

MINUTES OF MEETING

DAVENPORT ROAD SOUTH COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS' MEETING

Thursday February 8, 2018 at 9:30 a.m.

*Office of Cassidy Homes,
346 East Central Ave.,
Winter Haven, Florida 33880*

Board Members present at roll call:

Andrew Rhinehart	Board Member
Phillip Allende	Board Member
Rennie Heath	Board Member

Also Present:

Roy Van Wyk	Hopping Green & Sams, P.A.
Kevin Plenzler	Fishkind & Associated, Inc.
Jane Gaarlandt	Fishkind & Associates, Inc.
Dennis Wood	Dennis Wood Engineering, LLC (via phone)

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order at 9:30 a.m. Those in attendance are outlined above.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no public comments at this time.

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the January 11, 2018 Board of Supervisors Meeting and the Auditor Selection Committee Meeting

The Board reviewed the Minutes of the January 11, 2018 Board of Supervisors' Meeting and the Auditor Selection Committee Meeting.

On MOTION by Mr. Rhinehart, seconded by Mr. Heath, with all in favor, the Board approved the Minutes of the January 11, 2018 Board of Supervisors' Meeting and the Auditor Selection Committee Meeting.

FOURTH ORDER OF BUSINESS

Consideration of Recommendation of the Auditor Selection Committee

Ms. Gaarlandt explained that the recommendation of the Auditor Selection Committee was to rank CRI No. 1 and for District staff to enter into a contract with them. Mr. Van Wyk requested that the District include a provision in the contract that CRI completes the Audit within 6 months of the end of the fiscal year.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved the recommendation of the Auditor Selection Committee to rank CRI No. 1, authorize District Staff to enter into a Contract, and include a provision that the Auditor must complete the Audit within 6 months of the end of the fiscal year.

Mr. Heath asked to make sure that the provision to complete the audit is inserted into the contract. Ms. Gaarlandt stated that CRI will come up with an engagement letter and District staff will ensure that the provision is included as part of the agreement.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2018- 03, Supplemental Assessment Resolution

Mr. Van Wyk explained that this is the form of the Supplemental Assessment Resolution and he was waiting on the final numbers, which came in Monday when the District priced the Bonds. He was able to fill this in and include them in the copy provided in the agenda. He noted that this resolution sets forth the specific terms of the Bonds confirming the use of the Amended and Restated Engineer's Report, the use of the Updated Master Assessment Methodology Report, authorizing the collection of special assessments, the application of true-up payments, providing for the supplementation of the Lien Book, and providing for the recording of notice of special assessments. Mr. Van Wyk asked Mr. Plenzler to outline the Assessment Methodology Report that is attached to the resolution.

Mr. Plenzler explained that he went through the Supplemental and evaluated the revised final Bond Sizing which is outlined in appendix Table 2 of the Assessment Methodology Report. Table 2 outlines the CIP cost estimates, Table 3 outlines the final Bond sizing associated with the project at \$6,830,000.00. Table 4 allocates per the Master Methodology the Bond Debt Assessment across the units in a reasonable and equitable way. It provides the Principal and Annual Assessment levels for the units. Mr. Plenzler noted that each unit is paying the same Principal amount, net annual assessment and same gross assessment. Mr. Van Wyk asked Mr. Plenzler if it is his opinion that the assessments placed upon the lots within the District are fairly and reasonably apportioned and Mr. Plenzler said that they are. Mr. Van Wyk asked Mr. Plenzler if it is still his opinion that the properties will receive a benefit which is equal to or greater than the burden being placed on the property from the assessments. Mr. Plenzler said yes. Mr. Van Wyk asked Mr. Wood if there were any changes to his Engineer's Report from the original report that the Board adopted last time. Mr. Wood said no. Mr. Van Wyk asked if it is still his opinion that the construction can be carried out for the amount set forth in the Engineer's Report. Mr. Wood said yes. Mr. Van Wyk asked if those costs are still good costs as evidenced by and actual contract that the District has and Mr. Wood said that is correct. Mr. van Wyk requested a motion from the Board to approve Resolution 2018-03.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved Resolution 2018-03, Supplemental Assessment Resolution.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2018-04, Reappointing Secretary

Ms. Gaarlandt explained that this change was approved by motion at the previous meeting and it would name Ms. Gaarlandt Secretary in place of Mr. MacLaren, who resigned from Fishkind & Associates. This resolution will formalize the Board's motion at the last meeting.

On MOTION by Mr. Heath seconded by Mr. Rhinehart, with all in favor, the Board approved Resolution 2018-04, Reappointing Secretary.

SEVENTH ORDER OF BUSINESS

Consideration of Agreement between the District and GB

**Collins Engineering, PA regarding
Pool Engineering Services**

The Board reviewed the Engineering Services Agreement.

On MOTION by Mr. Heath seconded by Mr. Rhinehart, with all in favor, the Board approved the Agreement between the District and GB Colling Engineering, PA regarding Pool Engineering Services.

Ms. Gaarlandt stated that the Pool Engineering Services Agreement was sent out before anything was in place and it was in a pdf file so she could not change the signature block. She asked if it should be signed by the Chair. Mr. Van Wyk said that it could be signed by the Chair or the District Manager. Mr. Heath asked if he can cross through the District manager and change it to Chairman when he is sent a proposal. Mr. Van Wyk said that is permitted. Mr. Heath said that this request is due to timing issues.

EIGHTH ORDER OF BUSINESS

**Consideration of Funding Requests
Nos. 18**

Mr. Heath said that he wants to note for the record that Heath Construction Management, LLC was not yet paid. Ms. Gaarlandt stated that this one is for consideration and has not been previously approved. Mr. Heath noted that he needs to abstain from voting due to a conflict of interest.

On MOTION by Mr. Allende, seconded by Mr. Rhinehart, with 2 in favor and 1 abstained, the Board approved Funding Requests Nos. 18.

NINTH ORDER OF BUSINESS

Review of Monthly Financials

There was no action required by the Board.

TENTH ORDER OF BUSINESS

Staff Reports

District Counsel – Mr. Van Wyk explained that Ms. Gaarlandt is handing out Resolution 2018-05 which is a resolution that authorizes the Chair and the District Manager to pay bills and to authorize contracts between Board Meetings when there is a need for work to be performed. It will allow the District Manager to approve payments less than \$10,000.00 and the Chair to approve agreements less than \$30,000.00.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved Resolution 2018-05, as outlined.

Mr. Van Wyk presented to the Board several agreements for the Board's approval and explained that the District needs to approve a not-to-exceed number for the Daniel Fence agreement. Mr. Heath stated that the amount is \$54,450.00. Mr. Van Wyk noted that this is necessary as part of the District's ongoing improvements.

On MOTION by Mr. Allende, seconded by Mr. Rhinehart, with all in favor, the Board approved a not-to-exceed amount of \$54,450.00 for the Daniel Fence agreement.

Mr. Van Wyk presented another agreement that needs approval for a not-to-exceed amount. This agreement is for Florida Wall Concepts with an not-to-exceed amount of \$315,920.16.

On MOTION by Mr. Allende, seconded by Mr. Rhinehart, with all in favor, the Board approved a not-to-exceed amount of \$315,920.16 for the Florida Wall Concepts agreement.

District Engineer – No Report

District Manager – No Report

ELEVENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

There were no Supervisor requests or public comments.

TWELFTH ORDER OF BUSINESS

Adjournment

There were no other questions or comments. Ms. Gaarlandt adjourned the February 8, 2018 Board of Supervisors' Meeting.


Secretary / Assistant Secretary


Chairman / Vice Chairman