

## MINUTES OF MEETING

### **WYNNMERE EAST COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS MEETING**

*Thursday, January 7, 2016 at 1:15 P.M.*

*The Offices of Landmark Engineering & Surveying Corporation*

*8515 Palm River Road,*

*Tampa, Florida 33619*

Board Members present at roll call:

Rennie Heath	Board Member	
Andrew Rhinehart	Board Member	
Michelle Cassidy	Board Member	
Scott Shapiro	Board Member	(via phone)
Lauren Schwenk	Board Meeting	(via phone)

Also Present:

Sarah Warren	Hopping Green & Sams
Todd Amaden	Landmark Engineering
Jane Gaarlandt	Fishkind & Associates, Inc.

### **FIRST ORDER OF BUSINESS**

### **Call to Order and Roll Call**

The meeting was called to order. The Board Members and staff in attendance are outlined above.

### **SECOND ORDER OF BUSINESS**

### **Public Comment Period**

There were no members of the public present.

### **THIRD ORDER OF BUSINESS**

### **Consideration of the Minutes of the December 3, 2015 Board of Supervisors' Meeting**

The Board reviewed the Minutes of the December 3, 2015 Board of Supervisors' Meetings.

On MOTION by Ms. Cassidy, seconded by Mr. Heath, with all in favor, the Board approved the Minutes of the December 3, 2015 Board of Supervisors' Meeting.

**FOURTH ORDER OF BUSINESS**

**Consideration of Easement Agreement for 11<sup>th</sup> Avenue Improvements in Phase 2 with Hawks Point CDD (Lennar)**

Ms. Warren said that these are in favor of the District. She asked Mr. Amaden to explain further. Mr. Amaden said that similar to Phase 1 where the District granted Pulte the slope easement to build the improvements for 18<sup>th</sup> street the District is extending from the roundabout they constructed east to connect to 11<sup>th</sup> avenue. The right-of-way gets down to 60 feet and they have 60 feet of improvements and some fill and retaining walls are supposed to be installed down the line. The District is asking for easements on both sides, one from the Hawks Point CDD on two separate pieces of property and the other one from Artesian Farms. Ms. Warren asked that the Board approve it in substantial form except the easement once executed by Hawks Point CDD.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board approved the Easement Agreement for 11<sup>th</sup> Avenue Improvements in Phase 2 with Hawks Point CDD in substantial form except the easement once executed by Hawks Point CDD.

**FIFTH ORDER OF BUSINESS**

**Consideration of Easement Agreement for 11<sup>th</sup> Avenue Improvements in Phase 2 with Artesian Farms, Inc.**

Mr. Amaden explained that to the east on the south side of the road is a landowner that is unknown to the District. The District manager found it to be Artesian Farms and the District is requesting an easement from them. The backup plan is to put a two foot retaining wall so that the District does not intrude on their property. It would mean that the District would not have to slope down from the back of the sidewalk. It is less costly to ask for an easement from them than to build a retaining wall. Mr. Shapiro asked if anyone called them. Ms. Warren responded that she thought Mr. Merritt was working on it today and noted that he and Mr. Amaden were working on the details of the easement yesterday and Mr. Merritt was going to call. Mr. Heath asked Mr. Amaden what happens if the District cannot get this easement. Mr. Amaden replied that they would build a two foot retaining wall at the edge of the right-of-way and start the improvements there. Mr. Heath asked why it would be different if they did not get the easement. Mr. Amaden responded that the District could put down slope on their property and put their fence back up like the District did for 18<sup>th</sup> street when it was done with the other Developer. Mr. Amaden noted that he and Mr. Merritt discussed it and the permitted improvements are located in the right-of-way and noted that all that is going on their property is a back slope and suggested a temporary construction easement. He noted that he and Mr. Merritt

went back and forth and in The District Attorney's opinion it needs to be a permanent easement because the slope supports the improvements and that he found online that it is a permanent easement. Mr. Amaden noted that with a 20 feet setback a 10-foot easement does not affect anything and that this will benefit Artesian Farms. Ms. Warren noted that the District can start with the permanent easement and if Artesian Farms is not willing to grant the District an easement then the District can try to get a temporary easement before implementing the plan for the retaining wall. Mr. Amaden noted that the retaining wall is not cost prohibited.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Board approved the Easement Agreement for 11<sup>th</sup> Avenue Improvements in Phase 2 with Artesian Farms, Inc.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of RFP for Phase 2 Improves**

Ms. Gaarlandt explained that they do not have the actual RFP Ms. Warren requested an authorization for staff to publish the notice of RFP and issue the project manual and noted that they also need to discuss the timing. Mr. Heath said that they need to know what the timing is before they make the motion. Ms. Warren responded that the Board is just authorizing District staff to publish the notice.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Board authorized District Staff to publish the notice of RFP and issue the Project Manual.

Mr. Heath explained the strategy that he and Mr. Amaden came up with. The District issues the RFP at the end of this month and it needs to be out for 30 days so they have to decide on the date keeping in mind that there are only 29 days in February. If, during this process, the District has not received comments back from all the agencies before the RFP goes out then once the RFP is out there and there is a 30 day bid time Mr. Amaden will issue an addendum to all of the bidders if there are any changes in the plans. When they get the bids back the District will have a firm price and will not have to come back and issue a Change Order. Mr. Heath noted that Mr. Amaden already submitted the plans and he is comfortable with this strategy that the District will have everything addressed by the end of the RFP. Mr. Heath said that they need to get this under construction by March 1, 2016. A discussion took place about the dates on which to have the bid packages picked up and the date that they are due. Mr. Amaden suggested that the bid packages would be due by 10:00 am on February 25, 2016 and continue this meeting until 10:00 p.m. on February 25, 2016. Ms. Gaarlandt noted that the CDD has its regularly scheduled meeting on March 3, 2016. Mr. Heath said that the March 3, 2016 meeting will be when the District awards the bid. Ms. Gaarlandt noted that they could possibly advertise it in Sunday's paper. Mr. Amaden said that they can have the project

manual available on Monday. Mr. Amaden said that they can have them due by 2:00 p.m. on February 11, 2016 and continue the meeting to February 15, 2016. Ms. Schwenk joined the meeting via phone. Mr. Heath said that the Board will determine how they want to reconvene at the February 11, 2016 meeting. Mr. Gaarlandt asked Ms. Warren how quickly she can get the RFP to her. Ms. Warren said that she could send it to Ms. Gaarlandt the next morning. Ms. Gaarlandt said that she needs to get in tomorrow morning to meet the deadline otherwise it would be pushed out one day. Mr. Amaden said that one day is not going to hurt because there are more than 30 days in between and the District is still going to meet on February 11, 2016. Mr. Heath asked Mr. Shapiro if he was ok with all that and the date of the meeting being February 11, 2016 at 2:00 p.m. for the bid opening. Ms. Gaarlandt will send out a meeting request. Mr. Shapiro asked that when a meeting is cancelled if Ms. Gaarlandt can do it through their calendars so it comes off their calendars instead of sending an email. Ms. Gaarlandt responded that she cannot as when Fishkind had the crash of their servers they do not have access to those calendar meetings anymore and the only way to do it is if everybody to cancel what they have in their calendar and she can start all over and send new invited out. Mr. Shapiro asked the other Board Members what they wanted to do. They all agreed to delete the old entries and for Ms. Gaarlandt can send out new calendar invites. Mr. Amaden asked to have the draft RFP sent to him so he could check the date that he put in there for questions. Ms. Warren noted that if for some reason they need to extend the due date because Mr. Amaden does not have the information they can issue an addendum to do that. Mr. Heath said he thought that the way they agreed upon was the best way to do it to fast track the RFP. Ms. Warren asked Mr. Shapiro if the District is still on track to adopt the delegation resolution at the regularly scheduled February meeting. Mr. Shapiro said yes. Ms. Gaarlandt asked if they were going to talk about moving that meeting. Ms. Warren said that if the District moves the meeting on February 4, 2016 they would just move the location to Greenberg's office or the District can plan to adopt the delegation resolution for Wynnmere East at the February 11, 2016 meeting. Mr. Heath asked if it can be adopted at the February 4, 2016 meeting. Ms. Warren responded that it can but it would be at Greenberg's office when they are doing the pre-closings for Highland Meadows II.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Payment  
Authorizations Nos. 29-31**

The Board reviewed Payment Authorizations Nos. 29-31, previously signed and funded.

On MOTION by Ms. Cassidy, seconded by Mr. Rhinehart, with all in favor, the Board ratified Payment Authorizations Nos. 29-31.

**EIGHTH ORDER OF BUSINESS**

**Review of Monthly Financials**

The Board reviewed the financials. There was no action required.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**District Counsel** – No Report

**District Engineer** – No Report

**District Manager** – No Report

**TENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

There were no supervisor requests or audience comments.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There were no other questions or comments. Mr. MacLaren suggested a motion to adjourn.

ON MOTION by Ms. Cassidy, seconded by Mr. Rhinehart, with all in favor, the Board adjourned the January 7, 2016 Board of Supervisors' Meeting for the Wynnmere East Community Development District.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman