

**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 Thursday, August 4, 2011 at 6:00 P.M. at City Hall, 1300 Ninth Street, St. Cloud, Florida.

Present and constituting a quorum were:

Rebecca Borders	Chair
Rebecca Fernandez	Vice Chair
Tom Griffin	Assistant Secretary
Jarom Fertic	Assistant Secretary
Larry Rabb	Assistant Secretary

Also present were:

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

The following is a summary of the minutes and actions taken at the August 4, 2011 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 all Supervisors were present.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the February 3 and May 5, 2011 Meetings

Mr. Moyer stated that each Board member received a copy of the minutes of the February 3 and May 5, 2011 meetings and requested any additions, corrections or deletions.

Mr. Moyer pointed out Mr. Rabb's name was mis-spelled.

Mr. Mantzaris indicated in the minutes from the February meeting, there were several instances in the discussion about the bonding where obligations of the City were associated with the Bond. It was actually the dependent District.

On MOTION by Mr. Griffin seconded by Mr. Fertic with all in favor the minutes of the February 3 and May 5, 2011 meetings were approved as amended.

FOURTH ORDER OF BUSINESS

Resident Owner Association Report

Mr. Bob Borg, a representative of the Resident Owners Association reported the following:

- Their Board meeting was held this past Tuesday.
- The residents were happy with the landscaping at the front entrance and around the signs. They were also happy with the medians.
- There was an issue with the trees, which Mr. Smith was addressing.
- There is some deterioration of the roads. *Mr. Mantzaris confirmed these were City roads.*
- He met with Mr. Smith on the signage as one sign was hit and had to be re-done. The Grove and Estate signs were in bad shape. *Mr. Smith pointed out they were looking at painting the sign and re-doing the lettering.*
- Discussion ensued regarding the ponds and debris. It was noted if the wind blows the right way the pond gets filled with debris. *Mr. Smith indicated Landscape Specialists comes out monthly to pick up trash along the main boulevard, but a heavy rain can blow any trash into the storm drains, which flow into the pond. He offered to increase the trash pick-ups; one for the beginning of the week and one at the end of the week until construction was completed.*
- Some residents requested “No Littering” signs along New Nolte Road.
- It was questioned when the common areas were mowed since many areas had weeds. *Mr. Smith will address this.*
- The doggie stations have not had bags for seven to nine months. *Mr. Smith explained their new contractor did not know to refill them, but they were shown how to refill them and this will be taken care of.*

- A resident asked Mr. Smith to check the sprinkler heads where the new landscaping was installed.

FIFTH ORDER OF BUSINESS

Public Hearing to Consider Adoption of the Budget for Fiscal Year 2012

A. Fiscal Year 2012 Budget

Mr. Moyer reviewed the General and Debt Service Fund Budgets for fiscal year 2012, which were provided to the Board in the May agenda package and the following was discussed:

- This meeting was advertised as a public hearing for the purpose of the Board adopting the final budgets for the fiscal year beginning on October 1, 2011 and ending on September 30, 2012.
- They do not anticipate increasing the non ad-valorem assessments.
- The budget was broken out into administrative, field and other community costs. It follows the same format as prior years.
- There were no significant increases.
- The total amount of the operating budget was \$578,017, which was \$1,000 less than the prior year.
- A third of the budget deals with the ROA, grounds maintenance and internet service.
- The internet service cost is placed on the tax bill in order to pay the service provider.

The public hearing was opened. There not being any, questions or comments, the public hearing was closed.

B. Consideration of Resolution 2011-03 Adopting the Final Budget

Mr. Moyer read the following Resolution into the record:

“A RESOLUTION OF THE STEVENS PLANTATION COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS OF THE DISTRICT AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012 AND REFERENCING THE MAINTENANCE AND BENEFIT SPECIAL ASSESSMENTS TO BE LEVIED BY THE DISTRICT FOR SAID FISCAL YEAR.”

Mr. Moyer pointed out staff will fill in the blanks in the resolution for the General and Debt Service Funds.

On MOTION by Ms. Fernandez seconded by Mr. Rabb with all in favor Resolution 2011-03 as stated above was adopted.

C. Consideration of Resolution 2011-04 Levying the Assessments

Mr. Moyer read the following Resolution into the record:

“A RESOLUTION LEVYING AND IMPOSING A NON-AD VALOREM MAINTENANCE SPECIAL ASSESSMENT FOR THE STEVENS PLANTATION COMMUNITY DEVELOPMENT DISTRICT FOR FISCAL YEAR 2012”

Mr. Moyer indicated staff will fill in the blanks in the resolution and will provide to the Property Appraiser and Tax Collector along with the applicable electronic media.

On MOTION by Mr. Fertic seconded by Mr. Rabb with all in favor Resolution 2011-04 as stated above was adopted.

SIXTH ORDER OF BUSINESS

District Manager’s Report

A. Approval of Financials

Mr. Moyer reviewed the financials through June 30, 2011, which were included in the agenda package and available for public review and the following was discussed:

- According to the Balance Sheet, under *Special Assessments-Tax Collector*, all non ad-valorem assessments have been received, which the community should be proud of.
- There were no unusual expenditures.

B. Check Register and Invoices

Mr. Moyer reviewed the invoices for the period April 1, 2011 to June 30, 2011 in the amount of \$199,331.87, which were included in the agenda package and available for public review.

On MOTION by Ms. Fernandez seconded by Mr. Rabb with all in favor the June 30, 2011 financials and the April 1, 2011 to June 30, 2011 invoices in the amount of \$199,331.87 were approved.

C. Report on Number of Registered Voters - 631

Mr. Moyer reviewed the requirement under Chapter 190 to obtain the number of registered voters within the District from the Supervisor of Elections.

- Under Chapter 190, when the District reaches six years and has 250 registered voters, there is a conversion process transitioning from landowner elections to registered voters.
- When the District was first created by Ordinance of the City of Kissimmee, City Council members served on the Board. However, once the threshold was reached, the composition of the Board changed to registered voters.
- Ms. Fernandez and Mr. Rabb were elected through this process in 2010. In 2012, two members of this Board will be replaced with residents. The Mayor will be replaced in 2014.

D. Meeting Dates for Fiscal Year 2012

Mr. Moyer discussed the following:

- Under Chapter 189, the District was required annually to advertise their monthly meeting dates in the newspaper.
- If the Board decides to continue meeting on a quarterly basis, meetings will be scheduled for November 3, 2011, February 2, 2012, May 3, 2012 and August 2, 2012. Special meetings can be called at any time.

On MOTION by Mr. Griffin seconded by Mr. Fertic with all in favor the meeting date schedule for fiscal year 2012 as stated above was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Mantzaris discussed the following:

- Over the prior meetings, there has been discussion about the B Bonds and the maturity date of May 2013.
- They are trying to get a plan into place with the Independent Special District to either modify the original bonding agreements or consider refinancing if appropriate and financially feasible.
- An Engagement Letter was provided to the Board from Ms. Sandy MacClennan, Bond Counsel with Squires, Sanders and Dempsey. She has been Bond Counsel for the City of St. Cloud for 15 years and Underwriter’s Counsel on the original

bonding associated with Stevens Plantation. She agreed to serve as Bond Counsel on behalf of the CDD to address issues with the current bondholders in order to meet the May 13, 2012 deadline.

- The Engagement Letter includes the hourly rates of the firm with a cap of \$10,000.
- The plan is for the Independent Special District to consider a similar letter and retain Ms. MacClennan to work on the Independent Special District side in regards to the bonding issues.
- There is also a joint representation letter due to the fact this law firm has worked with the CDD, the Independent Special District and the City of St. Cloud.
- Upon Mr. Moyer's signature on behalf of the CDD, this will go before the Independent Special District for approval.

On MOTION by Mr. Griffin seconded by Ms. Fernandez with all in favor the Engagement Letter with Squires, Sanders and Dempsey and joint representation letter for Bond Counsel services was approved, subject to the Independent Special District approving a similar Engagement Letter and a Cost Sharing Agreement between the Independent Special District and the CDD for a 50/50 split with a cap of \$10,000.

B. Engineer

- Mr. Moyer suggested the Board consider engineering services and go out for an RFP under the CCNA requirement as the Engineer of Record, Mr. Kevin Rainey left Stantec.
- A notice will be placed in the newspaper stating the District is looking for engineering services. They would send their professional qualifications, which the Board will review and choose the most qualified Engineer and enter into negotiations with the number one firm.
- Mr. Mantzaris suggested starting the CCNA process immediately.
- Mr. Fertic questioned why they would even need an Engineer since they have not needed one before.

- Mr. Moyer explained the contract would be structured so it would not be on a retainer basis, but on a time and material basis. They would not attend the meetings unless there was a purpose such as a culvert repair.
- Mr. Griffin questioned why they would need a private engineering firm since the roads were owned by the City and were the responsibility of the City to repair.
- Mr. Moyer indicated it depended on where the culvert was. If it was a roadway culvert, it would be the responsibility of the City, but if it was one of the interconnecting culverts connecting the lakes, it was the CDD's responsibility.
- Mr. Fertic questioned whether they had a right to obtain plans from Stantec.
- Mr. Mantzaris indicated there was a complete set of as-built construction plans on file, but if the CDD had an emergency and the CDD needed an Engineer, they could get one without having to go through the CCNA process on an emergency basis.
- Mr. Fertic preferred local engineering firms.

On MOTION by Ms. Fernandez seconded by Mr. Fertic with all in favor District staff was authorized to go out for the RFP process for District engineering services.

- Mr. Mantzaris clarified he found out Mr. Rainey left Stantec when he tried to contact him when the work on the berms was finally completed by the City. He has since made contact with Mr. Michael Kennedy who is now in charge of Stantec throughout Florida and provided a cost estimate on items Stantec needs to reimburse the City for. Mr. Kennedy has not made any commitments, although the cost estimate was not a large amount of money.
- Mr. Moyer acknowledged he was not aware of this and questioned whether hiring a new Engineer would cause a conflict with Stantec.
- Mr. Mantzaris verified this would not cause any conflict and pointed out Mr. Kennedy was very cordial when he spoke to him and understood the situation. All he asked for was an explanation of the cost analysis, which was provided to him.

C. Field Manager

