

MINUTES OF MEETING  
CANOPY  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Canopy Community Development District was held Tuesday, January 22, 2019 at 11:06 a.m. at Dorothy B. Oven Park, 3205 Thomasville Road, Tallahassee, Florida.

Present and constituting a quorum were:

Tom Asbury	Chairman
Gregg Patterson	Vice Chairman
John "Al" Russell	Assistant Secretary
Colleen Castille	Assistant Secretary

Also present were:

Darrin Mossing	District Manager
Jennifer Kilinski	District Counsel
Darrin Mossing, Jr.	GMS
Abraham Prado	District Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Mossing called the meeting to order at 11:06 a.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the December 4,  
2018 Meeting**

On MOTION by Mr. Russell seconded by Ms. Castille with all in favor the minutes of the December 4, 2018 meeting were approved as presented.
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**FOURTH ORDER OF BUSINESS**

**Consideration of Assignment of Canopy Unit  
3 Contract**

Ms. Kilinski stated in your agenda package you have a document package that we have previously utilized for assignment of construction contracts in other special districts. Essentially,

the Unit 3 contract was executed in 2017, well before the District had any funds in its construction account and well before the District had any bonds issued. This work has been ongoing, and the desire is to assign it to the District, which makes a lot of sense given that this particular unit is part of our master improvement plan. We have a construction contract; the pricing has been reviewed by GPI in terms of its reasonableness and the request is to assign it to the District. These are the documents we would normally need in order to have all the rights and warranties assigned to the District as now the contracting entity with Sandco for this project. Once the project is completed there would be ongoing reimbursements to the construction account with the normal requisition process and paperwork that your District Engineer will undertake, reviewing quantities against the contract, sign off on the requisitions based on the work performed.

Mr. Mossing stated we have received Draw Request No. 1 under this contract to Ox Bottom but is it anticipated that this would be developer funded until completion and then reimbursed from the bond funds or are we going to be processing these individual draw requests through the requisition process?

Ms. Kilinski stated as long as Abe is comfortable signing off on the requisitions with the requisite documentation included in those requisitions being processed through the bond proceeds.

Ms. Castille asked would you consider it a lock, stock and barrel assignment of all rights and responsibilities and benefits?

Ms. Kilinski stated exactly. If you look at the information that is in your package you have a developer affidavit that said they went through an informal bidding process that the agreement and amounts included in that contract are reasonable compared to the market, you will have an assignment of the warranties, assignment of release from Sandco recognizing that the contract is actually being transferred and we added an addendum to the existing contract that provides for the assignment, it is going to require either a letter of warranty or payment and performance bond because it does trip the threshold for the District. It recognizes prompt payment for subcontractors, we have a retainage provision that are normal and required under our statute anyway. We have an allowance for tax-exempt purchases, the recognition of public records and indemnification and you will see the scrutinized companies and public entity crime statement that are required for our contracts that are included as well as the trench safety affidavits and we have the construction defense and warranties. That will all be included for that contract assignment.

Mr. Asbury asked who signs all of that?

Ms. Kilinski stated it will be signed by the District and the contractor.

On MOTION by Mr. Patterson seconded by Ms. Castille with all in favor assignment of the Canopy Unit 3 contract with Sandco was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Disclosure of Public Financing**

This item was deferred to the next meeting.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Kilinski stated at the last meeting you approved an interlocal agreement in substantial form and the City Commission meeting is January 30<sup>th</sup>, we anticipate the City will take up the interlocal agreement and we will report back in February if there have been any substantive changes. There were changes but nothing substantial.

Ms. Castille stated this goes before Blueprint.

Ms. Kilinski stated yes and they have already approved it in substantial form.

Ms. Castille asked do members of the City Commission sit on Blueprint and are we expecting new members of the City Commission to be on Blueprint?

Ms. Kilinski stated they were already on Blueprint. The interlocal agreement is between Blueprint, the City and the District because the City is prefunding Blueprint and Blueprint is going to reimburse the City. You have approved it and if there are any substantive changes we will bring it back to you otherwise we will just report back on the final version at the February meeting.

Ms. Castille asked who represents the District before the City Commission?

Ms. Kilinski stated I have gone to those meetings.

**B. Engineer**

**i. Ratification of Capital Funding Request No. 9**

On MOTION by Ms. Castille seconded by Mr. Russell with all in favor Capital Funding Request No. 9 in the amount of \$141,015.69 was ratified.

**C. Manager**

**i. Balance Sheet and Income Statement**

A copy of the balance sheet and income statement were included in the agenda package.

Mr. Mossing stated at the February meeting we are going to ask the Board to authorize us to open a Capital Projects checking account because there are other future projects that are going to be required to be funded by the developer besides this one and when we receive those funds they are put in our General Fund operating account, which now includes assessments from the tax collector and we feel it would be better to have those bank accounts separate.

**ii. Consideration of Funding Request No. 3**

On MOTION by Mr. Patterson seconded by Ms. Castille with all in favor Funding Request No. 3 in the amount of \$7,252.16 was approved.

**SEVENTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Supervisors Requests**

There being none,

On MOTION by Ms. Castille seconded by Mr. Patterson with all in favor the meeting adjourned at 11:24 a.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman