended September 30, 2020, which was reviewed in detail at the last meeting. There were no findings, irregularities or instances of noncompliance; it was an unmodified opinion, otherwise known as a clean audit.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2021-06, Hereby Accepting the Audited Basic Financial Statements for the Fiscal Year Ended September 30, 2020

Mr. Rom presented Resolution 2021-06.

On MOTION by Ms. Garcia and seconded by Mr. Bosco, with all in favor, Resolution 2021-06, Hereby Accepting the Audited Basic Financial Statements for the Fiscal Year Ended September 30, 2020, was adopted.

NINTH ORDER OF BUSINESS

Ratification of Mitigation Maintenance Services Agreement (Allstate Resource Management, Inc.)

Mr. Rom presented the Allstate Resource Management, Inc. (Allstate) Mitigation Maintenance Services Agreement, previously executed by the Chair.

On MOTION by Mr. Patterson and seconded by Ms. Garcia, with all in favor, the Allstate Resource Management, Inc. Mitigation Maintenance Services Agreement, was ratified.

Mr. Pawelczyk pointed out that Section 2BIII, on Page 2, specifies that, upon arriving at the site and prior to performing services, the contractor must notify the District Manager’s designee, in person. Mr. Rom would follow up in this regard.

Discussion ensued regarding the scope of services and needed maintenance of the bike path.

TENTH ORDER OF BUSINESS

Consideration of Allstate Resource Management, Inc., Fee Increase

Mr. Rom stated that this item should be disregarded; an e-blast was sent relating to a fee increase but it does not apply to the CDD.

ELEVENTH ORDER OF BUSINESS

Ratification of Indemnification Agreement with EHO Congress Doral, LLC

Mr. Rom presented the Indemnification Agreement with EHO Congress Doral, LLC (EHO), previously executed by the Chair.

On MOTION by Mr. Bosco and seconded by Ms. Garcia, with all in favor, the Indemnification Agreement with EHO Congress Doral, LLC, was ratified.

TWELFTH ORDER OF BUSINESS

Ratification of Second Amendment to Maintenance and Parking Enforcement Agreement

Mr. Rom presented the Second Amendment to Maintenance and Parking Enforcement Agreement previously executed by the Chair. Discussion ensued regarding the HOA Manager's unwillingness to maintain the bike path and the need for a decision by the HOA Board. Mr. Pawelczyk stated the Agreement may be amended provided both parties agree.

On MOTION by Mr. Bosco and seconded by Mr. Patterson, with all in favor, Second Amendment to the Maintenance and Parking Enforcement Agreement, was ratified.

THIRTEENTH ORDER OF BUSINESS

Consideration of FPL Patrol Road and Bike Path Completion and Conveyance

- A. Engineer As-Built Certification and Request for Conversion to Operation Phase**
- B. SFWMD Acceptance of Engineer Certification of Construction Completion of FPL Patrol Road and Bike Path, and Application for Transfer to Perpetual Operation Entity**
- C. Draft No Lien Affidavit from Lennar for Conveyance of FPL Patrol Road and Bike Path**
- D. Draft Bill of Sale to Convey FPL Patrol Road and Bike Path from Lennar to the CDD**

Mr. Alvarez suggested delaying conveyance as the permit has been linked to the consent orders. Regarding the broken fence, Mr. Rom would follow up.

This item was deferred.

FOURTEENTH ORDER OF BUSINESS

Ratification of Raptor Vac Systems Proposal to Supply and Install Two Storm Sewer Covers

Mr. Rom presented the Raptor Vac Systems Proposal to Supply and Install Two Storm Sewer Covers. It was brought to the CDD's attention that two storm sewer covers were missing and, due to the safety concern, the repairs were authorized to be completed immediately.

On MOTION by Mr. Bosco and seconded by Ms. Garcia, with all in favor, the Raptor Vac Systems Proposal to Supply and Install Two Storm Sewer Covers, in the amount of \$410, was ratified.

FIFTEENTH ORDER OF BUSINESS

Notices of Violations from SFWMD

A. SFWMD 11428: Unauthorized Filling of Wetlands and Unauthorized Construction of Entrance Features Within a Conservation Easement

- I. South Florida Water Management Correspondence Dated July 14, 2021**
- II. Diagrams - 1' Strip of Land**

Mr. Alvarez stated his belief that Lennar inadvertently encroached on the conservation area when they built the entry features. The South Florida Water Management District (SFWMD) sent notices to Lennar, who is the permit holder. After several notices, penalties were imposed and a Consent Order, including the CDD, was issued. Because the encroachment must be made up, a legal description of land to be forfeited to the nature preserve was included.

Mr. Pawelczyk discussed the Consent Order and Violation Notices. He would request a Letter of Agreement from Lennar indemnifying the CDD and stating that Lennar would pay all fines and costs. He recommended approval of the Consent Order contingent upon receipt of the Letter of Agreement.

Discussion ensued regarding the parcel in question, which is approximately 1,000 square feet.

On MOTION by Mr. Bosco and seconded by Mr. Patterson, with all in favor, the SFWMD Consent Order, as outlined by District Counsel, contingent upon receipt of the Letter of Agreement from Lennar, was approved.

B. SFWMD 11429: Failing to Achieve 80% Cover of Native Vegetation in the Transitional Upland Buffer

I. Dixie Landscape, LLC Invoice: 261696

II. South Florida Water Management Correspondence Dated July 14, 2021

Mr. Alvarez stated, when the buffer was landscaped, too much native vegetation was removed, which resulted in the Consent Order and Violation Notices. The CDD replaced landscaping but fines had already been assessed. Discussion ensued regarding asking Lennar to accept responsibility for the fines. The boundaries of the upland buffer, communicating proper landscaping procedures, civil penalties and costs were also discussed.

Mr. Pawelczyk stated the CDD was never notified of a deficiency and Lennar, as the permit holder, can assume responsibility for the fine or dispute the fine. Mr. Alvarez stated he would notify Mr. Juan Santalla about the issue.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2021

Mr. Rom noted that the financials included in the agenda package were through June 30, 2021, not July 31, 2021. He presented the Unaudited Financial Statements as of June 30, 2021.

On MOTION by Ms. Garcia and seconded by Mr. Bosco, with all in favor, the Unaudited Financial Statements as of June 30, 2021, were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of Minutes

Mr. Rom presented the following:

A. March 11, 2021 Regular Meeting

B. May 13, 2021 Regular Meeting

On MOTION by Mr. Bosco and seconded by Ms. Garcia, with all in favor, the March 11, 2021 and May 13, 2021 Regular Meeting Minutes, as presented, were approved.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There was no report.

B. District Engineer

I. Presentation of RS Environmental Consulting, Inc. Fourth Annual Monitoring Report

Mr. Alvarez stated the permits call for annual monitoring reports; the CDD is currently in the fourth of five years. Aside from the aforementioned issue with trimming the landscape buffer, everything is in good order; a letter was received from the SFWMD stating that the report was accepted. Allstate is doing a nice job.

II. Allstate Resource Management, Inc., Mitigation Area Management Report

Mr. Alvarez presented the Mitigation Area Management Report, stating this report was generated by Allstate on every visit. A field meeting held with Allstate, RS Environmental and SFWMD one month ago went well.

III. Update: Crosswalk Signage

Mr. Rom recalled that pedestrian crosswalk signage is needed and the District Engineer was directed to work with the parties involved. Lincoln Property Management (LPM) agreed to pay for the plan, costs and the District Engineer’s oversight. Mr. Alvarez presented the signs and stated he requested several proposals but only one firm responded; the \$5,000 sign proposal and the Engineering estimate were accepted by LPM. Because the District Engineer’s contract is with the CDD, Mr. Alvarez would bill the CDD and the CDD would be reimbursed. Mr. Rom stated that an Agreement would be in place before work begins.

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

I. 869 Registered Voters in District as of April 15, 2021

There were 869 registered voters residing within the District as of April 15, 2021.

II. NEXT MEETING DATE: September 15, 2021 at 10:00 A.M. {Adoption of Fiscal Year 2022 Budget}

○ **QUORUM CHECK**

Supervisors Garcia, Orozco, Bosco and Patterson confirmed their attendance for the September 15, 2021 meeting.

NINETEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

TWENTIETH ORDER OF BUSINESS

Supervisors' Requests

Mr. Bosco asked if EHOFF could do additional landscaping to fill the curve if there are leftover funds. Mr. Rom stated a landscape plan was in development; any excess funds would accumulate as unassigned fund balance. The Board could ask Staff to solicit proposals and decide at that time. Mr. Patterson stated he would like to know what EHOFF agreed to do so that additional work can be done at that time to fill in the curve.

Mr. Bosco voiced his opinion that the weeds are out of control on the 102nd Street buffer and, if more plantings would be installed, he suggested doing so by the end of the year. Mr. Alvarez believed additional plantings would help; however, there is no irrigation in the area. Mr. Patterson felt that landscaping between the curve and 102nd would be beneficial.

Ms. Garcia noted the Monitoring Report stated that a tree interfering with Florida Power & Light (FPL) easement might need to be removed. Mr. Alvarez stated that FPL has a list of plants not permitted on its easements, including Gumbo Limbo trees; it was noted in the report because it is possible that FPL could require removal of the tree.

TWENTY-FIRST ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Bosco and seconded by Ms. Garcia, with all in favor, the meeting adjourned at 11:31 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



~~Chair/Vice Chair~~
Asst. Secretary