

**MINUTES OF MEETING
NARCOSSEE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Narcoossee Community Development District was held Tuesday, **November 29, 2022** at 3:00 p.m. at the Offices of GMS-CF, LLC, 6200 Lee Vista Boulevard, Suite 300, Orlando, Florida.

Present and constituting a quorum were:

Jeffrey Smyk	Chairman
Steve Giercyk	Vice Chairman
James Gregoire	Assistant Secretary by telephone
Peter Wong	Assistant Secretary
Kenneth Turner	Assistant Secretary

Also present were:

Jason Showe	District Manager
Meredith Hammock	District Attorney by telephone
Rey Malave	District Engineer – by telephone
Alan Scheerer	Field Manager
Rob Joseph	Down to Earth
Mike Furber	Down to Earth
Ricardo Sanchez	Down to Earth

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Representatives of Down to Earth addressed the board about the changes in management and personnel, their efforts to hire and retain qualified employees then discussed specific issues such as: lake banks and access ways are constantly missed in the mowing schedule, weeds in the flower beds, retention ponds get missed, overall property does not live up to the expectations of the community.

The representatives of Down to Earth left the meeting at this time.

THIRD ORDER OF BUSINESS Organizational Matters

A. Consideration of Resolution 2023-01 Declaring Vacant Seats

Ms. Hammock stated there was an election and there was one seat that was previously held seat 3 that is now vacant. When no one qualifies or runs then the seats term expires and by approving this resolution the board is saying the seat is vacant for the time being, within 90 days of the declaration of the vacancy the board will appoint a qualified elector to that vacancy.

Mr. Showe asked does it also include that Mr. Gregoire can continue in that seat until such time as someone is appointed?

Ms. Hammock stated that is correct. By statute he is allowed to carry over until a new appointment is made.

Mr. Wong asked is it mandatory that we appoint someone within 90 days or it is optional?

Ms. Hammock stated it is a statutory requirement.

On MOTION by Mr. Smyk seconded by Mr. Giercyk with all in favor seat 3 was declared vacant.

B. Administration of Oath of Office to Newly Elected Board Member

Mr. Showe being a notary public of the State of Florida administered the oath of office to Mr. Turner.

C. Consideration of Resolution 2023-02 Electing Officers

On MOTION by Mr. Giercyk seconded by Mr. Wong with all in favor Resolution 2023-02 was approved reflecting the following: Jeffrey Smyk Chair, Steve Giercyk Vice Chair, Jason Showe Secretary and Treasurer, Katie Costa Assistant Treasurer, Peter Wong, Kenneth Turner, Jim Gregoire and George Flint Assistant Secretaries.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the September 27, 2022 Meeting

On MOTION by Mr. Wong seconded by Mr. Smyk with all in favor the minutes of the September 27, 2022 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Review and Ranking of Proposals Received for Landscaping Services

- A. Down to Earth \$199,620**
- B. OmegaScapes \$261,756**
- C. United Land Services \$199,678**
- D. Yellowstone \$224,480**

Mr. Showe stated we need everyone's score sheets and if you need more time, we can recess the meeting, let you do the score sheets and we will tally them or however the board would like to handle this. It is a public bid process and we need to make sure we don't violate any public bidding rules. We have completed the price section of the score sheet because that is done by a formula. The lowest bidder gets 10 points and everybody else gets a breakdown based on how close they are to the low bid.

Mr. Wong stated I was looking for stability. What impressed me with Yellowstone was that they did Disney properties. I wanted to see the properties of each of the bidders and it is hard to gauge what they are doing because on the surface they all could look the same. Some of the properties I went to were unfinished, but Randal Park done by Yellowstone is finished and I walked around the lake and I like what they did there. I was looking to see what I could do to justify any price differences, based on stability and what they can provide. Listening to them this afternoon gave me more information on who we should go with. I would like to give them a chance and I'm open to keeping Down to Earth and I'm open to considering a new contractor because the price is similar.

Mr. Smyk stated we budgeted \$201,000 and if we decided to go with a contractor over that amount, how do we handle that?

Mr. Showe stated each community has a capital reserve and we would tap that to the extent we had to. It is important to note that your fiscal year started October 1, if you select someone today, there is a seven-day notice period we have to notice all the bidders of what direction the board is taking, they have a protest time then we would work on getting a contract

with the new vendor. Once we have a signed contract, we would do the 30-day termination with your current vendor. It would likely be January until they started and that is a quarter into the year. With either vendor that \$201,000 will accommodate it for the whole fiscal year. If you go with Yellowstone, you will likely have another budget adjustment next year to accommodate that increase.

Mr. Giercyk stated we have been working with Down to Earth for the last year plus and they haven't changed their performance. Excuses have to stop sometime and we should look at what we think is the best route to take at this time.

Mr. Gregoire stated I absolutely agree with Steve, it is time for a change. The only way to get different results is if we change.

The board took a short recess after which they reconvened

Mr. Wong stated at the end of this fiscal year do we try to do a renewal? This is a one-year contract.

Mr. Showe stated you have gone through the bidding process and you will select the no. one ranked vendor today and should you choose to stay with that vendor we will add some renewal clauses in the contract that allow that contract to renew, but if you choose to change vendors, we have to go through this process again.

Mr. Scheerer stated we do an annual contract with an option for two or three years.

Mr. Giercyk left the meeting at this time.

Mr. Showe tabulated the scoring sheets and stated the ranking from the scores is Yellowstone ranked no. 1, United Land Services no. 2, Omegascapes no. 3 and Down to Earth no. 4.

We ask that the board rank Yellowstone as no. 1, we will notify the other bidders of the selection process and enter into a contract with Yellowstone in accordance with the bid that was provided.

<p>On MOTION by Mr. Turner seconded by Mr. Wong with four in favor Yellowstone was ranked no. 1 and staff was authorized to enter into a contract with Yellowstone for landscape maintenance services.</p>
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Mr. Showe stated we will get the letter out to the other bidders they have seven days to protest and from that point we will enter into a contract with Yellowstone. Once they sign the contract we will provide the 30-day termination to Down to Earth. We will ask Yellowstone how quickly they can mobilize in the event Down to Earth walks off the project. We don't expect them to do that, but we like to keep those options open.

Mr. Giercyk rejoined the meeting at this time.

SIXTH ORDER OF BUSINESS

Consideration of Fiscal Year 2022 Audit Engagement Letter

On MOTION by Mr. Wong seconded by Mr. Giercyk with all in favor the engagement letter with Berger Toombs to perform the fiscal year 2022 audit in an amount not to exceed \$3,050 was approved in substantial form subject to amendments by district counsel.

SEVENTH ORDER OF BUSINESS

Acceptance of Aquatic Plant Management Agreement Renewal, Applied Aquatics

On MOTION by Mr. Smyk seconded by Mr. Turner with all in favor the fiscal year 2023 agreement with Applied Aquatics in the amount of \$15,672 was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. Manager

i. Approval of Check Register

On MOTION by Mr. Wong 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.

D. Field Manager

Mr. Scheerer stated I welcome the change to landscaping and will continue to work with Lathan Smith, I think you will find he pays attention to detail and does a good job. They have a mowing and detail map in their bid and they have every three weeks a detail rotation and we will see how that works out.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors Requests

Mr. Turner stated I sent a request that you forwarded to the other supervisors regarding a change in the zoning for an area beyond our CDD but affects our CDD because the roadway that would service it is Dowden Road and that is an area in Storey Park that was originally zoned commercial and I believe Publix was to go in there. There was a request to change that to 400 multi-family units and there was severe reaction by the community and they pulled it off the agenda. They are trying to coerce the community right now, holding community meetings and picnics to get the community to not come out so strongly against their activity. I think that would affect the CDD by the amount of traffic it would produce with 400 multi-family homes.

Mr. Scheerer stated those are City of Orlando roads, all we have is an interlocal to do the landscaping.

Mr. Giercyk asked is there an update on when Dowden Road will be widened to three lanes? Last I heard it was 2025.

Mr. Malave stated I think it is probably two years after that.

ELEVENTH ORDER OF BUSINESS

Next Meeting Date – January 24, 2023

Mr. Showe stated the next meeting will be January 24, 2023. We will keep the board updated on the landscape bids.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Giercyk seconded by Mr. Turner with all in favor the meeting adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman

