

MINUTES OF MEETING
CANOPY
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Canopy Community Development District was held Tuesday, June 4, 2019 at 11:00 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
Lauren Gentry	District Counsel
Abraham Prado	District Engineer
Darrin Mossing, Jr.	GMS

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mossing called the meeting to order at 11:00 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 May 7, 2019
Meeting and May 21, 2019 Continued Meeting**

On MOTION by Mr. Patterson seconded by Mr. Russell with all in favor the minutes of the May 7, 2019 meeting and the May 21, 2019 continued meeting were approved, as presented.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2019-09
Approving the Proposed Fiscal Year 2020
Budget and Setting a Public Hearing**

Mr. Mossing stated we are asking the Board to approve the proposed budget to begin our budget process. This budget can be changed over the next 60 days, but if the Board is going to increase the assessment that requires additional notification. If we don't plan to increase the assessment from the prior year then we can make changes to the various line items up to and including at the public hearing.

Mr. Asbury stated I don't see any assessments increasing. We don't have the amenity center up yet.

Mr. Prado stated I don't anticipate you will have the amenity center operational for 12 months. You have to build the building.

Mr. Asbury stated my goal would be to have it up and running before next summer.

Mr. Prado stated site work will commence in 45 to 60 days.

Mr. Asbury stated we have already hired the architect and through the architect we have gotten a pool engineer. They should be finishing up soon so we can start bidding those things and we have to bid the infrastructure.

Ms. Kilinski stated I think the Board has approved the site work piece of the amenity center it is just the building that will have to be bid.

Mr. Mossing stated under the amenity section we have the buildout budget on the far right and the proposed budget is basically three months of operating costs so it is anticipated the facility would be operated for July, August and September. This budget will be circulated to the City of Tallahassee.

Mr. Asbury stated once we get completed drawings we can start the bidding even if we didn't have the final permit. That would be my suggestion that as soon as you have the drawings completed we bid it.

Mr. Mossing stated we will place this on the July agenda for discussion and we recommend we schedule the public hearing for your August meeting. This budget is basically the same as last year and the assessments are proposed to stay the same.

Mr. Russell asked after he gets the plan together how soon can we put it out to bid?

Ms. Kilinski stated if it is anticipated to be over \$500,000 then you have to have it on the street for 30 days from the time you run the ad to the time the bid is due. If you know the plans

are going to be ready in two weeks then we can run the ad a little early and say packages aren't ready.

Mr. Asbury asked who does the ad?

Ms. Kilinski stated I have already drafted the form that was approved by the Board and I would send it to Darrin's office to publish in the Democrat.

Mr. Asbury asked can I authorize you to begin that?

Ms. Kilinski stated you already did, the Board has already approved a resolution authorizing us to advertise as soon as we have construction plans in a form ready to bid. Once we have architectural drawings that are in a form ready to bid we will bring a package back for the Board to review. It is a little different with architectural packages but we could bring that back at the next Board meeting, so we are ready to bid the building once those plans are ready.

Mr. Asbury asked do we have to approve something?

Ms. Kilinski stated yes, it is similar to what you have done before. You are approving a bid package for a contractor to construct the amenity facility, the improvements themselves separate from the site work.

Mr. Russell asked in the bid package will there be a timeframe?

Ms. Kilinski stated we can say what we would like to see for a schedule, but they will propose a schedule. You have seen some of the bid packages we have gotten back and one of the evaluation tools is usually a schedule so if schedule is very important to us then in our evaluation criteria we weigh that heavily so when you have packages you may give 50 points for a more aggressive schedule and then the contract holds them to that.

Mr. Asbury stated the building can include the building, the pool and everything that one contractor can do.

Mr. Kilinski stated that would be my strong recommendation otherwise you are project managing a whole lot of contractors.

Mr. Asbury asked do we need the plans before we get to that point?

Ms. Kilinski stated no, we can bring a package back that doesn't have the plans. The Board doesn't usually review the plans or approve the plans, but the package will have evaluation criteria, what our general time line is, the advertisement, the instruction to bidders and that sort of thing.

Mr. Asbury stated why don't we plan on that.

Ms. Kilinski stated we can bring that to the next meeting.

Mr. Asbury asked when is the next meeting?

Mr. Mossing stated July 2nd but we can move that if you want.

Mr. Asbury stated let's move that to the following week to the 9th.

On MOTION by Mr. Patterson seconded by Ms. Castille with all in favor Resolution 2019-09 approving the proposed 2020 budget and setting the public hearing for August 6, 2019 at 11:00 a.m. at Dorothy B. Owen Park, was approved, as amended with the change in platted lots from 93 to 147.

FIFTH ORDER OF BUSINESS

Consideration of Agreement with Leon County Tax Collector for Uniform Method of Collection

Mr. Mossing stated next is consideration of an agreement with Leon County Tax Collector for uniform method of collection. That agreement will allow us to collect our assessments utilizing the tax collector and placing those on the November 1st property tax bill.

On MOTION by Ms. Castille seconded by Mr. Asbury with all in favor the agreement with the Leon County Tax Collector was approved.

SIXTH ORDER OF BUSINESS

Presentation of Public Facilities Report

Mr. Prado stated the Board approved at the last meeting preparation of the public facilities report required by Florida Statutes and also required by our bond documents. It outlines the improvements currently maintained by the District and proposed improvements to be maintained by the District over five years and any replacements over the next ten years. The only additional feedback we received as it relates to Dove Pond, which is currently under construction by the District. We will revise the language a little bit about the District maintaining Dove Pond under the current construction contract with Sandco. As part of your construction contract you have a built-in maintenance component because you are paying Sandco to maintain the improvements while they are building.

Ms. Castille asked who takes care of that after wards?

Mr. Prado stated the District recently approved the contract with Florida Environmental to take over the reporting of the wetlands and similarly the District will need to enter into some sort of maintenance agreement with an entity to provide mowing services and trash control.

Ms. Castille stated you might want to have in addition the service that evaluates the dam. Many entities look at their dams daily but somebody else may have a different schedule of looking at that because sometimes little holes start popping out and they need to be addressed immediately for the safety of the dam.

Mr. Asbury stated we will look at that.

Mr. Prado stated as part of the original design and permit, Moore Bass prepared an operation and maintenance plan for the Dove Pond dam. Barring any failures in the dam it is an official inspection of both the dam integrity and water levels.

Mr. Russell asked is there going to be a trail on top of the dam?

Mr. Asbury responded yes, they will be able to walk across the spillway and onto the dam.

On MOTION by Ms. Castille seconded by Mr. Russell with all in favor the public facilities report was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Kilinski stated we understand there may be a change order coming for some of the work on Dove Pond.

Mr. Asbury stated I did call them and they sent it to RS&H and RS&H is reviewing it. I asked them to send it to me and if you want to see that I will email it to you. Everything else is done. The whole idea was there was some grassing on top of the dam, we are putting a trail in there, there is an irrigation that could have been set in a big structure it could be set in a pond it could be used for brown water to irrigate the subdivision but there are no pipes for it so we don't know if we will ever do that and we are putting that to the side and just doing a change order to not install that. There is some TV work they wanted to do for a 60" pipe and the 60" pipe is underwater so they are talking about sending a submarine down there to look at it. Those are the things that are going to be taken out but everything else is done.

Ms. Kilinski stated we have received various communications over the last month or two from RS&H asking for closure on the project for obvious reasons. You may recall we sent a letter

to Sandco retaining our rights to enforce liquidated damages because it is six or eight months overdue but hopefully, at the next Board meeting we will have some final closeout by RS&H and a change order to reduce the scope so we can get that project done.

Mr. Russell asked if we sign up for public access for the trail and find people are climbing all over it and it is detrimental to the quality of the dam is there a way we can circumvent them using the dam?

Ms. Castille stated on top of it they have a recreational trail.

B. Engineer

i. Consideration of Capital Funding Request no. 12

Mr. Prado stated there is a requisition for the funding that the Board approved for the settlement with RS&H for \$85,000.

Mr. Mossing stated our recommendation would be to make that in potentially two installments or no more than three. Two payments would be \$42,500 each or three payments would be \$28,333 per installment.

Ms. Kilinski stated I recommend paying them the bulk of the amount. We want to keep them engaged to get the certifications that are necessary. I think paying them 50% is good.

Mr. Asbury stated then finish up with 25% and 25%.

Ms. Kilinski stated if we get a change order and they are signing off on it next month we will be able to release the rest of it anyway as long as we get the certifications that we need.

On MOTION by Mr. Russell seconded by Ms. Castille with all in favor capital funding request no. 12 was approved with 50% now, the balance over the next two months of 25% and 25% or upon final certification pay the balance.

Mr. Prado stated the other item that is informational is we are trying to close out pond 2 at Canopy and associated infrastructure. One of the permit conditions was that the District enter into an agreement with the city for the District to maintain the landscaping on the pond and the proposed trail on top of the pond. The pond isn't ready for final acceptance.

Mr. Asbury stated everything is done, the trail is around it, the fence is up and the landscaping will start.

Ms. Kilinski asked do you have a landscaper that is currently in the District doing work that it makes sense to coordinate those efforts to maintain it?

Mr. Asbury responded yes, we do. Darrin and I have talked about moving that to the District then we can bid it out once we get it established.

C. Manager

i. Approval of Check Register Summary

On MOTION by Mr. Asbury seconded by Ms. Castille with all in favor the check run summary was approved.

ii. Balance Sheet and Income Statement

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

iii. Consideration of Capital Funding Request no. 8

On MOTION by Ms. Castille seconded by Mr. Petterson with all in favor capital funding request no. 8 was approved.

EIGHTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Supervisors Requests

Mr. Mossing stated the next meeting will be July 9, 2019 at 11:00 a.m. in the same location.

On MOTION by Mr. Patterson seconded by Mr. Russell with all in favor the meeting adjourned at 11:43 a.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman