

**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 28, 2023 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:

Steve Giercyk	Chairman
Peter Wong	Vice Chairman
Kenneth Turner	Assistant Secretary
Isabel Hanze	Assistant Secretary <i>by telephone</i>
Eli Garrett	Assistant Secretary

Also present were:

Jason Showe	District Manager
Meredith Hammock	District Attorney
Rey Malave	District Engineer <i>by telephone</i>
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

**Approval of the Minutes of September 26,
2023 Meeting**

Mr. Turner moved to approve the minutes of the September 26, 2023 meeting and by Mr. Giercyk seconded the motion.

Mr. Wong stated the minutes are summarized and I'm not sure anyone would understand what was discussed. Why was there a one sentence summary?

Mr. Showe stated they summarize the meeting minutes, but we have the recording available if anyone wants to listen to it. We can have them redone with verbatim minutes.

Mr. Wong stated I think that would probably be a good thing to do. In the first portion we had a lot of the recap of the meeting minutes. I don't recognize what I said. I thought I used words like down select and also used words like BAFO. Those things I think kind of more accurately reflect what I said. I think it is good if we are going to put in the information that we do a transcript because I think it wasn't too long ago that we had meeting minutes that read more like a transcript. I think if we do that it would capture more of what was discussed and also I thought coming out of the meeting last week that I thought when I raised the issue about how we selected Yellowstone as the winning bidder that I pointed out the problem with the scoring process and I proposed a solution to it and nobody objected I thought we agreed moving forward that we would use ranked choice voting in selecting the bidder because when we selected Yellowstone as the winning bidder three out of five board members supported it but the scoring process allowed us to select Yellowstone instead which only two out of five board members supported. I am open to discussing that but my impression based on what I heard was that it seemed reasonable to do it that way but if people disagree on the board, I'm happy to discuss it so that is one of the reasons why I thought that something that was important should be so we have enough common understanding of what went on.

Mr. Showe stated in terms of the scoring my understanding was that when we do a future bid the board would be more specific about how they chose to rank those. The normal process is that you do the scoring then we give you those rankings and the board can then make changes to those rankings should they choose to make changes to those rankings. Then those rankings are then approved by the board. That would be the time in the future if you want to make changes that would be the time when we put the RFPs together or when those scorings are discussed as a board.

Mr. Wong stated the problem that I pointed out, which I call an anomaly, was that at the meeting that we had where we made the decision I think back in November a year ago, we did the scoring and as we have always done for decades we chose the winner based on the point system but at that point in time I wasn't aware how people scored and it was not discussed it was not basically presented, the raw information, the raw scores and so I just accepted the decision thinking that the majority of people voted for it and therefore it made sense. It was the day after

that I think I wrote to you and you sent me the raw score and I said, there is something wrong with this thing because it is like, are we voting. I just wanted clarity. It is okay if we want to keep the scoring system and I think it makes sense to keep the scoring system, but we need to decide whether we want to improve it by saying that we go with the raw scores but based on the raw scores that we take the top choice of each board member because in that case you have a vote of three to five for one vendor and then you look at the raw scores the top score was for a different vendor so you have a different result depending on how you interpret the raw scores and because of that and we didn't know about that so I just think this is worthy of discussion that do we keep this process moving forward? I'm not suggesting that we throw out the scoring system I'm suggesting that we use the raw scores to determine the ranked choice of each board member and based on that we select the winner and if there is a tie in terms of the ranked choice then we go back to the raw scores and see whether those scores make any sense. That was a discussion so anyway Eli you weren't here last week so what do you think? This is the handout.

Mr. Garrett stated nobody made a motion to change the scoring methodology that we used and it would be inappropriate at this time to discuss it because we have no bids in front of us that we would be using it on.

Mr. Showe stated unless it is the board's intent to terminate the contract with Yellowstone and rebid it and rank them again.

Mr. Wong stated I'm not talking about what is past, I'm talking about what is coming up.

Mr. Showe stated the time to do that would be when a new bid process comes forward. Any of those documents would have to be approved by the board and that is the time to discuss the methodology.

Mr. Garrett stated to your point I would agree if you would like a little more description of the bid process issues that you had that is fine. I'm sure at the next meeting we could see those suggested writeups. I think all Peter is asking is that we recognize that there was discussion that the bidding process seemed to be slightly skewed. That's all, right?

Mr. Wong stated because of the possibility that the board members could change, even with the transcript of the meeting in the future if somebody new comes on the board they would not be aware of this discussion.

Mr. Garrett stated you can change the bidding process any time. You can change it now and when we get to the bidding process, we can change it and say we will let Steve make all our

decisions for us. The board can choose to address this any way that they want at the time they run the bid. You can't hold them to the processes that we implement now.

Mr. Turner stated I think he is asking for the historical information be in the record.

Mr. Wong stated going further the question is if we make a motion and we approve the motion that moving forward on these big bids that we keep the scoring system but we use first the ranked choice voting to determine the winning bidder. Can that have the effect of for future?

Mr. Giercyk asked isn't that in essence changing the way we score things by having a point system and then using the individual rankings?

Mr. Showe stated I think we have a motion and second on the minutes. It seems like there is a desire from the board to hold on those minutes at this point and we can come back with revised minutes that are verbatim if that is the board's choice, but we do have a motion and second on approval of the minutes as currently presented.

Mr. Turner asked Peter, are you saying you want to change the minutes?

Mr. Wong stated yes.

Mr. Turner stated then I will rescind that.

Mr. Showe stated if you are rescinding your second then we will . . .

Mr. Giercyk stated I will rescind the second. Basically, it comes down to discussing the scoring system.

Mr. Showe stated right now we are on the minutes. The scoring is separate.

Mr. Giercyk stated I'm going between the two. The minutes do not cover enough detail of what Peter wants. The only thing I think we need to do is maybe we can move forward with the minutes by saying we will approve the minutes with a better explanation of the scoring system in it from the last meeting.

Mr. Showe stated I prefer if we just hold them and get a verbatim then that way it is clear. That way it will be documented what occurred at the meeting. We are not summarizing it or misrepresenting anything.

Mr. Wong asked will you also include the handouts that I handed out?

Mr. Showe stated those are part of our record of proceedings so they go in our permanent file in our office with everything. They don't go in the minutes. We don't include other documents in the minutes specifically. But we have copies of everything that was handed out as

part of the record of proceedings that is on our records server or as part of the electronic files of the meetings. I will make a note to have staff do that section verbatim.

Mr. Wong stated that takes care of the minutes but the question I have is to you and you if the board here decides that moving forward in the future that we clarify today how we are going to evaluate the point scoring system to clarify a situation where there is a discrepancy between ranked choice and the raw scores. If we make a decision here, would it be binding in the future or not?

Ms. Hammock stated it can be rescinded by a future board.

Mr. Wong stated but they would have to take specific action to do that, right.

Ms. Hammock stated you would need to adopt it more as a formal policy if you are trying to implement an actual policy on how bids are going to be evaluated and scored and that is a more complicated process, you would hamstring future boards and possibly even yourselves doing it that way. To Jason's point and your point as well when we do go out for these larger RFPs where there are scoring you are given the RFP package as a draft with the scoring criteria ahead of time to approve and you can always hash out exactly what you want to amend for scoring criteria before you go out to bid and then you're held to evaluating based on the way that you published that scoring criteria. In that way you would be able to hold a future board to that scoring criteria for that RFP.

Mr. Wong stated I'm not proposing that we change that at all. I think the problem lies in how each board member interprets how they score the point system. In the past as far as I could tell the maximum point score is 100 and usually when we have these bids come in the point scoring system don't vary very much between the top three vendors, they are usually between 80 and 100 and mostly in the 90's. When the possibility exists where you have scores like 30s and 40s for one vendor that just points out the anomaly you can skew the system. I will accept the fact that we can talk about that in the future but I would like to know if the same situation happened today how would the board members view because to me it is important because you can push up the discussion in the future but the facts don't change. I would like to know how the current board members feel when you have a situation where the raw scores tell you one result and the ranked choice tells you a different result. Because otherwise if we keep the same system going, I could heavily favor my number one choice and impact everybody else's top choice by making it 10 points for everybody else. That is the anomaly I want to point out and I would just

like to know if we come across a similar situation in the future how the board members would deal with that.

Mr. Turner stated that is too far into the future. I don't know when the next bid is going to be so I'm not going to offer an opinion at this point.

Mr. Showe stated from a management perspective the way we can handle that is show you both, you turn your score sheets in and we go if you do it based on the score criteria this is your ranking, if you do it based on ranks this is your ranking then you have to hash out who the number one vendor is from that point.

Mr. Giercyk stated that sounds like a logical way to go.

Mr. Wong stated that to me is an improvement because we weren't privy to that.

Ms. Hamock asked does that clarify for future bids?

Mr. Wong stated yes going forward we are going to expose the raw scores so we know then we can decide.

Mr. Showe stated landscaping is the only contract that falls into that and we will show you the scores. If there is an anomaly you will have to hash it out the number one ranked vendor.

Mr. Wong stated on a related topic since we have clarity from the meeting minutes on the discussion and Eli wasn't here. I would like him to hear the discussion and my feedback of what was said. If you read the meeting minutes we got today there was a comment so my idea of selecting the BAFO is that I want to get the best leverage in getting the best price before the bid is awarded. According to Jason's feedback in the minutes it says that the time to negotiate is after you award to a winner. I'm a little puzzled, you have lost all leverage once you award the winner. What are the examples where you can negotiate after, getting a better price or getting better terms?

Mr. Showe stated the bid process is governed by Florida Statutes so we have to be careful in how we choose to bid. We have to try to give every vendor an equal chance to make their bids. One way we would negotiate after the fact might be if we give you a landscaping scope that includes three times a year of mulch and you select a vendor and then say we really don't want three times a year we want two times a year. You have already selected the vendor now you are changing the terms of the scope. That would be one way to negotiate after a bid has been done. We can always go back to vendors and ask them for better pricing, when we are not doing a formal bid.

Ms. Hammock stated when we are in a formal bid process we are handcuffed. When we are outside that process we can go back and ask for better pricing. You are running the risk that you will get worse pricing or less interest, but that is a business decision for the board to make. Staff can't tell you what to do, that is your decision. It is possible but you have to weigh the risks and rewards.

Mr. Wong stated my concept of going out and say down select and send a letter out to the top two or three vendors is to basically ask for something simple on these smaller bids, which is to say do you think you would give a better price or not. That was the idea so it is not making them resubmit it and try to change everything.

Mr. Garrett stated that is not how BAFOs work and not only that, to do a BAFO you have to introduce that at the beginning of the proposals. You have to tell your vendor you aren't going to win when we award you, you are going to win the option to try again.

Mr. Wong stated like I said, we are not talking about the \$200,000 bid I'm talking about is the Ziani outside proposal, which is on the order of \$20,000. The pricing difference we saw from different vendors was \$2,000. The first bid came back at \$18,000 we went out for more bids and they came in \$2,000 less. The difference between the lowest price and the median price, one was higher by \$2,000 except the higher price included the one-year warranty. That was a simple page in my mind, you sent a letter out to these two people and say, can you improve on the terms and conditions. It is just a postage stamp.

Mr. Garrett stated just the effort to do that for this office is more than we will ever save.

Mr. Wong stated if you let the business manager and maybe the regional director know that could be some possibilities. I want to point out the differences and I had specifically in mind the bid that we had and I was apply what I had in my mind about BAFO, down select based on that specific example. It is not the big bid where you have to specify the rules ahead of time so I am happy to close the discussion I just want to bring this attention to everybody on the board because I pointed out the anomaly, the day after the Yellowstone selection. I shared that information with Jason and whoever you copied it to and I expected that I raised this issue, it seems a legitimate point of discussion and I let the process work to bring it to the attention of the board because I can't catch Eli up on what happened last week. There is no vehicle for him to know what is going on. It took a year for me to bring this to the surface because nobody else on the board at that time knew what was going on. Things do take time and I want to make another

point that I think you are a substitute from counsel, she made a good point, we can't afford to do these things and have a timely decision and I agree with that. Part of the reason is we only meet six times a year so if we delay decision making it takes two months to turn around so everything has to be prepackaged for us and basically when we meet it is time for signature so because of that I totally understand so I don't want to introduce this delay because I recognize it. That is why for example when we have something going on in Ziani that requires working with Alan directly or with Rey on the fence and that sort of thing, with Rey on the fence work and Alan on the stormwater ponds inlets and that sort of thing we made progress because they work with speed in the past who basically worked the details out between the bi-monthly meetings and things get done. But I have to say as a board member and also as a resident of Ziani I have no idea of the details of what actually went on.

Mr. Giercyk stated that's why you hire a management company so they can manage the details. I think what you are suggesting has a lot of merit but when you start the process of going out for a second bid round you have automatically extended the time period that it is going to take to get a particular job done by at least four months. That is the minimum I see. Most bids that we get are only good for 30-60 days, there are a few that are good for 90 but not too many. If you're saying we get a bid that is good for 30 days and it takes 60 or 90 days to turn that around and ask for a BAFO, we are probably losing time, we need to get the work done. The money is important but so is the time it takes to get a job done. If you remember the fences along Dowden Road that were put in, do you know how long it took to get those fences in and a final decision because of objections that went on here and changes that went on? It took two years to get those fences up. As a CDD it is our responsibility to be able to respond to the community and get the job done. Not just stretch it out a couple dollars better. As a board as a CDD we have been very good at holding the assessment that we charge each and every household in the district. I think we have done a good job. I understand what you want to do but I don't think we should be stretching projects out.

Mr. Wong stated I agree with what you are saying and in fact last meeting I asked Jason about a bid we had to approve at the last meeting and I pointed out to Jason that we already exceeded the 30-day deadline that the bid was good for. I asked specifically how do we handle that situation because the bid we approved last meeting had already expired. I think what you told me was that you would talk to them.

Mr. Showe stated Alan works with these vendors every week on multiple projects. It was a renewal; it was effective October 1st and they signed the frontend document that is going to hold them.

Mr. Scheerer stated the reason that happened was we were going through the budget process with a lot of these vendors and we asked them to provide us with information to be added to the budget so that is why you saw the different date even though the start date was October 1, the date we got the proposals were earlier and/or later depending on where we are in the budget process. Applied Aquatic has been trying to work with all of the CDDs they do work for in getting information out in time for budget because a lot of people don't do that then you take a hit once you have adopted your budget. We are trying to get accurate numbers for the budget process well in advance. I am going to start in January/February for 2025. All my folders are set up, I have to start gathering information, we understand that information is six months early but we have to have it so we know what that number is. That is why we had a different date on that.

Mr. Wong stated I hope I don't come across as criticizing because I understand that without you guys nothing would get done and I appreciate all this prep ahead and getting things ready. Same thing to Steve, without his help we wouldn't get the fence in we wouldn't get all these things resolved in a timely manner and judicious manner. What I am trying to get at is not to rebid these things. In the situation of what I'm pointing to, when someone from a subdivision needs landscaping they go off and come to the table and say do we approve as a board and we approved it but what I'm pointing out, it is not just you Steve, when Jim from Nona Crest comes in and say we want to upgrade the landscaping here is a proposal we are all privy to the term proposal but some of the specific details we have no idea and I'm not saying we should delay the work, what I'm saying or pointing out is that as a board member here and as a resident of Ziani, I cannot tell you if somebody comes to me and say what are the specific details, like which stormwater drain did you and Alan look at, you know from the CDD regarding the problems. I would not be able to tell you that information and as a CDD board member I feel that you know that I appreciate what gets done and what needs to get done in a timely manner and I am also just pointing out the fact that as a group we have to sacrifice expedience versus information so that if someone comes . . .

Mr. Giercyk asked why would you have to sacrifice? The whole purpose of having a management company is so that they can look at the details behind the scenes and bring something to the board that is in good financial order, meaning all the right components are there for what they consider a very reasonable price. That goes to the board and we either approve or disapprove and if we disapprove, we go back and say you have to do better or there are things in this bid that we don't need and we have to do better by taking it out and reducing the cost. For me personally to try to understand every detail of everything that goes on within the district is way beyond what I ever want to do. I want to understand what the district needs; I want to understand what it is going to cost and I want to make sure that we can do what needs to be done to keep the district up to date and looking good. I don't need to know every detail.

Mr. Wong stated what I'm suggesting is this, in the case of when, okay, specifically Ziani, okay, there was some issue with the ponds, the inflow outflow things being clogged, CDD took care of some of that and then since I am not on the board of Ziani, I know that they were, you had to revisit the same problem and maybe Ziani had to pay again or something.

Mr. Giercyk stated no. The CDD took care of a portion of it and the HOA took care of the HOA portion. There was no crossing of the lines.

Mr. Garrett stated remember what I was telling you about those catchments that we don't own? Guess who does? The HOA from Ziani owns their catchments.

Mr. Wong stated I understand, but that is exactly what I'm talking about.

Mr. Garrett stated no, you are not. You are going around in circles.

Mr. Wong stated no, no, no, let me point out what I'm talking about. That is the specific example so what I'm saying the information not the minutia, but I want to know which storm drain in our subdivision is.

Mr. Giercyk stated then get a job working for the management company.

Mr. Garrett stated he wants to know about the storm drain in our community.

Mr. Giercyk stated if you want to know that then you need to talk to Rey, get involved, talk to our legal team.

Mr. Garrett stated if it is the storm drains in our community then you have to talk to the HOA.

Mr. Wong stated it was related to the, like the other end, not the outflow.

Mr. Giercyk stated the outflow is taken care of. I'm not sure how we can satisfy what you are asking. I would love to be able to but the only way you can know all the information that you are asking for.

Mr. Wong stated the information I'm asking for in this instance is the location of the work that the CDD did on the ponds so I have an idea where the inflow and outflows are, just a map, I'm not asking for a lot of detail.

Mr. Giercyk asked why do you need to understand that?

Mr. Garrett stated all you have to do is send Alan an email and you will get maps.

Mr. Giercyk stated all you have to do is call Alan and he will call back and if you say I don't understand, he will take you there and explain it to you in detail.

Mr. Wong stated I will wait until we get to the more business.

Mr. Giercyk stated I think I understand what you are looking for. But I don't believe that you can wrap your arms around the massiveness of what you are trying to understand.

Mr. Wong stated to your point okay I don't think I'm asking, I don't think I'm asking for the minutia, to a point okay, I wasn't sure whether you were on the full Ziani board meeting but it was brought up.

Mr. Garrett stated I was one of the people who called and complained because the drainage in front of my house overflowed.

Mr. Wong stated that's right, you had a specific issue about that but the one I'm talking about was where the president of Ziani and you talked about whether, you had to bring in the same vendor, Brown and somebody or something or other. There were the people on the Ziani board may not be aware of where the delineation is between the CDD and the HOA.

Mr. Giercyk stated they very clearly understand because they just talked about it before.

Mr. Wong stated I agree that cleared up but what I'm saying is that what I remember hearing about Michelle was at where some of the words they said, oh sounded like Browning wanted to redo some of the work that the CDD had already done.

Mr. Giercyk stated that is not true.

Mr. Garrett stated Michelle thought that work that was done by the CDD was not sufficient.

Mr. Giercyk stated the only responsibility, correct me if I'm wrong, but the only responsibility of the CDD is the outflow pipe. Just from that pipe out. When Michelle was saying

the CDD didn't do enough, she was talking about cleaning the pipes that are actually in Ziani underneath the curb or sidewalk. She was talking about cleaning those pipes. She didn't understand what needed to be done and basically what she hired Browning to do was just clean out the drain right in front of her house and that wasn't sufficient. What needed to be done was that drain needed to be cleaned, the pipe that went across to the other outlet and the one that went down the road and then finally out to where it left the community and started going into the pond. Alan had people out there, I think he even had a diver out there if I'm not mistaken and went down and looked at the pipe.

Mr. Scheerer stated yes, Brownies did that. They did that as part of the cleaning.

Mr. Garrett stated we are way off agenda. Peter, I'm not sure if you want to make a motion to do something or whether we are just talking and talking and talking because other business is where we should have done that. We really need to get through this agenda. Do you think you have enough information out there now so we can move on?

Mr. Wong stated let me just make one final comment to what you are saying and that will be it on that topic. When we were on the Ziani board meeting when you just mentioned happened, I felt that had you not been there, Steve, because you know both sides, had Michelle turned to me and said Peter, as a CDD board member what can you tell us about that situation. The only thing I could do is to turn it back to you and say, Steve knows the details. I feel that I just I am not doing my job, as a CDD member I just feel that I am missing something and I wouldn't know because I feel responsibility for being aware of what's going on, but I again, that's the only comment I want to make, that's it. If I didn't feel like you know, I was inadequate that I was not prepared and I don't have the information and the only way for me to address to say talk to somebody else, I feel I am not doing my job. That's all, that's my only point.

Mr. Giercyk stated I'm going to respond to that and hopefully, this will be the last response. I know the same thing that you know about any of the work that is going to be done in the community or by the CDD. You have the opportunity to attend the HOA board meeting where those items are discussed. The only contact that I have other than this meeting right here the CDD meeting, is occasionally I will speak to Alan and say can you give me a quick update and he gives me a bird's eye view of what is going on and that is about it. Those discussions are usually no longer than five minutes. The only thing I can say if you want more information you have to attend the HOA board meetings.

Mr. Wong stated which I do.

Mr. Giercyk stated yes you do and also if you need a little more information from the CDD side of things put a call into Alan or to Jason.

Mr. Showe stated if there is anything you feel unsure about or don't know what's going on.

Mr. Wong stated you guys are very responsive.

Mr. Giercyk stated I have no other contact with what's going on other than this meeting and the HOA board meeting. In fact I felt like I was an outsider in the HOA board meetings for the last three years to be honest with you.

Mr. Garrett asked did you see that the water went off in the crack? Do you know we are responsible for that?

Mr. Wong stated uh huh.

Mr. Giercyk stated Elwood was instrumental in getting OUC out there. I made three phone calls to OUC, not knowing that Elwood was calling and the guy finally at OUC said to me you have a really active community, everybody is calling me. So, Elwood was calling, I was calling and we were trying to understand exactly what was going on. I did put a call in to Jason and I put one in to Alan to understand exactly whose responsibility that pipe worked out to be. They made it very clear; it was an HOA problem. OUC made it very clear the city made it very clear it is the HOA, but that being said, OUC did come out and dig up the pipe for us. I believe OUC brought the vendor with them so I have no idea. We know what we paid for that whole operation? \$1,375. Do you know how ridiculous that number is?

Mr. Wong stated it is cheap.

Mr. Turner stated before we leave this subject, one of the things that happened, here we have irrigation water and they pulled up the sidewalk well they used a ditch witch and pulled all the dirt and everything out and all the water. As they were doing it all of a sudden, a hole starts filling up almost fast than they can suck it out. It turns out that the catchment has a crack right down the back of it and the water is running straight out of the pond into this hole.

Mr. Wong stated full transparency I did bring the issue up, Steve just so you know, I brought the issue up, you just told me you talked to Jason, I followed that up with Jason, right, so that just to see where things resolved and further I asked the question about and I'm just, this is a theoretical you know hypothetical thing, I asked if we didn't have gates in our community

whether that would absolve us from having to worry about the streetlight things where we couldn't do things with OUC and the maintenance of the street and the answer is most likely we couldn't just unilaterally open up the gates.

Mr. Giercyk stated we cannot just unilaterally open the gates and say to the city, you are now responsible.

Mr. Wong stated the other half of that is that the city is.

Mr. Showe stated feel comfortable that you can open the gates.

Mr. Wong stated I feel like I can't talk because it is CDD, whatever, anyway.

Mr. Giercyk stated it sounds like we should move on.

FOURTH ORDER OF BUSINESS

Consideration of Fiscal Year 2023 Audit Engagement Letter with Berger Toombs Elam Gaines & Frank

Mr. Showe stated the next item is the audit engagement letter with your vendor for fiscal year 2023. The amount is \$3,105, which is just a little less than what we have in the budget so obviously it is our recommendation at this point so that they can get started on that audit and make sure we are in compliance to go ahead and have that approved. But we can take any questions or comments from the board.

Mr. Wong asked do you remember how much the last one was? Was it \$3,000 or?

Mr. Showe responded it was probably about the same, it goes up about \$100 or so every year, this one is not tremendous and you bid it out for about a five-year term so we are still in the original bid.

Ms. Hammock stated I did review it and it is compliant with what it needs to say from a legal perspective so no edit on our side.

On MOTION by Mr. Garrett seconded by Mr. Giercyk with all in favor the engagement letter with Berger Toombs to perform the fiscal year 2023 audit was approved.

FIFTH ORDER OF BUSINESS

Consideration of Non-Ad Valorem Agreement with Orange County Property Appraiser

Mr. Showe stated the following agreement, the tax collector needed back actually the property appraiser actually needed back pretty quick so I went ahead and signed it, so this would

be a motion to ratify. This is just their standard yearly agreement so we can utilize the tax roll for assessment billing. There is really no cost to the board for it and there is no other way we want you to assess.

On MOTION by Mr. Turner seconded by Mr. Giercyk with all in favor the non-ad valorem agreement with the Orange County property appraiser was ratified.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Hammock stated a couple of things, Corey Roberts is an associate with us in our Tampa office. Corey is here just observing today, you guys are such an awesome board and have been really accommodating of us bringing associates and interns in the past. I really do appreciate you letting us have this opportunity to learn. Any questions about that just let me know.

Second thing since we are not going to be meeting until January, I want to remind everybody that ethics training requirements kick in in 2024 so that is four hours of ethics training that you are going to want to get done in the springtime so when you have to fill out your form I come July you check that box G that says I completed the required training. We did circulate a memo a while ago to the board with a link for the ethics training for the state that is free online training that you can use. Our firm is also putting together some training modules and when those are ready, I will certainly send out that link but if you would like I can resend the ethics link for you.

Ms. Hanze stated if you would I don't think I was around when that email was circulated.

Mr. Showe stated remember you are required to do that annually so it probably wouldn't benefit you to start it until after January 1st.

Mr. Giercyk stated you have until June probably to finish it up.

Mr. Showe stated correct.

Mr. Giercyk stated you have six months so even if you are slow like me, you have enough time.

Ms. Hammock stated or cram it all in last minute, it is up to you however you try to get things done as long as you get it done. If you have any questions as you go through those

trainings, please let me know they are supposed to be beneficial for you so as much as you can or want to get out of them you will.

B. Engineer

Mr. Malave stated I wanted to make sure that there was only one question on that -----
---- that is not ours, it belongs to the HOA and not the CDD. I asked the expressway authority who is basically the head of the engineering consultants is next to my office and they have not received any plans or details of the bridge crossing of Econ Trail. Therefore, that has not happened yet. It will have to be approved by them before it starts construction of any kind.

Mr. Wong asked where is the bridge location?

Mr. Malave stated the bridge will be directly north of Dowden along that retention pond and the wetland and right across the -----.

Mr. Giercyk asked are we looking at the fact that we could ask for some walls along Dowden Road to keep the headlights and noise level down?

Mr. Malave stated that is correct but they have not done any approvals or plans or anything of that nature.

Mr. Giercyk stated okay so you are watching it for us.

Mr. Malave stated just to make sure in case something comes out.

Mr. Giercyk stated you are watching for that and making sure that we don't get caught. Right?

Mr. Malave responded that is correct.

C. Manager

Mr. Showed stated I just want to update the board before we get into the check register so we have reached out to Reserve Advisors I'm actually setting up a preliminary call with them at the beginning of December to go over some basic information kind of what the board is looking for, expectations and later they will meet with Alan onsite and go through all the infrastructure as they go onsite to complete that. So we will bring it back to you obviously when it is completed.

i. Approval of Check Register

Mr. Showe stated from that we have approval of the check register and in your general fund we have checks 2195 through 2212 for \$144,678.38. Both Alan and I can answer any questions you might have on those.

Mr. Wong stated I just have two small questions that need quick answers. On page 32 the Yellowstone did something on the sign enhancement at Nona Crest, like \$5,000 or so.

Mr. Scheerer stated I think that was, oh, that was the tips of the Nona Crest wall where they have their shield that say NC on either one, all that white material, we had some deer problems. They repainted them then we had old plant material that just didn't fare well so we just went ahead and replaced it. They have a sign at the gas line easement on the north side of their wall and next to that tract D pond on the south side so we just redid the landscaping there.

Mr. Wong stated I may be jumping ahead but on page 37 the capital reserve it says Nona Preserve.

Mr. Showe stated we will have that changed. I'm sure that is just carry forward from a prior

Mr. Wong stated that is the total reserves.

Mr. Showe stated yes.

Mr. Wong asked what it will be called in the future, just capital reserve no

Mr. Showe stated capital reserve.

Mr. Wong stated thank you, that's it.

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

ii. Balance Sheet and Income Statement

Mr. Showe stated behind that is your balance sheet and income statement, there is no action required by the board on this. Overall we are doing better than budget to actuals but it is only reflective of one month's worth of expenses so we will look at some additional trends going forward and we haven't received any assessment collections in for the year yet.

Any updates on the field side, Alan?

Mr. Scheerer responded no. It looks like all the new landscaping that was installed in Ziani is complete.

Mr. Giercyk stated nice job.

Mr. Scheerer stated looks different.

Mr. Garrett stated I noticed that the gates at the west end of

Mr. Scheerer stated yes, Steve told me about it. It looks like one of the hinges may have broken. We will get it corrected.

Mr. Garrett stated around the front of the Ziani community besides the bricks cracking there is a bunch plant growth coming out of one of the yards going over.

Mr. Scheerer stated the lady that is on the left-hand side, we have cut her mangos off of our stuff multiple times and we will continue to do that.

Mr. Garrett stated now there are a number of trees.

Mr. Scheerer stated we cut them off our wall, that is as far as we can go.

Mr. Garrett asked you don't go up?

Mr. Scheerer stated as long as it is not on the wall if it is over the wall, we can go straight up as high as we want under the air rights clause but we don't go into anybody's backyard.

Mr. Garrett stated I was just wondering about maybe that is something I should bring up at the HOA first.

Mr. Scheerer stated that is a bad tree in the wrong spot.

Ms. Hanze stated I have a question on the median grasses. They get taller and taller. You don't have any other bushes you can put on there, any trees maybe versus the bush that kind of limits the view of the oncoming traffic as you make a left into Mirabella from -----.

Mr. Scheerer stated they should be most of those are pink muhly grass and we don't usually cut them until after they bloom but we can certainly remove those from the end caps if it is a line-of-sight issue on Dowden Road.

Mr. Giercyk asked how many are there?

Mr. Scheerer stated quite a bit. I can take it out and sod it.

Mr. Giercyk stated I was going to say maybe from where the turn slots starts go back.

Mr. Scheerer stated it is not that far back where the turn lane begins.

Ms. Hanze stated you know what I'm saying, right.

Mr. Giercyk stated yes, I do.

Mr. Scheerer stated I will get with Yellowstone on Friday and see if we can come up with some options.

Ms. Hanze stated thank you.

Mr. Scheerer stated you have pink muhly grass and it only blooms one time a year and this is the time of year and most people don't want us to cut the color out because it will stay there for about a month.

Ms. Hanze stated it is beautiful.

SEVENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS Supervisors Requests

There being none, the next item followed.

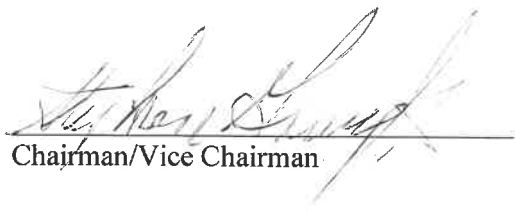
NINTH ORDER OF BUSINESS Next Meeting Date – January 23, 2024

Mr. Showe stated the next meeting date is January 23, 2024 and we can take a motion to adjourn.

On MOTION by Mr. Giercyk seconded by Mr. Wong with all in favor the meeting adjourned at 3:59 p.m.



Secretary Assistant Secretary



Chairman/Vice Chairman

