

**MINUTES OF MEETING
CANOPY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Canopy Community Development District was held Tuesday, **March 1, 2022** at 11:01 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

Also present were:

Darrin Mossing	District Manager
Lauren Gentry	District Counsel
Roni Allston	Resident
Nancy Marciniak	Resident
Gene Nelson	Resident

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mossing called the meeting to order at 11:01 a.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Allston stated I would like to reserve the right to speak at a later time.

Ms. Marciniak stated I would like to reserve my time for later in the meeting.

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the December 7,
2021 Meeting**

On MOTION by Mr. Patterson seconded by Mr. Russell with all in favor the minutes of the December 7, 2021 meeting were approved as presented.
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FOURTH ORDER OF BUSINESS

Consideration of Proposal to Prepare Stormwater Needs Analysis Pursuant to Section 403.9302, Florida Statutes

Mr. Mossing stated all the proposals we have been receiving from other engineering firms are generally over \$15,000 and some of them are as high as \$30,000.

On MOTION by Mr. Asbury seconded by Mr. Russell with all in favor the proposal from Greenman-Pedersen in the amount of \$8,500 for the preparation of the stormwater needs analysis was approved.

FIFTH ORDER OF BUSINESS

Ratification of Change Order No. 1 with Baycrest Corporation for Clubhouse Construction for Decrease of \$25,374.02

Mr. Mossing stated that change order was in the agenda package.

On MOTION by Mr. Asbury seconded by Mr. Russell with all in favor change order no. 1 with Baycrest Corporation for Clubhouse construction for a net decrease of \$25,374.02 was ratified.

SIXTH ORDER OF BUSINESS

Ratification of Change Order No. 2 with Baycrest Corporation for Clubhouse Construction for an Increase of \$61,640.27

Mr. Mossing stated that was for the addition of audio visual/security, cabana, and pool maintenance. That contract is complete and paid in full and these are ratifications.

Mr. Asbury stated the developer has given the clubhouse to the district.

Mr. Mossing stated we have filed for our tax exemption on that property.

On MOTION by Mr. Asbury seconded by Mr. Russell with all in favor change order no. 2 with Baycrest Corporation for clubhouse construction for a net increase of \$61,640.27 was ratified.

SEVENTH ORDER OF BUSINESS

Ratification of Field Ops/Amenity Oversight Agreement

Ms. Gentry stated this is what we talked about at the December meeting. Jason Ghazvini does so much onsite at the property we talked about it being a benefit to the district if he could have some authority to coordinate with our vendors and oversee some of the work that is being

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done onsite on behalf of the district. This agreement accomplishes and formalizes that. There are a few areas of oversight that we identified that seemed like it would be a benefit to the district for him to perform, one is field operations to coordinate and oversee the landscaping provider and identify deficiencies in service for us and let us know when there are deficiencies. The second is facility management and that involves your clubhouse, pool, that sort of thing so if we needed someone onsite to coordinate with a vendor, he would have authority to do that and obtain proposals if we needed them. There are some general services as well. This is open for discussion and you can make changes or approve it as presented. He doesn't have any authority for accounting or cash disbursement and he wouldn't have authority to sign contracts, that would stay with Darrin and the board.

Mr. Asbury stated right now the district doesn't have enough money to pay for what we have so the developer is paying. At some point the district will finally have enough income to cover expenses.

Mr. Mossing stated once the property is going to be fully platted all the assessments will be coming into the district so the budget will be fully funded. Whether it is you own the property and you are paying the property tax bill, all the money will be in the control of the district. At that point you would want to be in a paying position.

Ms. Gentry stated at some point when it is fully built out it will make sense to pay someone to be onsite and overseeing things. We are not at that point and this is a temporary agreement.

Mr. Asbury stated we have been talking to a lady who manages the grill and has been doing a lot of CDD stuff and she did Southwood, about coming in and managing the facility and trying to engage everybody with events and things to do in the clubhouse instead of the clubhouse on its own. We are working to see if we can negotiate something and we may come back with that.

Mr. Russell asked is there a cap for Jason as far as expenses that he has to get approval to spend or how does that work?

Ms. Gentry stated we currently don't have that spending authority in this agreement. If the board wanted to discuss that I suggest having a second approval through your district manager but we could have a cap of whatever you think is appropriate.

Mr. Mossing stated Jason has gotten the pool contractor, a cleaning service and he was instrumental in bringing on the landscape maintenance contract. He is bringing contracts on but other than the contractual I have an idea that Premier is paying any of those incidental costs directly

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because they are not coming to me. If he is incurring costs related to the maintenance of any of those areas, they are not coming to me. As far as I know he is not spending any money.

On MOTION by Mr. Patterson seconded by Mr. Russell with all in favor the field operations agreement was ratified.

Ms. Allston stated if he is going to be the go-to guy for cleaning and stuff like that, when we have an issue are we contacting him because there is an issue right now; sanitation in the gym is an issue. It is not happening. We have contacted Jason and said there needs to be disinfectant in there, a little thing of Purell is not going to cut it. The equipment could be cleaned off, disinfected. Who do we contact for that?

Mr. Asbury stated I would say Jason or you could send something to me or Darrin.

Mr. Mossing stated I will forward it on. We have a cleaning service contract so if you are looking for bottles to be left in the gym with towels and wipe down the equipment in addition.

Ms. Allston stated whoever is doing the cleaning when they come to clean the clubhouse there should be a rack system near all the equipment where they just take a new bottle so there is always wipes there.

Mr. Asbury stated we will take care of that. I will say something to Jason.

EIGHTH ORDER OF BUSINESS

Consideration of Pool Maintenance Agreement

This item was tabled.

NINTH ORDER OF BUSINESS

Ratification of Final 3B Contract

Ms. Gentry stated this is the same contract form the board saw in the past. The second phase of the Welaunee project we plugged in the details to the form of agreement that we have and had that signed so we could start ordering materials so we didn't have supply chain issues. We are bringing back that final signed agreement for you to ratify and we will be in touch with Tom on where we are on the second phase and getting the ball rolling if we need to be moving this along.

Mr. Asbury stated this is taking Welaunee Boulevard from the roundabout to the edge of our property and the city will fund it. I think they are supposed to start in the next couple of years.

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Ms. Gentry stated we issued a limited notice to proceed for purposes of ordering materials and that sort of thing. We haven't started the clock yet.

On MOTION by Mr. Asbury seconded by Mr. Russell with all in favor the final 3B contract with Sandco, LLC in the lump sum amount of \$2,084,357.34 was ratified.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Gentry stated we did receive the first phase of Welaunee reimbursement from the city, that was the Welaunee 3A and turn lane project that you recently completed.

We are continuing to monitor any bills that may impact the district. The session ends March 11th so by your next meeting we will have a full list of what has passed.

Mr. Mossing stated now that we received the money, we paid it back out to the bank and paid off the loan that was associated with the \$3.9 million, which was not easy.

B. Engineer

There being none, the next item followed.

C. Manager

i. Approval of Check Register Summary and Requisition Summary

On MOTION by Mr. Patterson seconded by Mr. Russell with all in favor the check run summary and 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. Special Assessment Receipt Schedule

A copy of the special assessment receipt schedule was included in the agenda package.

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ELEVENTH ORDER OF BUSINESS Other Business

Ms. Allston stated we have had a lot of issues with district 850 we know it was removed from the CDD so it is not the CDD's responsibility but at the same time there is that duty to protect the residents that are in the CDD and that includes the three of us and others. The district 850 has been a nuisance from the beginning it opened its doors two years ago. We have involved the city, we have had a noise ordinance that I worked on and we had petitions in our community. Some things are coming to fruition finally with the city's help. We need more help than that, we need that wall. There needs to be a wall that separates the residents from this facility, it is going to help crime prevention and all the other issues that district 850 imposes on this community, the trash, the lights, the noise, the fights, the music, the donuts in the parking lot. This is not once in a while this is twice a week. I called two nights ago about fighting in the parking lot and trash all over the place.

Mr. Asbury asked is this normally after they close?

Ms. Allston stated no. Saturday afternoon, it's 7 p.m., they grab food and throw the trash on the ground and it ends up in the stormwater drain, that is the CDDs responsibility. If you go behind my house you will see all the trash that has gone over the fence into the water. If you put a wall there for \$15,000 it will make all the difference. They are a commercial entertainment center and there needs to be some separation between them and us. When you have town center built you will have the same problems.

Mr. Asbury stated I hear you about the wall and you have paid taxes, but we are still funding everything to the tune of several hundred thousand dollars a year. I have been trying to negotiate something with 850. I know he is looking to build more on his property, which would be next to the road.

Ms. Marciniak stated I'm fighting against that as well because that is against the PUD. I see what you are doing for the new phases and you need to take care of Phase 1. It is not that big of a cost, let's stop delaying it. Take care of the first phase then move on to the other phases.

Ms. Allston stated I want to discuss the paving of Sunset Peak. We have been promised since last May, I have lived on that street for 2 ½ years. We were promised it was going to get its final paving and we understand there was an issue about the sewers and not wanting to pave and have to dig it up but at the last HOA meeting we were promised that if it wasn't paved or a specific timeline within two weeks something temporary would be done. There is loose gravel at the

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driveways, every time cars go in and out of their driveways gravel gets thrown in the road and chipping paint on the cars.

Mr. Asbury stated I know they were worried about tying into the sewer and I didn't realize it wasn't done. I will find out what is going on.

Ms. Allston stated the trails that were just put in, less than a month old you can't walk on them because they are eroding.

Ms. Marciniak stated it was done incorrectly, they have black fabric underneath it.

Mr. Asbury stated I will find out.

TWELFTH ORDER OF BUSINESS Supervisors Requests

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Patterson seconded by Mr. Russell with all in favor the meeting adjourned at 11:36 a.m.

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James Oliver
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Secretary/Assistant Secretary

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Chairman/Vice Chairman