

**MINUTES OF MEETING
ARLINGTON RIDGE COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Arlington Ridge Community Development District was held Thursday, November 17, 2022, at 2:00 p.m. at Fairfax Hall, 4475 Arlington Ridge Boulevard, Leesburg, Florida 34748.

Present and constituting a quorum were the following:

Bill Middlemiss	Chairman
Claire Murphy	Vice Chairman
Stephen Braun	Assistant Secretary
Robert Hoover	Assistant Secretary
James Piersall	Assistant Secretary

Also present, either in person or via Zoom Video Communications, were the following:

Angel Montagna	Manager: Inframark, Management Services
Sean Israel	Manager: Inframark, Management Services
Jennifer Kilinski	Attorney: KE Law
Meredith Hammock	Attorney: KE Law
David Hamstra	Engineer: Pegasus Engineering
Frank Bruno	General Manager: Golf, Food & Beverage
Brenda Burgess	Inframark, Management Services
Jackeline Garcia	Inframark, Management Services
Brett Perez	Inframark, Management Services
Robert Sardinias	Inframark, Management Services
Donise Streit	Community Association Manager
Residents and Members of the Public	

This is not a certified or verbatim transcript but rather represents the context and summary of the meeting. The full meeting is available in audio format upon request. Contact the District Office for any related costs for an audio copy.

FIRST ORDER OF BUSINESS **Call to Order and Roll Call**

Mr. Middlemiss called the meeting to order at 2:00 p.m.

Ms. Montagna called the roll and indicated a quorum was present for the meeting.

SECOND ORDER OF BUSINESS **Pledge of Allegiance**

Mr. Middlemiss led the *Pledge of Allegiance*.

THIRD ORDER OF BUSINESS **Audience Comments**

A Resident discussed amenities, conditions, contracts, general manager and goals, Indigo annual plan, and requested to review the plan and contract.

FOURTH ORDER OF BUSINESS

**Hearing to Consider Reinstatement of
Amenity Privileges**

Ms. Kilinski reviewed the history of the suspension related to activities that occurred on District property, procedure for the hearing, reasons for the suspension, history of letters and documentation regarding the suspension and previous hearing dates, review of disciplinary rules, process for disciplinary actions and suspensions, due process rights and appeal period, details of actions leading to correspondence and disciplinary actions, and further actions. Staff has discussed its recommendation based on policies and procedures and historical suspensions. Recommendation to carry out suspension until April 27, 2023.

Mr. Shumaker provided documents which Ms. Kilinski distributed to the Board, commented that his client Mr. Michael Citro has not been provided due process, and requested the suspension be dismissed.

Mr. Braun asked regarding process to dismiss.

<p>Mr. Braun made a MOTION to dismiss the suspension, with a mutual release signed by both parties. There being no second, the motion dies.</p>

Mr. Shumaker discussed documents distributed obtained through a records request, and challenged details from the District related to the suspension.

Mr. Citro discussed the letter sent April 2022 and refuted all allegations, situation has caused him undue stress and health issues, has impeded his right to free speech and other rights, clarified he was not angry at meetings but spoke directly and passionately, did not speak harshly or in a threatening manner, history of timeframe for suspension, indicated no information or specifics were provided regarding the violation until a letter dated May 2, 2022, after the initial hearing was scheduled, requested justification for the suspension, refuted circumstances related to one incident as the other individual being the aggressive one in the encounter, charged the Board with not following due diligence, detailed conversations at previous Board meetings, other encounters and accusations made against him that are untrue, discussion and review of evidence provided, documents requested and not received, request of previous staff member who was rude and not helpful, feels rules and policies are unreasonable, feels suspension goes against his rights, Mr. Braun's request that the record reflect suspensee was pounding the table with his fist, request to attend District Board meetings in person and was told to attend via Zoom, accusation that

Sunshine Law was not followed, a Facebook page, and character references and comments.

Mr. Braun asked questions related to Mr. Citro's testimony regarding comments made about a Facebook page and confirmed the District does not maintain a Facebook page, his request for the name of the HOA employee's supervisor, length of time being a resident of the District, prior interactions with the HOA, confirmation he was asked to leave the property and did not, and derogatory post made on his personal Facebook page.

Mr. Charles Crum read a comment into the record in support of Mr. Citro's character.

Mr. Braun asked Mr. Citro to confirm his action at the previous meeting by distributing paper while Mr. Braun was making a motion, which Mr. Citro indicated was his previous audience comment in writing.

Mr. Piersall asked for details regarding the derogatory Facebook post, to which Mr. Citro replied he did not know the date or reason for the post.

Mr. Hoover asked why Mr. Citro requested a resident's address and asked if it might be considered menacing, to which Mr. Citro did not think so.

Ms. Murphy asked if either character reference for Mr. Citro were in the HOA office on the date of offense, which they were not witnesses of the events.

Ms. Kilinski clarified the date for Exhibit 8 as August 31, 2022; asked if Mr. Citro requested to attend meetings April through August, which he did not; asked if Mr. Citro attended the September or October meetings which he said did not but later clarified he attended the September meeting for the sales center discussion; Ms. Kilinski confirmed he was in attendance in September and October and cited to sit down; addressed Mr. Citro's claim of not knowing the basis for his suspension which was included in the April 8, 2022, letter, exhibit 1; general comment that Mr. Citro's attorney may not understand the process in asserting Mr. Citro has been denied due process, and for the record, the rules contain a due process provision, which is the purpose of today's hearing; Ms. Kilinski reviewed the timeline for the hearing and procedures followed; administrative rules of procedures and recreation center rules adopted by the District; and options for the Board to consider.

<p>Mr. Middlemiss made a MOTION to maintain the one-year suspension for Mr. Michael Citro. Mr. Hoover seconded the motion.</p>
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Mr. Braun expressed concern regarding the legal cost to the District and desire for resolution of this matter.

Mr. Piersall commented on Mr. Citro's behavior, and is willing to reinstate amenities on a probationary basis.

Mr. Hoover hoped the disciplinary suspension would result in changed behavior, but that was not the case in the two meetings where Mr. Citro was present, he was disruptive as Mr. Braun previously stated, and Mr. Citro has not displayed evidence of changed behavior to cause Mr. Hoover to change his mind.

Ms. Murphy echoed previous Board member comments, Mr. Citro's behavior was inappropriate and not civil, and reiterated events that happened in the HOA office that day and his unacceptable behavior.

Mr. Middlemiss commented on unacceptable behavior toward staff and vendors will not be tolerated, conduct during the testimony given tonight does not warrant time served, and the Board needs to support staff.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to maintain the one-year suspension for Mr. Michael Citro.
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The meeting recessed at 3:20 p.m.

The meeting resumed at 3:30 p.m.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being nothing to report, the next item followed.

B. Engineer

Mr. Hamstra reviewed engineering items, including a sinkhole issue, and will solicit proposals to be considered in January.

Discussion ensued regarding non-emergency and non-compliance issues.

C. District Manager

i. Action Item List

Discussion ensued regarding the action item list.

ii. Holiday Lighting Recommendations

Discussion ensued regarding request for four or five 25-foot extension cords and three timers, warranty, request for volunteers, decorating committee, restaurant decorations, and an artificial tree to reuse.

Mr. Hoover made a MOTION for Ms. Joann Lasko's holiday decorating request, not to exceed \$2,000.
Ms. Murphy seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) for Ms. Joann Lasko's holiday decorating request, not to exceed \$2,000.

Discussion ensued regarding proposals in the agenda package plus one distributed today for center magnolias at \$4,999, storage is away from rats, decrease in costs from previous years, insurance for installation company, District is a named additional insured, who decorations are for, and suggested scaling back and areas for decorating.

Mr. Hoover made a MOTION to approve proposal #142 from TPG Lighting for lower lighting, in the amount of \$3,227.60.
Mr. Braun seconded the motion.

Discussion ensued regarding timeframe to complete decorating.

Upon VOICE VOTE, with all in favor, approval was given (by a margin of 5-0) to proposal #142 from TPG Lighting for lower lighting, in the amount of \$3,227.60.

iii. Discussion of Billboard
a. Proposal for Removal

Discussion ensued regarding conversations with the City who wants it removed, any variance would not be approved, City will do it for \$4,500, details of removal process, appreciation for the City's accommodation using their contractors and lowering the price, and the City proposal will not remove the lighting.

Mr. Hoover made a MOTION to authorize the City of Leesburg to remove the billboard in an amount not to exceed \$5,000.
Mr. Piersall seconded the motion.

Upon VOICE VOTE, with all in favor, approval was given (by a margin of 5-0) to authorize the City of Leesburg to remove the billboard in an amount not to exceed \$5,000.

iv. Discussion of Events, Clubs, Committees, and Indigo

Ms. Montagna reviewed questions the Board had regarding the Indigo contract which was not negotiated with the Board, Inframark, or counsel; renewal is in 2024; and comments will be compiled to be discussed prior to renewal.

- a. Room Reservation Request**
- b. Fairfax Hall Rental Form, Non-Resident**
- c. Fairfax Hall Rental Form, Resident**

Ms. Montagna requested clarification related to reservations, how to handle double bookings, and requested comments and changes.

Discussion ensued regarding committees are established by the Board, groups can be established and events scheduled without coming to the Board, club application forms were to be completed to reserve space that is considered by the Board, desire to streamline the process by discontinuing the previous club application process, revised room reservation request, club forms not designed for one-time use which is accomplished with the new form, prior conflicts of use of space with multiple groups for the same activity, suggestions for resolving room conflicts, Board meetings taking precedence over other activities, number of short-term events, advanced scheduling for regular events, 30-day advanced notice to bump an activity, golf club will not book events without prior approval, approval process for club activities, desire to keep the process simple and not cumbersome for staff and residents, communications with some clubs, distinction between clubs and groups, request of staff to review the forms and getting clarification how the Board wants to operate, and desire for the office to streamline their process.

Mr. Middlemiss made a MOTION for management and legal counsel to review reservation forms. Ms. Murphy seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) for management and legal counsel to review reservation forms and bring recommendations to the Board.
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- d. Proposed Changes to Amenity Policy**
- e. Recreational Facilities Use Policies**

Discussion ensued regarding adopted rules, recommendation to keep the rules as is, and suggested the fee schedule be removed since it is part of the budget process.

Mr. Middlemiss made a MOTION for management and legal counsel to review the amenity policy and recreational facilities use policies and bring recommendations to the Board.

Mr. Hoover seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) for management and legal counsel to review the amenity policy and recreational facilities use policies and bring recommendations to the Board.

- f. Billy Casper Golf Agreement**
- g. Billy Casper, Amendment 1**
- h. Billy Casper, Amendment 2**

These items were included for informational use.

v. Report from Sales Center Committee

Mr. Braun thanked the committee members and introduced the members.

Discussion ensued regarding purpose and goals of the committee; process for committee recommendations; and suggested names narrowed down to Magnolia Center, First Landing Center, and Blue Ridge Activity Center. Suggested uses include #1 large multi-purpose/exercise/meeting room, #2 large game room, #3 small meeting room for groups with fewer than 20 people, #4 front entryway, #5 maintain kitchenette, and #6 seating in the patio with entrance into game room.

Mr. Middlemiss made a MOTION to accept the report and recommendations of the sales center committee, to be discussed further at a future date.

Mr. Hoover seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to accept the report and recommendations of the sales center committee, to be discussed further at a future date.

vi. Surplus Items from Sales Center

Discussion ensued regarding surplus items, suggestion to defer this item until all surplus items have been determined.

vii. Audit Engagement Letter from Berger, Toombs, Elam, Gaines & Frank to Perform Fiscal Year 2022 Audit

Mr. Piersall made a MOTION to accept the audit engagement letter from Berger, Toombs, Elam, Gaines & Frank to perform the fiscal year 2022 audit, in the amount of \$3,715, in substantial form.
Ms. Murphy seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to accept the audit engagement letter from Berger, Toombs, Elam, Gaines & Frank to perform the fiscal year 2022 audit, in the amount of \$3,715, in substantial form.

D. Field Manager

i. Monthly report

The monthly and field inspection reports are included in the agenda package and are available for review in the local records office and the District Office during normal business hours.

ii. Landscape Proposals

a. Floralawn Tree Injection Proposal

Discussion ensued regarding pine bores affecting pine trees, 19 to 21 dead pine trees, purpose of injection so stressed trees do not fail, multiple injections needed, injections done every two years, successful experience in other communities, possible variance from the City to replace dead trees with another species, and no guarantee the injections will work.

This proposal was not considered.

b. Floralawn #3953 Tree Trimming over Trailer

Mr. Perez reviewed proposal #3953 for tree trimming that needs to occur before it damages the trailers.

Discussion ensued regarding the process for removing the trailers.

This proposal will be tabled.

c. Floralawn #3954 Damaged Pine Tree Removal

d. BrightView #468130 Remove Southern Pine Trees

Mr. Perez reviewed proposal #3954 from Floralawn and #468130 from BrightView for pine tree removal.

Mr. Middlemiss made a MOTION to approve proposal #468130 from BrightView to remove southern pine trees, in the amount of \$9,500.
Ms. Murphy seconded the motion.

Mr. Braun reiterated comments from the previous meeting regarding all the extras Floralawn provides.

Upon VOICE VOTE, with all in favor except Mr. Braun, approval was given (by a margin of 4-1) to proposal #468130 from BrightView to remove southern pine trees, in the amount of \$9,500.

e. Floralawn #3979 Tree Removal

Mr. Perez reviewed proposal #3979 for an oak tree that needs to be removed.

Mr. Hoover made a MOTION to approve proposal #3979 from Floralawn for an oak tree removal, in the amount of \$395.
Ms. Murphy seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to proposal #3979 from Floralawn for an oak tree removal, in the amount of \$395.

f. Floralawn #4239 Freeze Cloth

Mr. Perez reviewed proposal #4239 for freeze cloth for the winter months.

Mr. Hoover made a MOTION to approve proposal #4239 from Floralawn for purchase of freeze cloth, in the amount of \$1,350.
Ms. Murphy seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to proposal #4239 from Floralawn for purchase of freeze cloth, in the amount of \$1,350.

iii. Pool Proposals

- a. Classic-Marcite Inc., Pool Resurfacing**
- b. Big Z Pool Service #3299, Lap Pool Resurfacing**
- c. Big Z Pool Service #3300, Spa Resurfacing**
- d. Big Z Pool Service #3298, Zero-Entry Beach Pool Resurfacing**
- e. Big Z Pool Service #3313, Zero-Entry Beach Pool Pump**

- f. Big Z Pool Service #3314, Lap Pool Pump**
- g. Big Z Pool Service, #3315, Lap Pool Filter Grids Proposal**
- h. Big Z Pool Service, #3316, Beach Pool Filter Grids**

Mr. Perez reviewed the proposals for pool resurfacing. Vendors were requested to submit their best proposal with no scope of services provided. Big Z provided additional proposals for pool pumps as proactive measures. The metal housing for the pumps is beginning to rust and may cause staining on the resurface. The pump replacements can be delayed for a year. The proposals for filter replacement can likewise be delayed. Proposals came in with a significant price difference. Vendors have not been as responsive, location being part of the reason. Staff will resolicit prices, including vendors the City of Leesburg used. Big Z proposals could be further defined.

Discussion ensued regarding pool the City recently had resurfaced, key is the material used to resurface the pools, marcite is most common but least durable, suggestion for vendors to attend the next meeting to explain their proposals, issues with current pool setup and heaters that should be addressed, suggestion to invest \$100,000 or more and delay resurfacing for a year, marcite will not hold up, perhaps \$100 additional assessment next year with advanced notice to residents, construction threshold currently \$435,000 and possibly \$500,000 in January, and request from pool maintenance vendor for additional suggestions.

E. General Manager: Golf, and Food & Beverage

i. Monthly report

The monthly report was included in the agenda package and is available for review in the local records office and the District Office during normal business hours.

Discussion ensued regarding current projects, recent member meeting, and driving range irrigation.

ii. Restaurant/Bar Furniture Proposals

Discussion ensued regarding proposals for chair replacement, need for durability, changing to chairs without arms for the sides, barstools are in the best shape but would have a different look if all the other chairs were replaced, desire for all arm chairs, possible replacement of only 80 chairs for \$17,000 to \$24,000, purchase tables that will flip up to seat six, flare-back chair preferred choice, relocate best chairs from dining room to the pub and eliminate chairs with casters, grade 2 material, full restaurant capacity of 102, outdoor dining, cost to be funded from capital projects budget, suggestion to delay a decision until after pools are addressed, request for full assessment of the bar and dining

room and oak room and their capacities, question if capital projects should be delayed until more assessment revenue is received, and lead time is six to eight weeks from date of ordering.

Mr. Piersall made a MOTION to purchase 102 side arm chairs at \$269 each from Ladderback Arm Chairs, plus freight at \$2,650, for a total of \$30,088.
Mr. Middlemiss seconded the motion.

Upon VOICE VOTE, with all in favor except Mr. Braun, approval was given (by a margin of 4-1) to purchase 102 side arm chairs at \$269 each from Ladderback Arm Chairs, plus freight at \$2,650, for a total of \$30,088.

Mr. Braun voted against since he does not think it is a priority.

Discussion ensued regarding 50% deposit to be provided, provided from reserves to be replenished when assessments are received, and preference for black chairs.

SIXTH ORDER OF BUSINESS Business Items
A. Allied Universal Security Rate Increase Proposal

Mr. Middlemiss made a MOTION to table this item until the next meeting.
Mr. Piersall seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to table this item until the next meeting.

B. Ratification of Fiscal Year 2021 Audit

Ms. Murphy made a MOTION to accept the fiscal year 2021 audited financial statements.
Mr. Hoover seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to accept the fiscal year 2021 audited financial statements.

Discussion ensued regarding audit comment not in compliance due to the audit being late.

SEVENTH ORDER OF BUSINESS **Consent Agenda**

A. Minutes from the Workshop and Regular Meeting on October 20, 2022

The minutes were included in the agenda package, available for review in the local records office and the District Office during normal business hours.

B. Financial Statements

The financials were included in the agenda package, available for review in the local records office and the District Office during normal business hours.

C. Invoices and Check Register

The invoices and check register were included in the agenda package, available for review in the local records office and the District Office during normal business hours.

Ms. Murphy made a MOTION to approve the consent agenda, removing duplicate KE Law invoice, and a meeting to be scheduled with Ms. Montagna and Ms. Murphy regarding financials.
Mr. Hoover seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given (by a margin of 5-0) to approve the consent agenda the consent agenda, removing duplicate KE Law invoice, and a meeting to be scheduled with Ms. Montagna and Ms. Murphy regarding financials.

EIGHTH ORDER OF BUSINESS **Public Hearing for Adopting Amended and Restated Rules of Procedure and Amended Rates, Fees, and Charges**

A. Rules of Procedure and Amended Rates, Fees, and Charges

Mr. Middlemiss recused himself from discussion on the RV lot due to owning an RV in the storage lot.

Ms. Kilinski outlined the public hearing process, current non-resident user fee is \$2,500 to \$3,000, proposed rate is \$4,000, and proposed RV range of \$.75 to \$1.50 per linear foot.

Discussion ensued regarding rates, preference for flat rate instead of variable rate depending on size of the lot, total 57 lots with the additions, recommendation to charge \$1.50 per linear foot effective January 1, 2023, payment methods, payment frequency, offer 10% discount, requirement to make one annual payment up front and no monthly payments, and rationale for flat fee versus per linear foot of the space.

B. Public Comments

Ms. Murphy opened the public hearing.

A Resident (Lot 120) discussed the RV lot, length versus width, current uses of the RV storage lot, and preference to charge \$1.50 per linear foot.

A Resident (Lot 397) agrees with paying one annual fee, and suggested similar to Indigo to offer 10% discount if paid early.

C. Consideration of Resolution 2023-03

Ms. Murphy read Resolution 2023-03 into the record by title.

Adoption of Resolution 2023-03 will include adopting the amended and restated rules of procedure as presented, and the rate chart for maximum rates of non-resident user fee of \$4,000 and the RV lot fee of \$1.50 per linear foot of the space.

Mr. Hoover made a MOTION to approve Resolution 2023-03 adopting the amended and restated rules of procedure as presented, and the rate chart for maximum rates of non-resident user fee of \$4,000 and the RV lot fee of \$1.50 per linear foot of the space.
Mr. Piersall seconded the motion.

Upon VOICE VOTE, with all in favor and Mr. Middlemiss recusing himself, unanimous approval was given (by a margin of 4-0) to approve Resolution 2023-03 adopting the amended and restated rules of procedure as presented, a non-resident user fee of \$4,000, and the RV lot fee up to \$1.50 per linear foot of the space.

Discussion ensued regarding number of non-resident users, and none have been requested or issued since February 2022.

Mr. Piersall made a MOTION to approve the fiscal year 2023 RV lot fee of \$1.50 per linear foot of the space.
Mr. Braun seconded the motion.

Upon VOICE VOTE, with all in favor and Mr. Middlemiss recusing himself, unanimous approval was given (by a margin of 4-0) to approve the fiscal year 2023 RV lot fee of \$1.50 per linear foot of the space.

NINTH ORDER OF BUSINESS **Other Business**

There being none, the next order of business followed.

TENTH ORDER OF BUSINESS **Supervisors' Requests**

Mr. Braun congratulated Mr. Ted Kostich for being elected to Seat 4, and thanked the Supervisors for his appointment to serve as Supervisor. The Board members thanked Mr. Braun for his service.

Mr. Hoover requested tracking of sales center expenditures.

Ms. Murphy discussed non-resident amenity card access recently discovered, and no record of application or payment will result in access being terminated.

Mr. Piersall discussed attorney sending certified letter to culprit and accomplice.

Mr. Middlemiss discussed past year recap, and camaraderie built among the residents this past year.

ELEVENTH ORDER OF BUSINESS **Audience Comments**

A Resident (Lot 397) discussed previous pool resurfacing that was a nightmare, ended in a lawsuit, cautioned the Board to include language regarding the process, commended the sales center committee members, and suggested exercise use in the open spaces, to which Mr. Middlemiss replied the rooms are very small.

A Resident discussed trees, charge advertising on the billboard, ways to increase revenue, clear out backlogged items, look to the future, roofing issues, and more effective way to setup the meeting.

A Resident (Lot 1038) expressed disappointment in the capital improvement vote for restaurant chairs, requested the Board be fiscally responsible, and does not believe chairs are a priority.

A Resident (Lot 268) expressed disappointment regarding the purchase of chairs, should have obtained needs analysis for the restaurant, questioned if the residents wanted new chairs, not fiscally conservative, committees, golf advisory committee established and then later dissolved in Billy Casper Amendment 2, and requested more citizen involvement.

A Resident (Lot 113) discussed sales center, lives near the sales center, discussed noise and light issues for events, use of patio space and limit uses, and accountability for events.

TWELFTH ORDER OF BUSINESS **Adjournment**

- *The next meeting is scheduled for Thursday, December 15, 2022, at 2:00 p.m.*

Arlington Ridge CDD
November 17, 2022, regular meeting

On MOTION by Ms. Murphy, seconded by Mr. Piersall,
with all in favor, the meeting was adjourned at 6:43 p.m.

Angel Montagna, Secretary

Bill Middlemiss, Chairman