

MINUTES OF MEETING
NARCOOSSEE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Narcoossee Community Development District was held Tuesday, June 5, 2018 at 3:00 p.m. at the offices of GMS-CF, 135 West Central Boulevard, Suite 320, Orlando, Florida.

Present and constituting a quorum were:

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|----------------|---------------------|
| Jeffrey Smyk | Chairman |
| Steve Giercyk | Vice Chairman |
| James Gregoire | Assistant Secretary |
| Peter Wong | Assistant Secretary |
| Betsy Burgos | Assistant Secretary |

Also present were:

| | |
|---------------|--------------------------------|
| Jason Showe | District Manager |
| Alyssa Wilson | District Attorney by telephone |
| Rey Malave | District Engineer |
| Alan Scheerer | Field Manager |

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Review of Letter of Interest/Resume

Ms. Burgos stated I have lived in Ziani for about six years and in Florida since 2001. I have worked on the homeowners' association in Ziani for the past three years to help improve the community. I currently work in a V.A. Hospital and my background is in mental healthcare and innovation.

B. Discussion of Appointment to Fill Board Vacancy with a Term Ending November 2018

On MOTION by Mr. Gregoire seconded by Mr. Wong with all in favor Betsy Burgos was appointed to fill Seat #5 with a term ending November 2018.

Mr. Showe being a Notary Public of the State of Florida administered the Oath of Office to Ms. Burgos.

Mr. Showe stated attached to the Oath of Office form is a page for your contact information and you can fill that out before you leave today. Next is the Form 1 statement of financial interests that is required to be completed and turned in to the supervisor of elections in Orange County within 30 days of today. We recommend when you turn it in you get a copy or confirmation that they have received it. Next is Form 1F and is for information only at this point but you would fill that out at the end of your term or when you leave the Board. Next is the W-4 and I-9 forms and as a Supervisor you are eligible to receive up to \$200 per meeting up to \$4,800 per year. Do you choose to accept?

Ms. Burgos responded yes.

Mr. Showe stated you will need to fill out the I-9 and W-4 and return them to me. Next is a Form 8B Memorandum on Voting Conflict if an item were to come before the Board and you believe you have a conflict of interest in voting for it we recommend that you talk to me or District Counsel and if you have a conflict you will need to fill out that form. Next is the Florida Guide to the Sunshine Amendment, as a Board Member you are a public official similar to a City or County Commissioner and we have to conduct all of our business in the sunshine. You are not allowed to talk to other Board Members outside of a meeting about things that may come before the Board for a vote. That applies to all forms of communications, text messages, emails, phones calls. When we send emails all the Board Members will be listed and it will say, please do not rely to all, you could inadvertently start conversations that way. You are not required to keep any records from the CDD, that is our job as District Manager and we will keep all the records. If you choose to keep records we recommend you keep them separate from your personal or business files so if there is a public records request none of your personal things are intermingled. For your email you can have a separate folder and keep CDD emails in that folder.

C. Consideration of Resolution 2018-01 Electing Officers

Mr. Showe stated next is Resolution 2018-01 adding Ms. Burgos as an Assistant Secretary. Mr. Smyk is Chair, Mr. Giercyk is Vice Chair, I am the Secretary, Mr. Gregoire, Mr. Wong, Ms. Burgos and George Flint are Assistant Secretaries and Ariel Lovera is Treasurer.

On MOTION by Mr. Smyk seconded by Mr. Giercyk with all in favor Resolution 2018-01 was approved as read into the record.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the January 23, 2018 Meeting

On MOTION by Mr. Smyk seconded by Mr. Gregoire with all in favor the minutes of the January 23, 2018 meeting were approved.

FIFTH ORDER OF BUSINESS

Review and Acceptance of Revised Draft Fiscal Year 2017 Audit Report

Mr. Showe stated next is review and acceptance of the revised Fiscal Year 2017 audit report, a copy of which was included in your agenda package. The management letter that starts on page 30 outlines all the required items they are supposed to look at. There were no findings the previous year and there are no findings this year. It is a clean audit. Counsel has reviewed this as well and we have made all the changes Counsel recommended and those comments are incorporated in the copy you have.

On MOTION by Mr. Smyk seconded by Mr. Gregoire with all in favor the Fiscal Year 2017 audit was accepted and staff authorized to transmit the final report to the State of Florida and to post it on the website.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2018-02 Approving the Proposed Fiscal Year 2019 Budget and Setting a Public Hearing

Mr. Showe stated the meeting room at the library is not available on our regular meeting date and we have provided options for you to choose the date and location.

The resolution approves the proposed budget, which is attached as exhibit A, directs staff to transmit the approved budget to Orange County and the City of Orlando at least 60 days prior to your budget hearing and post it to the District website.

We have kept the assessments level; there is no proposed increase in assessments. The capital reserve fund for each community is on pages 11 to 14 and we have some projected expenses in Nona Crest, La Vina and Nona Preserve that are tied to some tree trimming.

Mr. Scheerer stated as you know we have a lot of mature oak trees along Narcoossee Road in front of Nona Crest, Nona Preserve some of the ponds in Nona Preserve and both sides of Dowden Road, La Vina Phase 2. We obtained a class 2 tree pruning price. A lot of our trees need to be thinned out, some branches need to be removed for the health and benefit of the tree. Down to Earth got with Scott Briggs Tree Service and this is a budget number and if it is something we wanted to do we can get additional pricing. Nona Crest is a total of \$5,400, Nona Preserve is a total of \$3,360 and La Vina Phase 2 has 827 trees at a projected cost of \$20,000.

Mr. Showe stated in the past when it is something along Dowden Road instead of allocating those costs to La Vina we looked at the ERU breakout and allocated about 26% of that to the G&H Parcel because they do benefit from the tree trimming so it won't be the full \$20,000.

Mr. Scheerer stated this is just a budget number and we can get with your tree guy who did a great job and I have another tree guy and we can get proposals. They need to be thinned out and trimmed whether we do them this year or in 2019. The ones along the road between the sidewalk and curb are not included in that number because those are the responsibility of the City of Orlando. All we agreed to do was mow the grass and put in the irrigation in that area.

Mr. Smyk asked will you check into that because I thought we did agree to trim those trees.

Mr. Scheerer stated we will do that.

Mr. Giercyk stated on Dowden Road most of the trees are between the sidewalk and the curb.

Mr. Scheerer stated Dowden Road is between the sidewalk and the curb from Narcoossee Road to Solvino and Capri as well as those trees between the sidewalk and the wall along Mirabella, then along Tracts A, C and B in front of the ponds at Ziani and Mirabella. There are 127 trees.

Mr. Gregoire asked the trees in front of Nona Crest and Nona Preserve between the sidewalk and the street that you say are under the City of Orlando jurisdiction, do you know the count?

Mr. Scheerer responded no, we didn't include them in the count. We only did them on CDD property.

Mr. Gregoire asked what are the chances of getting the City of Orlando to trim those trees?

Mr. Scheerer stated we will reach out to the City. Realistically they are going to do exactly what they did, they are the ones who did the "L" shape cut as it is, we didn't do that and we paid no money towards that project.

Mr. Smyk stated with them starting construction at the end of 2018 they may want to wait. I don't know if it is a bad idea to wait until all that is done to trim those.

Mr. Gregoire stated I would argue in support of having the trees trimmed as soon as possible for the health of the tree, but it also makes them less susceptible to be blown over in 100 mph wind should we have a hurricane. We may actually save some of those trees should we get a hurricane if we get them trimmed.

Mr. Scheerer stated the money is there to perform this under the operating right now, it is just not something we had contemplated doing. I was under the impression that the only maintenance we were obligated for was when we decided to irrigate that, the City provided us with all the material, we had a company install it and we agreed to mow that area. I don't recall us ever agreeing to trim the trees, but we will find out.

Mr. Giercyk stated I see the City out there working on storm drains along Narcoossee Road and they indicated there are tree roots in there and that is what they are taking out. Are they responsible for the trees along Dowden Road as well? I thought we were but maybe the City is responsible for the trees.

Mr. Malave stated most of the time that you input landscaping that is greater than just the grass they expect whoever put it in to take care of it. The only reason there could be a question on the ones that you are talking about is because that was an agreement and discussion later on when we were doing irrigation and I don't recall the conclusion on that, but on Dowden I would say all those trees the City will not maintain or operate and they are already ours because if they had their way they would put grass.

Mr. Scheerer stated we are trimming them now under the current landscape contract, we provide for pedestrian and bicycle traffic and stuff like that.

Mr. Giercyk asked what about the shade tree concept that I keep hearing about being required to plant so many trees along the road to provide shade.

Mr. Malave stated the City requires you to maintain it because it is part of your house.

Mr. Scheerer stated in the budget we did include the amount we have looked at for fencing along Dowden Road, which is \$50,000 and when you look at that project we would look at the same 74/26 split since it will benefit G&H as well. The debt service is on pages 15 – 18.

You are setting the ceiling on the assessments and we are saying the assessments aren't increasing, they are staying the same, but we can always move money between account lines.

Mr. Giercyk stated a couple meetings back we discussed Mirabella, the possibility of picking up the cost of the new fountain and also the electric bill. Have you included everything we need to include in this new budget should that occur?

Mr. Showe stated we have not at this point. They did reach out to us and we let them know that would likely result in an assessment increase and they decided to look at it internally to see if they could take care of it themselves. Even if they come back later we will let them know that they have to assume that responsibility at least through October 1st of the following year because our budget won't allow us to increase those assessments.

On MOTION by Mr. Gregoire seconded by Mr. Smyk with all in favor Resolution 2018-02 approving the proposed budget and setting the public hearing for adoption for Tuesday, August 28, 2018 at 10:30 a.m. in the Orange County Public Library at 5575 S. Semoran Boulevard, Orlando, Florida was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2018-03
Implementing Section 190.006(3) F.S.
Instructing the Orange County Supervisor of
Election to Place Candidates on the General
Election Ballot**

Ms. Warren stated Resolution 2018-03 provides that the Supervisor of Elections will conduct the election in November and authorizing you to publish notice of a qualifying period.

Mr. Showe stated we have already noticed the qualifying period.

On MOTION by Mr. Giercyk seconded by Mr. Wong with all in favor Resolution 2018-03 was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

i. Discussion of Fence Project

Mr. Malave stated you should have a copy of the drawing. I think we were authorized to do the drawings. We tried to not spend any more money on drawings, trying to get the price so in your packet you have the fee that came back from Seminole Masonry and Barfield Fence. Seminole Masonry in another job went by and saw the existing fence and saw the bricks that were used were different so he sent us a note and revised his cost and went from a utility brick to a Norwegian brick, which is what is out there. The price is pretty elevated; it is almost double for that specific brick. We could get two bricks and compare them and see what the difference is.

Mr. Scheerer stated you can tell the difference. The utility brick is what was used when Nona Crest covered up the vinyl emergency gate to the south and the Norwegian is the original brick. Even where we had the car that ran through the wall, you can tell the difference in the brick. Does it matter if you can tell the difference on the columns?

Mr. Gregoire stated they are going to look different anyway.

Mr. Malave stated the question is, is it worth the difference?

Mr. Gregoire asked if a car goes through a column, which brick is easier to get?

Mr. Malave stated utility brick. We will bring the two bricks so you can make a final decision and if we want to go forward we need to do a set of construction drawings so we can get real bids and construction notes that somebody can construct it where you want it.

On MOTION by Mr. Giercyk seconded by Mr. Wong with all in favor the Engineer was authorized to proceed with construction drawings on the fence project showing an option for utility brick and an option for Norwegian brick.

C. Manager

i. Approval of Check Register

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

ii. Balance Sheet and Income Statement

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

iii. Presentation of Series 2013A Arbitrage Rebate Calculation Report

A copy of the 2013A Arbitrage Rebate Calculation Report was included in the agenda package.

iv. Presentation of Number of Registered Voters – 1,846

A copy of the letter from the Supervisor of Elections indicating there are 1,846 registered voters residing within the District was included in the agenda package.

v. Presentation of Qualifying Information and Dates

Mr. Showe stated Seat no. 3, Mr. Gregoire’s seat and Seat no. 5, which is the seat that Ms. Burgos took today are up for election in November. The qualifying period is from noon June 18th through noon June 22nd. You need to turn in the forms listed on the information sheet along with a check for \$25.

We have a regularly scheduled meeting June 26th and we will keep the Board informed if we need to hold that meeting or not.

Mr. Scheerer stated we installed additional information signs on tract R, the buffer tract at Nona Preserve and we will do some additional landscaping where the landscaping was lost and/or removed and we spoke to a couple residents as well inform the Nona Preserve HOA, Royal Landscaping and Ron Brown, who is the property manager for Nona Preserve that we were doing this work so they wouldn’t be shocked that we were behind the townhomes. We installed seven new signs in areas specific to where some clearing was going on.

Mr. Gregoire stated we want to come up with something for the entrance that is low maintenance, makes sense, relatively low cost and doesn't require continuous maintenance such as the Washingtonians and Canary's.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors Requests

Mr. Wong asked the stop sign outside our entrance and the marking for the walkway, is it the City's responsibility to refresh the markings?

Mr. Malave stated it is but it is not a priority.

Mr. Giercyk stated this is a second request because I brought this to the Board's attention six months ago.

We are talking about putting up fencing and the wall, we also know that eventually the Econ Trail is going to come right across one of the ponds and drop into Dowden Road. Would it be out of line to ask whoever is doing this project to put up a wall on the opposite side of Dowden Road that would block all the lights shining into the backs of houses?

Mr. Malave stated if it gets developer driven and the City doesn't participate, you could push the City review group to require it but if the City is going to be participating that is where some of this is nebulous to some degree, because the City would love to have that road connection but then it becomes the City paying for it, it might get a little harder. I think it is worth talking to City staff. Maybe get District Counsel to write a letter to the public works director, Rick Howard, and say we understand this is going to happen and we would like to ensure that whatever landscaping and fencing in addition to other amenity features get put in for lights or something like that and tell then you want to review whatever they come up with.

Mr. Showe stated I will work with Rey on that.

On MOTION by Mr. Giercyk seconded by Mr. Smyk with all in favor the meeting adjourned at 4:10 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman