

MINUTES OF MEETING  
NARCOSSEE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Narcoossee Community Development District was held Tuesday, January 24, 2017 at 3:00 p.m. at the Orange County Library – Southeast Branch, 5575 South Semoran Boulevard, Orlando, Florida.

Present and constituting a quorum were:

Jeffrey Smyk	Chairman
Steve Giercyk	Vice Chairman
James Gregoire	Assistant Secretary by telephone
Chris Vinton	Assistant Secretary
Peter Wong	Supervisor

Also present were:

Jason Showe	District Manager
Roy Van Wyk	District Attorney
Rey Malave	District Engineer
Alan Scheerer	Field Manager

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Showe called the meeting order.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oath of Office to Newly Elected Supervisors**

Mr. Showe being a Notary Public of the State of Florida administered the Oath of Office to Mr. Giercyk and Mr. Wong.

**B. Consideration of Resolution 2017-02 Electing Officers**

Mr. Showe stated every time there is an election you are required to consider officers. You can keep the same slate of officers or we can take each office individually.

Mr. Giercyk stated I suggest we leave it as it is unless somebody feels there should be change.

Mr. Showe stated I will read into the record the current slate of officers. Mr. Smyk Chairman, Mr. Giercyk Vice Chairman, Mr. Flint Secretary, Messrs Vinton, Wong, Gregoire and Showe Assistant Secretaries, and Mr. Lovera of our office Treasurer.

On MOTION by Mr. Giercyk seconded by Mr. Wong with all in favor Resolution 2017-02 was approved with the same slate of officers.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the October 25, 2016 Meeting**

Mr. Showe stated next is approval of the minutes of the October 25, 2016 meeting. They were provided as part of your agenda package and we can take any corrections or changes to those at this time.

There being none,

On MOTION by Mr. Vinton seconded by Mr. Wong with all in favor the minutes of the October 25, 2016 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Consideration of Non-Ad Valorem Assessment Administration Agreement**

Mr. Showe stated the next item is consideration of the non-ad valorem assessment agreement. This agreement has the same terms as before it is just a new agreement for the current fiscal year. We recommend approval.

On MOTION by Mr. Wong seconded by Mr. Vinton with all in favor the non-ad valorem assessment administration agreement with the Orange County Property Appraiser was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Consent to Assignment of the Landscape/Grounds Maintenance Service Agreement**

Mr. Showe stated the next item is consideration of the consent to assignment of the landscape/grounds maintenance service agreement. Down to Earth has changed their name and are now SSS Down to Earth OPCO LLC D/B/A Down to Earth.

Mr. Scheerer stated none of the employees are going to change everything will remain the same.

On MOTION by Mr. Vinton seconded by Mr. Giercyk with all in favor the consent to assignment of the landscape/grounds maintenance services agreement between Narcoossee CDD and Down to Earth, Inc. to SSS Down to Earth OPCO LLC D/B/A Down to Earth was approved.

Mr. Showe stated Mr. Smyk joined the meeting during this item and he has completed his Oath of Office.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Van Wyk stated the legislature is in session and we will be monitoring what is going on there.

**B. Engineer**

**i. Design Services Proposal**

Mr. Malave stated our landscape architect went to the site and walked it and created a stair stepped proposal. The key element is you were talking about making it look like the one in Nona Preserve using the brick and columns. I think the biggest issue is when you start setting the columns there is vegetation and other elements that need to be located out in the field. He divided the proposal in three elements, creating a preliminary detail and walking the site in the field to adjust the columns to make sure they fall without interrupting any existing trees and other elements that might be there. Second was actually creating the landscape and layout plans and the third is getting them approved by the city. The last two elements are watching construction and any meetings that might be needed. That is what he has broken out. The majority of the work is Task 1 and 2 they are talking pretty much about \$4,500 for his efforts and work, \$1,000 for permitting, he has a time for coordination and meetings at \$1,200 and

construction admin at \$1,200 That is basically the effort it will take to have the full plans ready for construction, bid documents to get it approved and starting construction.

Mr. Giercyk asked will that include landscaping as well as fencing?

Mr. Malave responded correct.

Mr. Giercyk asked and also includes the landscaping on Dowden Road?

Mr. Malave responded I don't recall the Dowden Road part.

Mr. Giercyk stated we discussed leaving the center of Dowden Road until another time.

Mr. Malave stated he does not have that in here.

Mr. Smyk stated basically these fees are the design component.

Mr. Malave stated correct.

Mr. Smyk stated design and permitting.

Mr. Malave stated design, permitting and there is a portion of it to help construct and certify and questions with the contractor and most of that would be related to landscaping and some of that could go to Alan it is just to ensure if there are any questions from the contractor we could set right what we want.

Mr. Van Wyk asked will we require structural review or anything in the field?

Mr. Malave stated he will come up with a design in the office that will be structurally sound per the city requirements.

Mr. Van Wyk asked will the Engineer have to perform an inspection on that?

Mr. Malave stated on the columns, yes. We will still have to certify it complete and it does have that in there in the final construction administration part.

Mr. Giercyk stated everything we are doing is on our own property.

Mr. Malave stated right, on CDD property.

Mr. Vinton asked would this be a recommendation of a specific landscape company to perform the work or is this just the design?

Mr. Wong asked doesn't a landscape company provide a design at no charge?

Mr. Malave responded they can but one of the things we can do is coordinate with Down to Earth.

Mr. Showe stated if we have a firm set of plans that say this is what you are doing. We can give those to other vendors and get competitive prices.

Mr. Vinton stated in terms of landscape redesign of Nona Crest followed along with the aesthetics of the overall community so it wasn't really like here are three proposals and plans at no charge. I was curious just what landscape design there was.

Mr. Malave stated what the Board is doing is for the fence, how do you combine the landscape, where do you want to have it? It calls for is a 10 gallon plant or 5 gallon plant so it is rather generic. That is where you have the least of the work.

Mr. Smyk stated section 2 landscape and layout plans the \$2,500 associated with that with the preliminary fence and column layout that would be the design and layout of the fence we would want and section 2 we could just defer to a landscape company.

Mr. Malave stated the first one actually creates a drawing that is basically what we would like to have, a column at so many feet, etc. which also includes the task of going out there, walking it, wheeling it to see where they fall then making modifications and doing a final plan, which is what falls in Task 2. A portion of that can be eliminated, the landscape layout and all that I think you could probably work with the landscaper and I think if you tell them here is what you want the plans, here is how many you want here is the theme we are trying to follow I think that is what you are trying to say.

Mr. Scheerer stated these plans are specific to the columns that are being installed.

Mr. Vinton stated I'm sorry I was misreading that as two separate items as you have the fence in item 1 and landscaping in item 2. But you are saying the landscape and the actual layout of the overall entire project is lumped into no. 2.

Mr. Malave stated that is correct.

Mr. Giercyk stated one of the things that I found over the last year or so is when you try to get a landscaper to put together a rendition they are very reluctant to do it without charging you some amount of money. They are reluctant to give you a rendition of anything. I think this is a great approach.

Mr. Smyk stated let's say we went to Down to Earth and say we would want you to give us a landscape plan for along this new fence we are constructing since they are the landscape company for the District and they said sure we will do that free of cost, then would this be less in section 2 if they were doing the actual landscape layout.

Mr. Malave stated it depends on level you want but yes that would be less.

Mr. Giercyk stated I walked the whole project with Down to Earth a year ago, explained the fencing to them and they understood that and they were going to come back with a rendition, only that rendition never got done and when I talked to Bruce about it he said we are working on it but we are having trouble putting together a rendition. While Down to Earth may be great at landscaping I'm not sure they have the facility to put together a full rendition and present it and say this is what it is going to cost.

Mr. Scheerer stated I don't disagree with Mr. Giercyk because I have been involved with him on several other design requests, which Down to Earth has never provided unlike Yellowstone and Austin Outdoor whom I know has somebody named Jack who specifically does renderings. I'm not saying we have to reach out to Down to Earth just because they are our main provider we could also reach out to Austin Outdoor. We have talked to them in the past and they were successful in getting a redesign at Nona Crest. What Rey is providing and proposing simplifies all that and it takes away the question mark instead of who are we going to call. It may save you some money but in the long run it may cause more headaches. I'm not sure how to phrase that but I know Down to Earth has never provided me anything in color on any of the projects they worked with as far as a rendering anywhere close to you what you got during your landscape rehab.

Mr. Smyk stated basically a landscape architect who works at Dewberry would be providing the landscape and then civil engineering would be doing the fence.

Mr. Malave stated he does it all because it is what is called hardscape. The only time you will have an Engineer will be our Structural Engineer who will look at it to tell him the footer is correct and the depth and all that and the steel and signoff on his design. He has five or six different wall foundations we have used and another issue is are we accommodating based on where a particular column falls because of some existing conditions. It is included to some level, minimal, if it is a specific issue we will have to look at it in more detail in the field.

Mr. Vinton stated it would still require if not a separate line item for this you would still have to increase for overall layout design and if we remove landscaping we are still getting a layout plan required for materials.

Mr. Malave stated that is correct.

Mr. Giercyk stated when we do it this way we find out how far into the wetlands we are going with the fence because we have already looked at that. Anyone I have talked to over the

last year about putting in fencing said you can only go to the wetlands and that is it you can't go further. They don't understand all the regulations and I think if we have a plan now we can move forward without any question.

Mr. Malave stated it will be permitted so that everybody has looked at it and says you can go this far and they aren't going to have any second guesswork.

Mr. Showe stated if you have a cohesive plan even if you decide not to do the landscaping right away you have a plan for it already so in the future you can say we know exactly what we want for landscaping. You will already have an integrated plan in place.

Mr. Smyk stated I'm sure that in the initial walk through there weren't any red flags. Was it determined that it was not out of reality?

Mr. Malave stated the answer is no. I think there was a concern about some existing trees we wanted to leave and other things that were out there that we want to integrate without taking a lot of material out and adjusting the fence to accommodate that. As an example you might have 10 feet, 10 feet, 9 feet and maybe 11 feet to accommodate something that is in the field.

Mr. Wong asked is the wetland area the domain of the landscape architect?

Mr. Malave responded he has already talked with our biologist who is the one that came up with the aeriels. We will double check that with her on the walk through.

Mr. Wong asked does the direct cost estimate of \$500 include the permit cost?

Mr. Malave stated that was just a number in case there are any fed ex's or what have you.

Mr. Wong asked what is the permit fee?

Mr. Malave responded I don't remember because it is strictly landscaping and is usually 1% of the construction cost. We might not have anything other than a token fee of \$100 for a wall.

Mr. Vinton asked did we receive a schedule of charges?

Mr. Malave stated it is tied to our work order and scope of work.

Mr. Showe stated the first part will give you a probable cost of construction and at that point you can look at it and say you don't want to do this but getting the first part done will give you a good set of plans and a good idea of what you want plus costs for budgeting purposes.

Mr. Malave stated without having to do full construction drawings.

On MOTION by Mr. Smyk seconded by Mr. Giercyk with all in favor section 1 of the work order no. 13 was approved.

Mr. Malave stated I have one item that I didn't have a chance to finish and will bring it back next month. Being a new corporation from what we used to be there is a different accounting method and one thing they brought up is I have a lot of CDDs that have old agreements this being one of them and they notice a line item that says you can increase your current hourly rates to what they are today. In this case it is weird because they are actually going to go down. In general they vary up and down but some are going to go down because it was from the old Bowyer Singleton days and we had a Dewberry one but they used the old one. Dewberry because they are such a large company has a lower multiplier and the rates are lower. I will bring a new work order next month and every year they would like us to renew our work order so that it is up to date and it will be based on the budget that we have if we don't use it we don't spend it and we get authorization before we use any of it. It will be a work order for general engineering services, which will include attending meetings with you, questions, etc., coordination with staff and for whatever the budget is it will be retroactive technically from October 1<sup>st</sup> to the end of September 31<sup>st</sup> and in September you will see another one.

Mr. Smyk asked do you have an update on the Econ Trail project?

Mr. Malave responded they did get zoning approval for the property that is part of the developer who is going to put the roadway in. The city is struggling with finding funds to assist in their agreement with that development. That development is going to connect Econ Trail north of Lee Vista Boulevard. They are required to create a four-lane road from Curry Ford to Lee Vista Boulevard because there are only two-lanes of the Econ then the final construction of the Econ Trail through that development coming across the Beachline and tying in front of Dowden Road at our property within our CDD. That is the last phase of that roadway. The roadway is divided into four phases of what they are going to construct. The first phase is the piece that is the additional two lanes north of Lee Vista and south of Curry Ford. The city was supposed to have that under contract and ready to go they do not have the funds because the county is not cooperating so the timing has changed to some degree. The last piece, which is the one that will affect us the most was slated for 2021 so we believe that has probably shifted a year or two before that will happen. That is the general timing of the anticipated construction. It is going to be dependent on two things; they have to finish the munitions cleanup on the property



and a signoff from the state and also from the feds. That was contemplated to take two years and it is taking a little longer so it will be closer to three years with a final signoff and that will be 2020, which means that is when they will do design and possibilities, which will push the roadway design even further out. That is as much as I know at this time.

Mr. Smyk stated to come back to our new project with the fence and columns if we say the project is a go and we would be dealing with that retention pond, keep in mind the ability to move two columns and whatever we can do initially to plan for that because hearing your timeline I would think it would be unfair to postpone that just because the rest of the neighborhood would all look nice.

Mr. Giercyk stated there was some discussion with the gentleman who came out strategically locating those columns so that project could be taken into consideration.

Mr. Malave stated I made a note to ensure that whatever design they come up with it does give us alternatives so we still have a project that looks good without that piece and at the same time how it looks good with it.

Mr. Vinton stated I don't think we should hold off on any type of improvement because of uncertainty in the future.

Mr. Smyk stated I am in full agreement with that.

**C. Manager**

**i. Approval of Check Register**

Mr. Showe stated this is a check register from October 16, 2016 through January 16, 2017 for checks 1560 through 1583 for \$298,479.70 and October payroll for \$737.97 for a total of \$299,217.67 and about \$250,000 is for transfers from the general fund to the debt service fund.

On MOTION by Mr. Giercyk seconded by Mr. Vinton with all in favor the check register was approved.

**ii. Balance Sheet and Income Statement**

Mr. Showe stated the next item is the balance sheet and income statement. There is no action required by the board.

**D. Field Report**

Mr. Scheerer stated I have been in communication with the Property Manager at Nona Preserve on possible landscape changes at their entrance.

Mr. Vinton asked is there an update on Solvino and their planned wall enhancement?

Mr. Scheerer responded I have not heard from anybody in Solvino.

Mr. Showe stated we reached out a couple times and there was a change in their management and some of that may have gotten lost in the transition.

**EIGHTH ORDER OF BUSINESS**

**Other Business**


There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Supervisors Requests**

There being none,

On MOTION by Mr. Smyk seconded by Mr. Giercyk with all in favor the meeting adjourned at 3:53 p.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman