

**MINUTES OF MEETING
CANOPY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Canopy Community Development District was held Friday, **May 29, 2020** at 11:08 a.m. via Zoom Teleconference.

Present and constituting a quorum were:

Tom Asbury	Chairman
Gregg Patterson	Vice Chairman
John “Al” Russell	Assistant Secretary
Colleen Castille	Assistant Secretary
David Brady	Assistant Secretary

Also present were:

Darrin Mossing, Jr.	District Manager
Darrin Mossing	GMS
Jennifer Kilinski	District Counsel
Lauren Gentry	Hopping Green & Sams
Tim Stackhouse	District Engineer
Colby Brown	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mossing, Jr. called the meeting to order at 11:08 a.m. and stated we are conducting this meeting in accordance with the governor’s executive orders 20-52 and 20-69 that were signed into law by Governor DeSantis and everyone is participating by the video conference Zoom program.

SECOND ORDER OF BUSINESS

Public Comment Period

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the March 31, 2020 Special Meeting

Mr. Mossing, Jr. stated Hopping Green & Sams made a slight revision that will be incorporated in the signed minutes.

Ms. Castille asked what was the revision?

May 29, 2020

Canopy CDD

Ms. Kilinski stated it was language added to the decision box on page 5 to clarify who was ranked no. 1.

On MOTION by Mr. Russell seconded by Ms. Castille with all in favor, the Minutes of the March 31, 2020 Special Meeting were approved as amended.

FOURTH ORDER OF BUSINESS**Evaluation of Proposals for Welaunee Boulevard, Segment 3 and Segment 2 Turn Lanes Construction Project**

Mr. Mossing, Jr. stated we received two bids, one from Sandco and one from C.W. Roberts.

A. Ranking Sheet & Evaluation Criteria**B. Review of Proposals Received.**

Ms. Kilinski stated you have done this ranking before, we included evaluation criteria, ranking sheet within your agenda package. We previously discussed ways you can do this; you can rank them together, if one member has already ranked them you can walk through the evaluation criteria categories and make a suggestion about those rankings. Before you start there are a few of these categories that are not subjective, they are driven by what criteria we put in there and what was actually provided at the bids and those include the MWSBE criteria. We actually gave those some consideration then sent our thoughts over to Blueprint whose criteria we used to have them confirm our understanding of the ranking and for those we are suggesting if Blueprint concurs that C.W. Roberts gets zero of 12 points because they provided no MWSBE criteria at all and that Sandco be awarded 10 of the 12 points, because although they didn't fill out the requisite forms they did have information certification about MWSBE requirements. Blueprint confirmed that would be their recommendation as well. That is one category zero out of 12 for C.W. Roberts and 10 out of 12 or Sandco. On schedule I want to note that our RFP package required a detailed schedule be provided with no float included because the interlocal agreement requires a detailed schedule. C.W. Roberts did provide substantial completion and final completion dates but did not provide any sort of detailed schedule. There are two ways you could rank them; one is because they failed to provide a detailed schedule as required by the RFP package you could deem them non-responsive and throw out their bid. Because we only have two bids, I recommend you rank them in an abundance of caution in case Sandco were to fall out we have some other bidder to

May 29, 2020

Canopy CDD

consider. In doing that I recommend based on the point categorization that you consider giving them 13 of the 15 points for the most expedited schedule because they did provide substantial and final completion date but you provide them zero out 5 points for their ability to complete the schedule because we don't know whether they can provide that scheduled timeline because we have no detail to make that evaluation on. For that category we recommend based on the way we structured the schedule so 13 out of 20 points for C.W. Roberts. Sandco would be 15 out of 15 and for the reasonableness I would ask for a member of the board or Tim to talk about whether the detailed schedule Sandco provided is reasonable given the documentation they provided in their bid.

Mr. Stackhouse stated from looking through the numbers of the bids alone it seemed that Sandco's unit prices were fairly competitive and in line with what we would expect from looking at DOT's state averages. There were a few categories that were kind of tough to reconcile with the interlocal agreement, but on the whole it seemed that the prices were appropriate.

Mr. Asbury asked did you think that the schedule is fine?

Mr. Stackhouse responded yes; I didn't see any issues with the schedule.

Mr. Asbury stated it is my understanding as far as the pricing Tim looked at the average DOT numbers to compare that the pricing was in line and I think the DOT number came out a little more than \$5 million.

Mr. Stackhouse stated that is right. We did a whole internal review ourselves to get a feel for what numbers we would expect and Sandco's numbers came in a little bit lower and C.W. Roberts came in a little higher.

Mr. Asbury stated based on that we would say that Sandco's price was reasonable.

Mr. Stackhouse stated yes.

Mr. Asbury stated and that based on that we might say that C.W. Roberts seemed a little unreasonable.

Mr. Stackhouse stated yes, a lot of their unit prices seemed on the higher side. Mobilization, Sandco has a few advantages having been on the site for other construction.

Mr. Asbury stated this is how I was ranking it. C.W. Roberts personnel 10 points and I gave Sandco 10. Experience and available equipment C.W. Roberts has the equipment and so does Sandco but Sandco's experience outweighed C.W. so I gave C.W. 20 I gave Sandco 25. Understanding the scope of work a total of 13 points, C.W. was significantly high I took the attitude

May 29, 2020

Canopy CDD

that they didn't quite understand the scope of work and gave them 10 and gave Sandco 13. Jennifer has already talked about the MWSBE and the schedule and as far as pricing, I gave C.W. 5 points for the bid price because it was so high, I gave them 1 because I felt it was unreasonable. I gave Sandco 15 for the lowest price and 5 for the reasonableness. I recommend Sandco be awarded the bid contingent on working out some pricing with the city that they are to pay because this bid is more than the interlocal agreement says. We have to negotiate with the city to make sure they will pay for it because this was the city's job and it is their responsibility to build that road.

Mr. Patterson asked what was the difference in pricing?

Mr. Asbury stated Sandco was \$4,780,000 and C.W. was \$7,973,000 significantly more. The interlocal agreement planned on about \$3.2 million. Through the process of getting it permitted through the city they made the roundabouts much more difficult, the size the pipes got bigger and there are a lot of things that went into this that were not planned on originally. That is why we have to deal with the city.

Mr. Patterson asked will this have to be addressed if we get to the city and find out that they can't step up to help out with this process?

Ms. Kilinski stated you will see the resolution that would wrap up the ranking, provides for that potential contingency. The resolution would award the points and if I added up Tom's points right we would say 59 points for C.W. Roberts and 98 points for Sandco, but it makes the award contingent on successful negotiation of some funding mechanism to make up the difference to make up the delta. If that is unsuccessful then we would make sure that we have not expended any money in awarding the project and would work with the city on the next steps. Absolutely, it is contingent on some successful negotiation on continuing with the roadway construction project.

C. Consideration of Resolution 2020-07 Award of Construction Contract for Welaunee Boulevard, Segment 3 and Segment 2 Turn Lanes

Ms. Kilinski stated the sixth whereas clause will include 59 points for C.W. Roberts unless any board member has a different suggestion on point award categories based on Tom's recommendation and 98 points to Sandco and the eighth whereas clause would include Sandco and as we note there, it is contingent upon the district's ability to successfully secure additional funding from the city, Blueprint and/or the developer. Right now the district can't award a contract for which it hasn't secured funding and funding is limited to the interlocal amount and we have all noted that the interlocal is capped at \$3.2 million and we have a \$1.6 million shortfall. If we are

May 29, 2020

Canopy CDD

not able to successfully negotiate that funding mechanism, then we won't move forward with the construction project. I will provide to the board an update at our next meeting based on where we are with the city and Blueprint.

On MOTION by Mr. Asbury seconded by Ms. Castille with all in favor Resolution 2020-07 awarding the construction contract for Welaunee Boulevard segment 3 and segment 2 turn lanes to Sandco was approved with the updates as noted on the record.

FIFTH ORDER OF BUSINESS

Consideration of Responses to Request for Qualifications for Engineering Services

A. Dewberry Engineers, Inc.

B. Halff Associates, Inc.

Mr. Mossing, Jr. stated the district did receive two responses, one from Dewberry Engineers, Inc. and one from Halff Associates, Inc. That documentation was included in your agenda package and both firms have sufficient qualifications to meet all the requirements of the district.

Ms. Kilinski stated there is no cost to prequalifying engineering firms. Any of the work that would be done would be authorized by separate work authorization subject to the hourly fees that will be attributed to their continuing services contract. The next agenda item contemplates approval of the previously approved form of agreement for professional engineering services in substantial form to those that we previously negotiated with the two other firms that you qualified.

On MOTION by Ms. Castille seconded by Mr. Brady with all in favor Dewberry Engineers, Inc. and Halff Associates, Inc. were ranked no. 1.

SIXTH ORDER OF BUSINESS

Consideration of Form of Agreement for Professional Engineering Services

Ms. Kilinski stated next is approving the form of agreement for professional engineering services for both firms in substantial form.

On MOTION by Mr. Asbury seconded by Ms. Castille with all in favor the form of agreement for engineering services was approved in substantial form.

May 29, 2020

Canopy CDD

SEVENTH ORDER OF BUSINESS**Consideration of Work Authorization for Welaunee Boulevard CEI Services**

This item was deferred.

EIGHTH ORDER OF BUSINESS**Consideration of Proposal from Keep it Grassy Landscaping & Maintenance**

Ms. Kilinski stated we had some members of the public previously comment about their unhappiness with the current landscape provider and at the same time the district is starting to move the O&M responsibilities for various services to the district. Several of these areas we can confirm are already owned by the district several of these areas are within city right of way and we will make sure that we have the requisite property interests in place to be able to maintain these areas. What we are asking for today is approval of the proposal from Keep it Grassy, I think they are currently out there doing some work and have performed at a much higher standard.

Mr. Asbury stated Keep it Grassy has agreed to keep somebody onsite five-days a week, so they are always there mowing and edging and they bring other people in when they need it but at least there is somebody there. The response from the homeowners around there has been definitely positive. The amount of the contract is not bad to have somebody there five-days a week and the city does not maintain their rights of ways or easements so we really have to do all that if we are going to have it look decent. I recommend we accept their proposal.

On MOTION by Ms. Castille seconded by Mr. Brady with all in favor the proposal from Keep it Grassy Landscaping & Maintenance in the amount of \$5,250 monthly was approved.

NINTH ORDER OF BUSINESS**Consideration of Resolution 2020-08 Approving the Proposed Budget for Fiscal Year 2021 and Setting a Public Hearing Date for Adoption**

Mr. Mossing, Jr. stated Resolution 2020-08 approves the proposed budget for fiscal year 2021 and sets a public hearing date for adoption.

Mr. Mossing stated this is just the start of the budget process, we are going to be asking the board to approve the resolution that approves the preliminary budget for purposes of distributing it to the local governing authorities. Our budget process is not less than a 60-day process and we recommend that we set your August 4, 2020 meeting for the public hearing to formally adopt that budget.

May 29, 2020

Canopy CDD

The budget enclosed in your agenda package is in substantially the same form as the current fiscal year 2020 budget. I had conversations with the chairman, there is not a desire to consider an increase in assessments for fiscal year 2021 and we will be making some revisions to this budget over the next 60 days as the amenity gets closer to completion and what is actually going to be constructed and maintained by the district and the level of services the board will require. We will place this on the next agenda for further questions.

Mr. Russell stated the more people we get out there the more people will want to come to a meeting. Do we know how long we are going to continue the Zoom before we go back to physically meeting so the public can join in a little more easily than on Zoom?

Ms. Kilinski stated right now unless Phase 2 includes some difference in the physical quorum requirements our reading of the executive order is that the physical quorum requirement waiver is in place at least until July 7th. From my experience since we have had Zoom meetings I have had far more public participation than I did when we had regular meetings. I think people are more comfortable being able to zoom in from their workplace or their home. We have already had requests from big districts that have a lot of public that attend to keep this in place, which isn't required but it is interesting. I'm not sure that meeting in person will result in more public participation but as we have more people living within the district there may be more interest. I anticipate by our next meeting if not by the end of July we will be required to meet in person.

On MOTION by Mr. Asbury seconded by Mr. Brady with all in favor Resolution 2020-08 approving the proposed fiscal year 2021 budget and setting the public hearing for August 4, 2020 was approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

May 29, 2020

Canopy CDD

C. Manager

i. Approval of Check Register Summary and Requisition Summary

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

ii. Balance Sheet and Income Statement

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

iii. Report on Number of Registered Voters - 182

A copy of the letter from the supervisor of elections indicating that there are 182 registered voters residing within the district was included in the agenda package.

iv. Approval of New Capital Projects Fund Checking Account for Welaunee Boulevard Project

Mr. Mossing stated we are asking the board to approve opening the account for purposes of when this contract gets started it will be required to be funded by the developer through the district and at the end it gets reimbursed by the City of Tallahassee. It is a good idea to segregate those funds.

On MOTION by Ms. Castille seconded by Mr. Patterson with all in favor a new capital projects fund checking account for Welaunee Boulevard project was approved.

ELEVENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

TWELFTH ORDER OF BUSINESS Supervisors Requests

Ms. Castille stated everyone should have received their financial disclosure in the mail and that is required to be filled out by a certain date.

Ms. Kilinski stated by June 15th or July 1st I will have to check, but don't hesitate to do that because there are significant fines so turn it in.

Mr. Brady asked is the one I turned in last month sufficient or do I need a new one?

May 29, 2020

Canopy CDD

Ms. Kilinski stated that should cover you, if not they will send you one in the mail but that should be sufficient since you just came on the board.

On MOTION by Mr. Patterson seconded by Ms. Castille with all in favor the meeting adjourned at 11:46 a.m.

DocuSigned by:
Darrin Mossing Jr
2D71A083DB2A4C6...

Secretary/Assistant Secretary

DocuSigned by:
[Signature]
9FCFBE9D6DEC43B...

Chairman/Vice Chairman