

Minutes of Meeting
Canopy
Community Development District

The regular meeting of the Board of Supervisors of the Canopy Community Development District was held Thursday, August 22, 2024 at 6:00 p.m. at the Canopy Amenity Center, 2877 Crestline Road, Tallahassee, Florida.

Present and constituting a quorum were:

Tom Asbury	Chairman
Jason Ghazvini	Vice Chairman
Colleen Castille	Supervisor
David Brady	Supervisor

Also present were:

Jim Oliver	District Manager
Corbin deNagy	GMS
Roy Van Wyk	District Counsel
Laura Kalinoski	Events Coordinator
Several Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 6:00 p.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 June 13, 2024 Meeting

On MOTION by Mr. Brady seconded by Ms. Castille with all in favor the minutes of the June 13, 2024 meeting were approved as presented.

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FOURTH ORDER OF BUSINESS

Discussion of Suspension of Amenity Privileges

Mr. Oliver stated since our last meeting we had two resident teens allow non-residents into this facility after hours and violating policies. In one case they were in the fitness room and in one case they had several guests in the swimming pool after hours. In both cases we were able to find out who the key holders were, we contacted the parents of both, discussed the matter and let them know that we are going to suspend that access card for those children until the next meeting at which time the board can consider the facts of the case. After discussion with them we agreed to suspend their privileges for one-year for both of the people who had violations. We issued letters to them, and I don't expect them to be here tonight to challenge it.

On MOTION by Mr. Ghazvini seconded by Mr. Brady with all in favor the one-year suspensions were ratified.

FIFTH ORDER OF BUSINESS

Acceptance of Fiscal Year 2023 Audit Report

Mr. Oliver gave an overview of the opinion letter, independent auditor's report on internal controls, and the management letter and stated this is a clean audit.

On MOTION by Mr. Ghazvini seconded by Ms. Castille with all in favor the fiscal year 2023 audit was accepted.

SIXTH ORDER OF BUSINESS

Fiscal Year 2025 Budget

A. Overview of budget

Mr. Oliver gave an overview of the budget and stated when the bonds were issued, there were assessment hearings, and those assessments were set. They are 30-year bonds but at the end of ten years if interest rates are better the board will have the opportunity to refinance those bonds at a better rate. Typically, your first bonds have a higher rate because you are starting fresh and there is a lot more risk to bondholders, no rooftops to spread the risk.

Mr. Oliver reviewed the revenues, administrative section, maintenance, and stated landscape maintenance is biggest driver of the increase, amenity center and we want to make sure we run all the costs through the district to show the actual costs and we set aside \$40,000 for capital reserves.

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B. Board Discussion

Ms. Castille stated of the \$704,000 proposed budget, a portion of that the developer is still paying.

Mr. Oliver stated yes. The developer is paying for the direct assessments on all the land they own and they have a developer deficit funding agreement to make sure if the district needs more money they will fund that up to the \$704,000. That is important because we have to have a funding source.

Ms. Castille asked for this budget is that the contingency?

Mr. Oliver stated it is contingency but most important is we have the flexibility as a board and staff working with the board to move funds among line items.

C. Public Hearing Adopting the Budget for Fiscal Year 2025

On MOTION by Mr. Ghazvini seconded by Ms. Castille with all in favor the public hearing was opened.

A resident stated it looks like there is money in the budget that is not being spent but the surplus reduces the developer contribution on the shortfall.

Mr. Oliver stated this budget is not generating any surplus, it is simply that once we exhaust the assessments, we rely on the developer for contributions to fund any costs between the assessment levels received and the actual costs incurred. Eventually every CDD becomes self-sufficient and your entire district will run solely on assessments collected from the property owners. We are not there right now but are beginning to transition, but it is going to take a while to get there. There is no surplus being returned to the developer.

A resident asked does the district maintain a general ledger of all the expenses being paid?

Mr. Oliver responded we do. We have a trial balance and we provide that to the auditor and they go through that thoroughly. They also go through all the minutes to make sure the board approved those expenditures.

Ms. Castille asked don't we get a general ledger in our meeting packages?

Mr. Oliver responded yes, at every meeting you have the unaudited financials throughout the year and that is also on the website.

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A resident asked what areas are contained in this budget as far as Canopy, Ox Bottom, the apartment? Is that it?

Mr. Oliver stated that is it. Everything within the boundaries of the district that are common areas that are owned by the district. We had a discussion earlier, there is a map of the district on the website and is on the bottom of page 2 of your agenda.

Mr. Asbury stated the apartments do not have access to the amenity center. Their assessment is for landscaping, maintaining everything else in Canopy but not the amenity center.

Mr. Oliver stated they maintain everything within their footprint.

A resident asked at a certain point when the HOA takes over is it around the same time the CDD becomes stand alone?

Mr. Oliver stated it is not tied to that. We are transitioning the board and have two more residents join this year and two more in two years. Although you will have a resident board controlling this district in two years, sometimes it takes a while for buildout due to economic conditions and other things. Southwood was established in 1999 and some of these developments because they are so big they take a long time to get to build-out. It is going to take a while to get to that point.

A resident asked when that time comes will we be left with no money in the coffers or will we be left with some residual funding to take care of issues?

Mr. Oliver stated you will be left with some. We mentioned earlier we are putting \$40,000 in the capital reserve fund and we will start building those as we ramp up but at the same time you will also build a rainy-day fund. As you have more platted lots you collect more assessments you still are fiscally prudent and you will generate some surpluses every year and they will sit on the balance sheet, everyone will see them and you can use those as needed.

A resident asked are CDDs required to have an insurance policy or is that more on the HOA side?

Mr. Oliver stated they are required. We have liability insurance, public officials and property insurance.

A resident asked are the HOA and CDD connected?

Mr. Oliver responded no. One is private and the other is governmental.

A resident asked is there insurance for areas other than the amenity center?

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Mr. Oliver responded yes, there is property insurance for all the assets owned by the district and there is liability insurance to protect the district.

A resident asked at a prior meeting when we discussed contingency, have we discussed doing something with that money to earn interest? Has that been accomplished?

Mr. Oliver stated yes, later in the agenda you will see that we are asking the board for permission to open an account with the State Board of Administration.

On MOTION by Ms. Castille seconded by Mr. Ghazvini with all in favor the public hearing was closed.

1. Consideration of Resolution 2024-03 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2025

Mr. Van Wyk stated Resolution 2024-03 is the budget adoption resolution. The budget was approved, notice was provided in publication and on the district’s website as required. We are required to adopt this budget prior to October 1. We are making findings with respect to the specifics of those budget sections that we talked about, the general fund budget, bond assessment and details.

On MOTION by Ms. Castille seconded by Mr. Ghazvini with all in favor Resolution 2024-03- was approved.

2. Consideration of Resolution 2024-04 Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2015

Mr. Oliver stated we just adopted a budget and we fund this budget with assessments. We levy assessments on all the lands in the district. You received a mailed notice and you can see this on the last page of the budget, there is an assessment chart and all the single-family homes are assessed \$821 for the current fiscal year and this would increase it to \$878, an increase of \$57 on an annual basis, \$4.75 on a monthly basis. This would be collected on your tax bill. If you pay by November 30th, you will receive a 4% discount.

On MOTION by Mr. Brady seconded by Ms. Castille with all in favor the public hearing was opened.

There being no comments or questions,

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On MOTION by Ms. Castille seconded by Mr. Ghazvini with all in favor the public hearing was closed.

Mr. Van Wyk stated we adopted our budget now we need to fund that budget and this resolution puts those assessments in place in order to collect enough money to fund the budget. We are making certain findings with respect to assessments. Assessments require two things, they have to be a benefit that equals or exceeds the amount you are imposing so there has to be a benefit to the property. We have already determined that the items included in the budget are a benefit to the property and the community as a whole. Then they have to be fairly and reasonably apportioned across the various product types in the district. Jim has prepared a tax roll that has all properties listed and the amount of the assessment that will be imposed on each one of the properties. It provides for the collection method, some assessments will be directly collected by the district, some will be collected on the tax roll and collected by the county tax collector as part of the normal tax collection process. The resolution allows Jim and his staff to amend the assessment roll should different parcels come online between now and when we certify the roll.

Mr. Oliver stated we do not have the assessment roll as an exhibit, there is some confidential and exempt information on those rolls, but it is the property ID for each one, the name, address and assessment for each one of those properties.

On MOTION by Ms. Castille seconded by Mr. Ghazvini with all in favor Resolution 2024-04 was adopted.

D. Consideration of Deficit Funding Agreement for Fiscal Year 2025

Mr. Van Wyk stated this is the same agreement you have seen in the past where the developer provides that they will provide that dollar amount that was put in the budget if there is a budget shortfall. We expect that there will be if we fully fund all the items that were included in the budget.

On MOTION by Mr. Brady seconded by Ms. Castille with all in favor the deficit funding agreement for fiscal year 2025 was approved.

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SEVENTH ORDER OF BUSINESS**Authorization for Staff to Open a State Board Account**

Mr. Oliver stated next is authorization for staff to open a State Board account. We typically have not had much money to invest because as these assessments are collected and also developer contributions they go immediately to fund operations and maintenance. As we put money aside for the capital reserve fund we want to invest it at a higher yield but we are required to use only certain qualified vehicles to do that. The reason we use the State Board of Administration is they are focused on public entities such as cities and counties, special districts and we get a higher rate of interest than we would just in a typical governmental checking account. We have to have liquidity, security and last is yield that takes a back seat to protecting these funds.

On MOTION by Mr. Brady seconded by Ms. Castille with all in favor staff was authorized to open an account with the State Board of Administration.

EIGHTH ORDER OF BUSINESS**Discussion Regarding Swim Lessons**

Mr. deNagy stated this item came up at the June meeting and the board asked what other districts do in regard to swim lessons. We are at the end of swim season but as a discussion point, I reached out to five local swim lesson providers in Tallahassee to gauge their interest to see if they would be willing to partner with the district to offer swim lessons to residents of Canopy. I heard back from four of those vendors and all were willing to serve the residents here. Two of them were local, ISR, an infant swimming resource and they focus on infant survival. United Swim Club offers a broad range of swimming lessons from youth to adult. I reached out to Aqua Mobile and InstaSwim, they are national and provide people to come in and provide swim lesson services. All four were willing to serve residents in the district and it is a discussion for you as to how you want to proceed.

Mr. Oliver stated we also discussed the fact that this would be funded by user fees not by the district.

Mr. Ghazvini asked can we set up on the policies on the website and if a homeowner in Canopy has a program or lesson they feel good about, can they have that individual come to the CDD or GMS before the next meeting to get approved?

Mr. Oliver stated I like that approach. We will bring this back to the next meeting.

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NINTH ORDER OF BUSINESS

Discussion of CDD Goals and Objectives

Mr. Oliver stated during the last legislative session the house and senate approved a bill that requires all special districts in Florida to set goals and objectives, publish them before the beginning of FY 25 and on a quarterly and annual basis compare your performance to those objectives. We had a short amount of time to meet this mandate and in your agenda package is a memorandum that was prepared by Roy’s office regarding the legislative requirement and with the help of Roy’s office and district management companies throughout the state, we have come up with goals and objectives that would meet the requirement that we can achieve this first year.

On MOTION by Mr. Brady seconded by Ms. Castille with all in favor the goals and objectives were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated we did work closely with district management to come up with those goals and objectives. We will be in compliance and it is a good matrix to know where we are. We are still working finishing with the acquisition.

B. Engineer

There being none, the next item followed.

C. Manager

Mr. Oliver stated the general election is November 5th, there are two seats being filled by general election. Only one person qualified so he is a supervisor elect, Toby Thomson. The other seat had two qualifiers so that will be determined by the election. Those board members will be seated no sooner than 14 days after the general election period.

Ms. Van Wyk stated as a supervisor elect you are subject to some of the requirements of the sunshine law, monitor your conversations with other board members. You can call my office and we will get you the new supervisor notebook.

1. Approval of Check Register Summary

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

2 Balance Sheet and Income Statement

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

3. Discussion of Fiscal Year 2025 Meeting Schedule

Mr. Oliver stated this is the same schedule that we have had in the past and in conversation with Mr. Thomson he is asking that we move the meeting from 2 p.m. to 1 p.m. and we can discuss that once he is seated.

On MOTION by Mr. Brady seconded by Ms. Castille with all in favor the fiscal year 2025 meeting schedule was approved reflecting meetings on the following dates: October 10, 2024, December 12, 2024, February 13, 2025, April 10, 2025, June 12, 2025 and August 14, 2025.

ELEVENTH ORDER OF BUSINESS Other Business

A resident stated I believe you did a good job with water management in the last big storm we had, the retention pond never went over its barriers. Tree planting is in the budget and two islands have dead trees and they should be pulled and replaced.

A resident stated on Broadmoor Lane in section 5, the grass is being cut about 8-feet from the curb and there is a massive amount of weeds and overgrowth. That needs to be addressed and cut back.

A resident asked regarding Dove Pond, I know the master plan has a walkway around it. Any idea when that will be installed?

Mr. Ghazvini stated the portion of the trail system that is on the northeast side of Dove Pond is City of Tallahassee property and their portion of that trail is not yet built. If you get to the other side of the dam, there is a sign that says this is the end of the trail system because the city has to complete it so it comes back around and ties back. Until the city develops their part that portion will not be created as a loop back to Welaunee Boulevard.

A resident asked what is the sign at the end of Broadmoor for? All of us as members or is that for people who don't live here?

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Mr. Ghazvini stated what has happened is the public has chosen Dove Pond as the place to come fishing. We have had a lot of people come to Dove Pond, they park near Broadmoor, the other side of unit 5 as well and walk down and fish in the pond. Those signs are our attempt to work with TPD to try to get it so people will stop coming and give TPD the ability to tell people they can't be here it is private property. If there is a consensus to not have the signs, I don't have a desire to keep them other than to prevent that from happening. If you live in Canopy you are welcome to go to Dove Pond, that sign is not meant for you.

A resident asked what can we expect grass in the pipeline area?

Mr. Ghazvini stated that area is for the Florida Gas transmission line, it is their property. As a builder/developer if I step on there I have to ask permission. If I do anything I have to ask permission. You have reached out to Sue and she passed it along to me. They were onsite and we pinned them down and had a conversation and they agreed. You are seeing their first level of trying to bring in dirt and they will come back and put grass and seed and sod. If it doesn't take, reach out to Sue and we will come out.

A resident stated we asked to be able to encroach into an easement and were denied.

Ms. Castille asked what do you want to put there?

A resident stated we wanted to put pavers because we are putting pavers all the way across and then screen it in. We wanted an outdoor kitchen, a table and chairs and a hot tub on the other side, so a screen all the way across. We requested that extra few feet to make that triangle a square.

Mr. Ghazvini stated I'm happy to come and meet you at your house and discuss it with you. I think the hurdle is that it is not just the CDD open space, that is a drainage and utility easement, there are two large, substantial, drainage pipes that are inside that easement that convey stormwater down to the stormwater facility. You feel that your request is reasonable and makes sense and it is a good reason for us to give it. Everyone will feel that way about their situation if they go into an easement on their property. If we as a CDD say it is okay here, then we have to say it everywhere.

A resident asked the roundabout at Dempsey Mayo and Welaunee three or four weeks ago the storm went through, the City Blueprint sign and it is still in the middle of that roundabout.

A resident started I brought this up before about trying to hide the big sewage pump. It is an eyesore when you are using the trail system around the pond. It should be hidden with shrubbery or fence.

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Mr. Ghazvini stated I need to ask the city to plant a buffer around the lift station.

A resident stated I live in Unit 4 and part has received the final lift of pavement and when the contractor did that they spray painted some crosswalks and stop bars. Those started to fade. Can we put in thermoplastic?

Mr. Ghazvini stated it will be thermoplastic. Some of those things are waiting for the speed humps to go in. All of that stuff will be installed as the speed humps go in. We will send out that timeline.

A resident stated in Unit 4, it was supposed to connect to Welaunee but the city installed a box.

Mr. Ghazvini stated it is going to be relocated. Timing is a problem.

A resident stated it is only right turns.

Mr. Ghazvini stated they did not want people going across the median.

A resident asked can we get an emergency contact number posted here at the pool? We don't have anyone to call in an emergency. There was poop in the pool one day. Who do we call?

Mr. Ghazvini stated an email went to Sue and to Laura and to Jim. I was closest so I came over and dealt with the issue. Those are the three people you can contact.

A resident stated some things are more critical than an email, such as unruly teenagers in the pool. It happened this weekend and Sue took care of it but if Sue were not here we would have had a big problem.

Mr. Ghazvini stated if that happens and Sue is not available, call officers.

A resident stated they told me they can't come onto the property because it is private property. The owner of the facility has to contact them.

Mr. Ghazvini stated I will contact TPD and fill out whatever form they want.

A resident asked can we get the dead crape myrtles on Crestline replaced?

Mr. Ghazvini stated Premier will do that.

A resident asked are there plans for another amenity?

Mr. Ghazvini stated this is the only one planned. As the homeowners take over and there is a desire for another amenity, that is something they can choose to do but you have to think of the cost to do that. Down the road the homeowners may want to have another bond to add to the amenity.

Mr. Asbury stated this amenity and pool were sized to accommodate 800 homes.

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TWELFTH ORDER OF BUSINESS Supervisors Requests

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS Next Scheduled Meeting – to be determined

Mr. Oliver stated the next scheduled meeting will be October 10, 2024 at 2:00 p.m.

On MOTION by Mr. Brady seconded by Ms. Castille with all in favor the meeting adjourned at 7: 36 p.m.

Signed by:

Corbin DeNagy

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Secretary/Assistant Secretary

DocuSigned by:

Jason Ghazvini

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Chairman/Vice Chairman