

**MINUTES OF MEETING
STEVENS PLANTATION
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Stevens Plantation Community Development District was held on Tuesday, November 23, 2010 at 6:00 P.M. at City Hall, 1300 Ninth Street, St. Cloud, Florida.

Present and constituting a quorum were:

Rebecca Borders	Chair
Russell Holmes	Assistant Secretary
Jarom Fertic	Assistant Secretary

Also present were:

Gary L. Moyer	Moyer Management Group, Inc.
Daniel Mantzaris	De Beaubien, Knight, Simmons Mantzaris
Tom Hurt	City Manager
Brian Smith	Field Manager
Several Residents	

The following is a summary of the minutes and actions taken at the November 23, 2010 Stevens Plantation Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Moyer called the meeting to order at 6:00 P.M.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Moyer called the roll and stated that there was a quorum for this meeting.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Oath of Office for Newly Elected Supervisors (Rebecca Borders & Russell Holmes)

Mr. Moyer being a Notary Public of the State of Florida, administered the oath of office to Ms. Borders and Mr. Holmes and copies of the signed oaths will be made a part of the public record.

B. Designation of Vacancy for Seats 2 and 3

Mr. Moyer addressed the following:

- Ms. Borders was elected through the Landowners Election for a four year term.
- Mr. Holmes is serving in a seat that is supposed to be filled by a resident/registered voter within the District. However, he will serve until a replacement is selected or appointed and sworn in. It was expected that a resident within Stevens Plantation would come forward to express interest to serve on the Board and the remaining Board members would appoint them to fill Ms. Hopper's Seat.
- At this time, Seats 2 and 3 should be declared vacant by the Board.

On MOTION by Mr. Fertic seconded by Mr. Holmes with all in favor, Seats 2 and 3 were declared vacant.

E. Consideration of Resolution 2011-1 Canvassing and Certifying the Results of the Landowners Election

Mr. Moyer requested that the Board take action on 3E, before discussing about how to get interested residents to volunteer for the Board.

- This election was not run through the Supervisor of Elections office. As part of the Election Law for CDD's, Supervisors are elected based on land ownership and not registered voters. This goes back to when there were Drainage Districts in the State of Florida and the Supervisors were elected based on the acres of land. This is how Ms. Borders was elected to the Board.
- This resolution serves as this Board's certification of the election results and will show that Ms. Borders received 250 votes for a term of four years.
- Mr. Holmes noted that City Commission seats were for two year terms and questioned whether this affected the CDD seats.
- Mr. Mantzaris explained that the City Ordinance provided that the landowner elected seats would be filled by an elected City Council member. In the event that Ms. Borders was not re-elected for Mayor in two years, whoever was elected would fill the landowner's seat.

On MOTION by Mr. Holmes seconded by Mr. Fertic with all in favor Resolution 2011-1 Canvassing and Certifying the Results of the Landowners Election Held Pursuant to Section 190.006(2), Florida Statutes was adopted.

F. Election of Officers – Resolution 2011-2

Mr. Moyer recommended that this item be tabled until the next meeting. In the meantime, the Mayor will serve as Chair.

C. Nominations for Supervisors to Fill the Vacant Seats

D. Oath of Office for Newly Elected Supervisors

Mr. Moyer discussed the procedure to solicit interested residents to serve on the Board:

- Suggested placing a notice on either the CDD or HOA website to request any interested residents to provide letter of interests or resumes and attend the next meeting to make a presentation to the Board.
- A resident from The Grove suggested sending a letter to the ROA to announce at their next meeting.
- A Board member suggested a mass mailing to the residents.
- Mr. Moyer thought this was a good idea, but estimated that it would cost \$150 to send letters to 300 residents.
- *There was consensus from the Board for Mr. Moyer’s office to do a mass mailing to the residents.*

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the August 5, 2010 Regular Meeting and November 4, 2010 Landowners Meeting

Mr. Moyer stated that each Board member received a copy of the minutes of the August 5, 2010 Regular Meeting and November 4, 2010 Landowners Meeting and requested any additions, corrections or deletions.

Mr. Moyer suggested that the minutes be tabled until the next meeting since the new Board members have not had a chance to review them.

Mr. Moyer noted that the biggest decision that the Board made at the August 5, 2010 meeting was to agree to contribute up to \$3,000 for replacement of the Verandah signs.

FIFTH ORDER OF BUSINESS

Resident Owner Association Report

There not being any, the next item followed.

SIXTH ORDER OF BUSINESS

District Manager's Report

A. Approval of September 20, 2010 and October 31, 2010 Financials

Mr. Moyer reviewed the financials through October 31, 2010, which were included in the agenda package and available for public review.

The following was discussed:

- There has not been a great deal of activity in the month of October.
- The District collected the vast majority of their non-ad valorem assessments, but like the City, will not be receiving them until early December.
- On the Income Statement for the September 30 financials, there is an item titled "*Special Assessment Refund*" in the amount of \$151,000, which shows as a negative because the CDD pays Embarq on behalf of the ROA for internet service. The \$151,000 credit was shown in the expenses from 2009 as checks were written back to the assessment payers in Stevens Plantation to reimburse them for the overage. Instead of taking \$151,000 from the *Fund Balance*, the CDD was able to bring the 2010 budget significantly under budget and were able to reduce the *Fund Balance* by \$39,983. This speaks well for the District in the way contracts are bid as the amount should have been much higher than \$39,983.

B. September and October Check Registers and Invoices

Mr. Moyer reviewed the invoices for the period July 1, 2010 to October 31, 2010, which were included in the agenda package and available for public review. These are routine items.

The Board discussed the following:

- Mr. Holmes questioned whether the notes were standard regarding the coding. *Mr. Smith explained that invoices were sent directly to the Accounting Department in Coral Springs. They are coded by the Accounts Payable Department and returned for his approval. His Assistant approves and signs the John Deere irrigation invoices as he oversees the irrigation. The utility bills go directly to Coral Springs so they are paid as quickly as possible.*

- Mr. Moyer clarified that Mr. Holmes was referring to the internal coding to book against the budgeted line items.
- Mr. Fertic questioned why outstanding checks were listed. *Mr. Moyer explained that those were the refund checks that the District sent out that were not cashed.*
- Mr. Fertic questioned the \$12,000 outstanding check for the City. Mr. Hurt will check into this.

On MOTION by Mr. Fertic seconded by Mr. Holmes with all in favor the September 30, 2010 and October 31, 2010 financials, the July 1, 2010 through September 30, 2010 invoices in the amount of \$102,012.68 and the October 1, 2010 through October 31, 2010 invoices in the amount of \$40,885.79 were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There not being any, the next item followed.

B. Engineer

There not being any, the next item followed.

C. Field Manager – Discussion of Landscape and Ground Maintenance Proposals

Mr. Moyer reported the following:

- At the last meeting, the Board authorized Mr. Smith to go out for an informal bid for landscaping up to \$190,000, which was under the threshold for having to solicit bids.
- A notice was placed in the newspaper and various vendors were contacted. It was the desire of the Board to search out local firms.

Mr. Smith provided a bid tabulation and discussed the following:

- The Board decided to go out for bids at the August meeting after Servello & Son provided their contract renewal for an additional two years.
- He solicited local companies at the Board's request and only received a few proposals. These companies had low sales over the prior two years in comparison to the contract amount for the CDD of \$108,414.96 and the ROA amount of \$17,000.

- TruGreen Lawncare was the lowest bidder for a two year contract.
- The ROA contract includes maintaining the entry features for each community, including the islands, the median and common areas around the ponds. There are 50 to 60 acres of total maintenance.
- Three references were scored for each contractor.
- The three lowest bidders received similar scores for their references.
- The current landscaper is Servello & Son who is working on a month-to-month basis. After their initial bid, they offered to reduce their bid by \$20,000.

The following was addressed by the Board and residents:

- A resident from The Grove expressed the following concerns about Servello & Sons:
 - They do not pick up trash when edging.
 - They have not replaced any plants in five years, even though there is money budgeted.
 - The plants in the medians are too high as there have been numerous accidents.
 - Mr. Fertic confirmed that the Board was looking at the visibility of the islands.
 - Mr. Smith pointed out that they have done re-plantings in some areas and discussed pulling plant material back at several intersections. The plan was to have the plant material up to the Bullnose.
 - Mr. Mantzaris explained that this particular median was on a City road and the landscaping requirements for the CDD were for landscaping and not the structural design of the medians. It was his understanding that the City was currently looking into this matter and were going to be cutting back plants to address safety issues.
 - Mr. Fertic recommended installing Bahia instead of St. Augustine.
 - They do not add mulch.
 - Weeds in certain areas are so bad that they edge it to make it look like a plant.
 - None of the crew speaks or understands English.

- Mr. Fertic questioned why this documentation was not provided to the Board prior to the meeting.
- Mr. Smith explained that because this was not a formal bid, they received phone calls from the contractors up until two weeks ago and changes were made at the last minute. One major change was changing the length of time from 12 months to 10 months. He allowed contractors to make changes to their bid if they could justify it. Most contractors understood the scope of the project as they received an area of responsibilities map, which highlighted each area they would be maintaining. They had two months to study the materials and prepare their bids. The contract will have a 30 day notice of termination.
- Mr. Holmes questioned whether Mr. Smith recommended looking at the second year contract amount rather than the 10 month contract. *Mr. Smith confirmed that they should be looking at the two year total. If the contractor does a good job, the Board can look to renew the contract for another two years.*
- A representative from Diericks Landscaping questioned whether Servello could use chemicals for commercial properties on crab grass.
- Mr. Smith pointed out that there were regulations on the purchase of commercial chemicals, but he was not sure whether or not there was a regulation on putting the chemical down. He did not see where the CDD would have any objection to using the chemical and offered to see if this was a product that had regulations by the City and the water quality due to runoff into the storm system. If the SFWMD denies use, they cannot use it.
- The CDD has always had problems controlling the turf because the six inch pop up sprinkler heads at the bottom of the berms do not reach the turf at the top of the berm. In the summer, when the road is hot, the top of the berm gets burnt. They are restricted to watering on two days per week, which is hard on the St. Augustine. Servello & Son was hired to take on this problem and to their credit, have been trying to work through it. Any contractor would have the same problem.
- Mr. Fertic suggested installing turf with lower maintenance.

- Mr. Smith confirmed that they are working on repairing the irrigation system rather than spending \$50,000 to replace the entire system.
- Mr. Fertic questioned whether “Landcare Specialist” was the same company as “Landscape Specialists”. *Mr. Smith confirmed this was a typo.*
- Ms. Borders questioned how much the Board wanted to spend to hire a local contractor as the difference between the lowest bidder and the lowest local company was \$395.
- Mr. Holmes preferred the second lowest bidder, Landcare Specialists who received a higher reference score.
- Mr. Smith noted that Servello & Son was currently working on a month-to-month basis and could continue doing so until the Board took action. The references were close between the first three bidders and he was familiar with these companies. He expressed concern that some of the companies were too small for this project such as Livan Oliver and recommended that the Board narrow the list down to five or six bidders.
- Mr. Mantzaris understood the Board’s preference for a local contractor, but explained that the Board was not dealing with City money, but money from 300 homeowners. The City has a Local Preference Ordinance, which they were working on changing to allow a local vendor to get a contract at the local vendor’s bid price if they were within a certain percentage of the lowest bid.
- Mr. Smith pointed out that Landcare Specialists was located in St. Cloud.

Mr. Holmes moved to authorize Mr. Smith to negotiate with Landcare Specialists to match the bid amount provided by TruGreen Lawncare for \$174,988 for two years. If they accept, they will be awarded the landscape and ground maintenance contract, but will come back to the Board for further action if they do not accept and Mr. Fertic seconded the motion.

- Mr. Fertic expressed concern about negotiating for a lower price because they could come back with an increase in the future.

- Mr. Smith confirmed that there were excess funds in the budget to make enhancements to the project.
- Mr. Moyer noted that there was no guarantee that any extra work would be completed unless the Board authorized it.
- Mr. Smith offered to create a budget for landscape improvements and make the changes at the will of the Board.
- One contractor complained that he did not have the opportunity to change his bid and did not know that the due date was extended. *Mr. Smith confirmed that the bid was extended and some vendors were allowed to lower their bid for the two year total. He recalled that Ms. Fuentes offered to return the bid to this contractor to make changes, but he did not wish to do so.*
- A request was made to re-bid this contract due to the above discussion.
- Mr. Mantzaris reminded the Board that re-bidding this item would require spending money belonging to 300 homeowners.
- Mr. Fertic pointed out that he considers the City funds the same as CDD funds and admitted that he did not spend money frivolously, which he felt was being implied. He took it seriously that the owners were paying taxes to the City. The Board was trying to get the lowest price and their preference was to hire someone local. He did not have a problem listening to all of these options since this was an informal bid, but supported going through a formal bid so that it was done correctly.
- Mr. Smith believed that the bid was done correctly.
- Mr. Moyer pointed out that everyone had a fair opportunity to bid on this contract. This was only an informal bid, which did not require deadlines and notifying contractors of extensions like a formal bid. As long as the contractors agreed that they had a fair opportunity to bid on this project, it was done correctly.
- Mr. Fertic questioned why Landcare Specialists bid \$170,000 last year and were now bidding \$99,983. Ms. Borders believed that it was their choice to bid in this manner.
- Mr. Fertic offered to rescind his motion if the Board wanted to discuss going in another direction as there was a great deal of confusion.

- Mr. Smith explained that he solicited bids in order to get local contractors and professionals and they received bids from smaller to larger contractors. They were able to get a bid amount from the second lowest bidder that made sense for this community and satisfied the Board's requirements for the bid.
- A representative from Servello confirmed that this was a common procedure that Severn Trent follows and there was nothing out of the ordinary as everyone was provided with the same documentation.

On VOICE VOTE with all in favor, the prior motion to authorize Mr. Smith to negotiate with Landcare Specialists to match the bid amount provided by TruGreen Lawncare for \$174,988 for two years and award the landscape and ground maintenance contract if they accept or come back to the Board for further action if the request is denied was approved.

EIGHTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Supervisor Requests

- Mr. Fertic questioned whether the Verandah signs were replaced as the Board contributed \$3,000 to the ROA at the last meeting. Mr. Moyer confirmed that staff was working with the ROA on this matter.

TENTH ORDER OF BUSINESS

Audience Comments

A resident from the Grove addressed the following

- Questioned whether every home paid into the community and what happened with the empty lots. *Mr. Moyer explained that all properties within the CDD pay for the bond debt and the operation and maintenance costs. Only the occupied houses pay Embarq for internet access. The empty lots owned by the builder were contributing to the maintenance of the property, but were not billed for internet access.*
- Questioned why the holiday flags purchased by the CDD five years ago to hang from poles on New Nolte Road were not installed and kept in a storage unit. *Mr. Smith confirmed that the flags were installed last year and were purchased by the HOA. They were still decorating for Christmas, but there were decorations at each*

end of the community. They will install the "SEASONS GREETINGS" flags on the light poles at no charge.

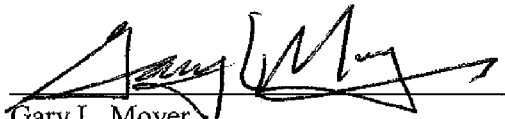
- Questioned whether decorations would be placed on the monument signs. *Mr. Smith confirmed that each ROA handles their own decorations.*

ELEVENTH ORDER OF BUSINESS


Adjournment

The next meeting was scheduled for February 3, 2010, at which time they hope to fill the open seats with residents.

There being no further business, the meeting was adjourned.



Gary L. Moyer
Secretary



Rebecca Borders
Chair