

**MINUTES OF MEETING
ASTURIA COMMUNITY DEVELOPMENT DISTRICT**

1 The regular meeting of the Board of Supervisors of the Asturia Community Development
2 District was held on Tuesday, October 25, 2022 at 6:00 p.m. in the Gathering Room, Asturia
3 Clubhouse, 14575 Promenade Parkway, Odessa, FL 33556.

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5 Present and constituting a quorum were:

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7	Jon Tietz	Chairman (via teleconference)
8	Glen Penning	Vice Chairman
9	Jacques Darius	Assistant Secretary
10	Susan Coppa	Assistant Secretary (via teleconference)
11	Marie Pearson	Assistant Secretary

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13 Also present were:

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15	Gene Roberts	District Manager
16	Lauren Gentry	District Counsel
17	Hunter Faulkner	Jimerson Birr (via teleconference)
18	Jimerson Birr	Jimerson Birr (via teleconference)
19	Audience Members	

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21 *The following is a summary of the discussions and actions taken.*

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23 **FIRST ORDER OF BUSINESS** **Call to Order**

24 Mr. Roberts called the meeting to order and a quorum was established.

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26 **SECOND ORDER OF BUSINESS** **Addition and Deletion**

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- 28 • Inframark’s response to the deficiency letter was added to the agenda.
 - 29 • Resolution for delegation of officers was added to the agenda.
 - 30 • Site Master’s proposal to repair asphalt along pedestrian bridge was added to the agenda.
 - 31 • Mr. Darius asked that discussion regarding fund obligation be moved to the beginning
 - 32 of the meeting.

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34 **THIRD ORDER OF BUSINESS** **Audience Comments on Agenda Items**

35 There being none, the next order of business followed.

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37 **FOURTH ORDER OF BUSINESS** **Consent Agenda**

38 **A. Approval of the August 23, 2022 Meeting Minutes**

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On MOTION by Mr. Penning, seconded by Ms. Pearson, with all in 41 favor, the August 23, 2022 Meeting Minutes was approved. 5-0

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B. Approval of September 30, 2022 Financial Report

On MOTION by Ms. Pearson, seconded by Mr. Darius, with all in favor, the September 30, 2022 Financial Report was approved. 5-0

C. Consideration of the Operations and Maintenance Expenditures for September 2022

On MOTION by Mr. Penning, seconded by Mr. Darius, with all in favor, the Operations and Maintenance Expenditures for September 2022 was approved. 5-0

FIFTH ORDER OF BUSINESS

Staff Reports

F. District Items

i. Discussion Regarding Fund Obligation

Mr. Darius questioned Ms. Gentry regarding fund obligation. Ms. Gentry explained that the Chair combined with the District Manager has a \$5,000 spending authority. Discussion ensued regarding the spending authority. The Board came to the consensus that all supervisors should have a vote on all expenditures.

A. District Engineer

There being none, the next order of business followed.

C. Land Use Counsel

Mr. Faulkner explained where the District stood with the conflict with Pasco County regarding the Lantower apartments and he also explained the process of resolving the situation. Mr. Faulkner stated he is trying to set up a conflict assessment meeting with Pasco County in early December.

He estimated it would take approximately 12-15 hours and requested the Board approves an additional \$10,000-\$15,000 in fees.

On MOTION by Mr. Darius, seconded by Mr. Penning, with all in favor, an additional \$10,000 was approved. 5-0

Mr. Birr spoke of the issues of construction defects in the streets. He explained possible statute of limitations and expectations of recovering monetary compensation. Mr. Birr estimated a cost of \$12,000 to \$15,000 for engineering experts to assess and report any construction deficiencies.

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Mr. Darius MOVED to table this discussion for 30 days, and Ms. Pearson seconded the motion.

On VOICE vote with Mr. Penning, Mr. Darius, Ms. Coppa, and Ms. Pearson voting aye, and Mr. Tietz voting nay, the prior motion was approved. 4-1

B. District Counsel

Ms. Gentry discussed Inframark response to the Districts Alleged Deficiency Letter. She explained the process of resolving the dispute giving examples of dispute resolution, mediation, and arbitration. Mr. Roberts explained the financial offer Mr. Tarase has offered to concede that would reduce the district’s annual compensation to Inframark by \$20,075.

On MOTION by Mr. Penning, seconded by Mr. Tietz, with all in favor, the rejection of Inframark Response Letter to the Districts Alleged Deficiency Letter was approved. 5-0

i. Consideration of Proposals for District Management Services

The Board discussed the pros and cons of each management firm that had submitted a service proposal and came to a consensus.

Ms. Pearson MOVED to accept DPFG’s for District Management Services, and Mr. Darius seconded the motion.

On VOICE vote with Mr. Penning, Mr. Darius, Ms. Coppa, and Ms. Pearson voting aye, and Mr. Tietz voting nay, the prior motion was approved. 4-1

Consideration of Resolution 2023-01; Delegation of Officers
Discussion on adding DPFG staff members as Assistant Secretary and Treasurer.

On MOTION by Mr. Penning, seconded by Mr. Darius, with all in favor, Resolution 2023-01; Delegation of Officers was adopted. 5-0

Discussion ensued regarding the Halff Engineering outstanding invoices.

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On MOTION by Mr. Tietz, seconded by Ms. Pearson, with all in favor, the authorizing of DPF to work with District Counsel for up to three hours to analyze the Halff invoices was approved. 5-0

D. Field Inspection Reports

i. Blue Water Aquatic Report: September 2022

No comments on the report.

ii. RedTree Landscape Report: September 2022

a. Grounds Maintenance Weekly Mowing 09.24.2022

No comments on the report.

E. District Manager

i. Inframark Field Inspection Report: October 17, 2022

No comments on the report.

iii. Ratification of Amendment to District Management Agreement-Noncompete

On MOTION by Mr. Penning, seconded by Mr. Tietz, with all in favor, the Amendment to District Management Agreement-Noncompete was ratified. 5-0

iii. Professional Employer Organization Proposals

a. ADP

b. Decision HR

c. Engage PEO

The Board reviewed proposals from ADP, Decision HR and Engage PEO

On MOTION by Mr. Tietz, seconded by Mr. Penning, with all in favor, Engage PEO Professional Employer Organization Proposals was approved. 5-0

Ms. Gentry recommended she and Mr. Penning review the Engage contract.

On MOTION by Mr. Tietz, seconded by Ms. Pearson, with all in favor, Ms. Gentry is to work with Mr. Penning to review the Engage PEO contract was approved. 5-0

Discussion ensued regarding Site Masters Proposal for Asphalt Remediation next to Pedestrian Bridge for \$2,400. Mr. Penning suggested that since the recent drainage repair by Site Masters came in half of the proposed cost some of the savings should be used to repair along the pedestrian bridge.

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On MOTION by Ms. Pearson, seconded by Mr. Darius, with all in favor, the Site Masters Proposal for Asphalt Remediation next to Pedestrian Bridge for \$2,400 was approved. 5-0

Complete IT Proposal

A representative from Complete IT presented the proposal to upgrade the WIFI at the clubhouse. The Board requested that staff attempt to obtain two additional proposals. The Board requested Mr. Tietz review and approve the WIFI upgrade proposal with a not to exceed amount of \$3,814.65.

On MOTION by Mr. Penning, seconded by Mr. Darius, with all in favor, authorization of Mr. Tietz to review and approve the WIFI upgrade proposal with a not to exceed amount of \$3,814.65 was approved. 5-0

SIXTH ORDER OF BUSINESS

Supervisors' Requests

There being none, the next order of business followed.

SEVENTH ORDER OF BUSINESS

Audience Comments

Resident complained of aquatic plants growing in the pond behind his house.

EIGHTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Tietz, seconded by Mr. Penning, with all in favor, the meeting was adjourned. 5-0


Chairman