

MINUTES OF MEETING
AMELIA CONCOURSE COMMUNITY DEVELOPMENT DISTRICT

A regular meeting of the Board of Supervisors of the Amelia Concourse Community Development District was held Tuesday, February 16, 2021 at 11:00 a.m. at the Amelia Concourse Amenity Center, 85200 Amaryllis Court, Fernandina Beach, Florida 32034.

Present and constituting a quorum were:

Harvey Greenberg	Chairman
Bill Toohey	Vice Chairman
Jeff Snow	Supervisor
Ellen Cator	Supervisor by telephone

Also present were:

Daniel Laughlin	District Manager
Jennifer Kilinski	District Counsel
Mike Yuro	District Engineer
Tony Shiver	First Coast CMS
Carl Eldred	Hopping Green & Sams by telephone
Daniel Pieratti	Dream Finders Homes

The following is a summary of the discussions and actions taken at the February 16, 2021 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 11:12 a.m.

SECOND ORDER OF BUSINESS

Audience Comments

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Staff Reports (1)

A. District Engineer

Mr. Yuro stated, "I reached out to the County Engineer regarding the median opening out there on the main road. The response I got was, "Thanks for reaching out. In a typical County project, the recommendation to the Board of County Commissioners is the beginning of the process. The Board has to direct staff to move forward with the project. If the capital project is

over \$2,000, it requires placement on the capital improvement plan. Typically, new projects are added in the last year of our capital improvement plan. At this point we have performed the study and made a recommendation, but we have not been given direction to move forward with the project.” Based on his response, it appears to me that the County is acknowledging it’s their responsibility and their road, but it seems to me like it’s going to take some encouragement from the community to the County commissioners to get this on their priority list.”

Ms. Kilinski stated, “There’s a couple of different options. If there is community activism at the county level, coming from government to government oftentimes it’s the loudest voice wins so definitely having the community reach out as often as possible is important. The second is I don’t think it hurts for us to adopt some letter that you can direct us to draft. If there’s a manpower issue with the County, we’ve been successful at entering into an interlocal agreement with the County where the District can publicly procure the construction and run the project at the County’s dime. I don’t know that it’s the case here; it may be a funding issue.”

Mr. Yuro stated, “It seems to me that it’s more of a funding issue. It hasn’t been addressed and it hasn’t been allocated yet.”

Mr. Greenberg asked resident Charles Gay, “Maybe it might be an idea if you reach out on behalf of the CDD as you have in the past and see if you can schedule a meeting with Aaron, Mike and ourselves and let’s see if we can move this along. Aaron is the County Commissioner for this district.”

Mr. Greenberg asked if a motion is needed for District counsel to memorialize the plan in writing for submission to the County.

Ms. Kilinski responded that it may be more persuasive if it’s coming from the perspective of the board rather than a legal position.

Mr. Yuro reported that he assessed the roadways and curbing and did not see any obvious issues, however the roadway is nearing its lifespan and will require resurfacing in the next five years or so. Some areas that require more investigation are a low spot noted at the intersection of Periwinkle and Amaryllis Court, Periwinkle before the sharp curve where there is likely erosion due to a pipe, and a pothole near 95073 Bellflower that is likely due to a utility connection underneath.

A resident expressed a concern of a very sharp turn coming from Amaryllis onto Bellflower. Mr. Yuro responded that he would look into the turn radius.

Mr. Greenberg asked about the possibility of taking a portion of the grassy area near the amenity center and designating it as a golf cart parking area to free up parking spaces for vehicles. Mr. Yuro responded that he would look into it and would create a sketch to determine how many parking spaces could be created.

B. Trim All Landscape Report

Mr. Shiver informed the Board that a resident reported irrigation running nonstop toward the end of December and it was discovered that there was a faulty irrigation valve, which has since been repaired. Spring aeration and a sulfur treatment is scheduled for next week and Mr. Shiver also asked that Trim All relocate a flower bed from the end of the sidewalk to the amenity center up closer to the amenity center due to the beds getting trampled.

Mr. Greenberg asked if the Dream Finders sign installed by the pool was authorized by the CDD. Mr. Shiver indicated he had not authorized installation of the sign. Mr. Pieratti responded that he would look into it.

Mr. Greenberg expressed concerns about construction traffic and contractors not following code as it relates to garbage. Mr. Pieratti noted he sent emails to all of the vendors explaining they would be charged a fee if they were caught contributing to the garbage issue.

A resident complained of garbage blowing into his daughter's yard from an empty lot behind her home and asked that a silt fence barrier be reinstalled. Mr. Pieratti responded that he would address the issue.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the November 17, 2020 Meeting

Mr. Laughlin noted Orchid Street needed to be changed to Orchid Blossom Trail in multiple spots throughout the minutes. Amelia Concourse Parkway should also be changed to simply say Amelia Concourse.

On MOTION by Mr. Toohey seconded by Mr. Greenberg with all in favor the minutes of the November 17, 2020 meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Ratification of E-Verify Memorandum of Understanding

Ms. Kilinski informed the Board there was a law passed last year that requires all units of government in the State of Florida to register through E-Verify regardless if the entity has employees or not. All District contracts going forward will include a provision that requires all direct contractors being paid with public funds to also comply with E-Verify.

On MOTION by Mr. Greenberg seconded by Mr. Snow with all in favor the E-Verify Memorandum of Understanding was ratified

SIXTH ORDER OF BUSINESS

Ratification of Requisition Nos. 31, 32 and 34

Mr. Laughlin gave an overview of the requisitions presented for ratification. Number 31 is for AJ Johns in the amount of \$383,496.30. Number 32 is for AJ Johns in the amount of \$122,101.28. Number 34 is for Hopping Green & Sams in the amount of \$685.

Mr. Greenberg asked if there are any recommendations for policies as it relates to paying old invoices. Mr. Laughlin noted he could bring the invoices to the Board prior to payment for approval from the Board. Ms. Kilinski informed the Board that from a legal perspective, Florida Law requires prompt payment depending on the type of contractual services. Mr. Greenberg noted the invoice which prompted the concern was submitted three years late, and suggested if the invoice is not submitted within 90 days of the work having been completed, that the invoice be required to be submitted to the Board for review prior to payment. Mr. Toohey suggested making the timeframe 120 days. Mr. Snow stated that he was comfortable with 120-180 days and suggested ensuring the timeline would work with the meeting schedule. Mr. Greenberg suggested a compromise of 150 days.

On MOTION by Mr. Toohey seconded by Mr. Snow with all in favor setting forth a policy in which invoices received 150 days or more from the date of completion of the work must be approved by the Board was approved.

On MOTION by Mr. Toohey seconded by Mr. Greenberg with all in favor requisitions 31, 32 and 34 were ratified.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2021-03, Re-Designating the Location of the Local District Records Office

Mr. Laughlin noted moving the location of local District records office was approved at the last meeting, however there was no resolution formalizing the action at the time.

On MOTION by Mr. Greenberg seconded by Mr. Toohey with all in favor Resolution 2021-03 redesignating the location of the local district records office was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Bonus and Compensation Policy

A copy of the proposed bonus and compensation policy was included in the agenda package. This was an item requested by the Board at the last meeting.

On MOTION by Mr. Snow seconded by Mr. Greenberg with all in favor the bonus and compensation policy was approved.

NINTH ORDER OF BUSINESS

Selection of Audit Committee

Mr. Laughlin recommended a motion to have the Board serve as the audit committee. The audit committee will meet to approve auditor selection evaluation criteria at the next meeting for use in issuing a request for proposals for audit services.

On MOTION by Mr. Greenberg seconded by Mr. Snow with all in favor the Board members serving as the audit committee was approved.

TENTH ORDER OF BUSINESS

Other Business

Mr. Toohey informed the Board a food truck advertised outside of the community and brought in a large crowd and asked if there were any liability issues to be concerned about. Ms. Kilinski responded that food trucks are common in other districts and some Districts will enter into a license agreement with the provider to limit liability. Mr. Shiver noted District staff has been completely left out of communications as it relates to planning for the food trucks to be on District property. Mr. Shiver has an agreement template provided by Hopping Green and suggested it be required that all food trucks sign the agreement, as well as provide the District

with a certificate of insurance. The Board indicated they were agreeable to Mr. Shiver's suggestion.

ELEVENTH ORDER OF BUSINESS Staff Reports (2)

A. District Counsel

Ms. Kilinski reported that Mr. Eldred will be the point of contact for any issues that she cannot immediately address during the next couple of months due to Ms. Kilinski being her firm's liaison for all legislative matters and legislative session being a factor. Ms. Kilinski went on to note that she is monitoring proposed bills as it relates to special districts, such as potentially requiring CDD board members to conduct ethics training as County officials do.

Ms. Kilinski updated the Board regarding the County's necessary actions against the former phase one developer, Jackson Shaw. The County has filed a declaratory judgment action against Jackson Shaw and there has been some case movement, which Ms. Kilinski will continue to follow up on.

Ms. Kilinski, following up on Mr. Greenberg's request to look into the potential to refinance the District's 2006 bond series, informed the Board that the District's bond counsel and the trustee counsel are looking into it as a true-up is necessary in order to move forward on a refunding, and that has not been done yet.

Mr. Greenberg asked for solutions to the speeding issue. Mr. Laughlin suggested asking the Sheriff's office to bring a speed sign trailer to be left on the property for a certain amount of time. Mr. Yuro also suggested speed bumps, however Mr. Laughlin noted it would have to be approved by the County with a traffic study required at the cost of the District. The Board directed Mr. Yuro to obtain more information about the traffic study from the County.

B. District Manager

There being nothing to report, the next item followed.

C. Operations Manager – Report

Mr. Shiver informed the Board he has been contacted by numerous residents who are interested in renting the amenity center room for private events and noted he is in favor of allowing rentals and possibly limiting the number of rentals, as well as requiring a waiver be signed by the reserving party if desired by the Board.

Mr. Greenberg asked how Mr. Shiver would go about ensuring the number of people attending are limited, and what the process would be for cleaning as well as who would bear the cost of said cleaning. Mr. Shiver responded he would inform the resident of the capacity limit prior to the reservation being made and if that capacity is exceeded it would be considered a violation and the resident could be prohibited from renting the room in the future. As it relates to sanitation, Mr. Shiver suggested an electrostatic sprayer to disinfect the facility during normal janitorial visits and the cost of the sprayer would be \$300. Ms. Kilinski noted her firm could provide a COVID rider to attach to the reservation applications. The Board indicated their agreement to opening the room for rentals and made the following motion.

Mr. Greenberg asked if the other Board members would be amenable to adopting a nominal fee for cleaning of the facility after a rental. Mr. Shiver noted First Coast CMS would purchase the electrostatic sprayer to avoid the need for adding any fee onto rentals.

On MOTION by Mr. Toohey seconded by Mr. Snow with all in favor allowing room rentals subject to interested parties executing a COVID waiver upon applying for use of the room was approved.

Mr. Shiver informed the Board there are occasionally issues with vehicles being parked for extended periods of time in amenity center parking lot and he's been hesitant to tow the vehicles as the District has not yet adopted a policy specific to towing and parking. Ms. Kilinski noted she would bring a formal policy to the next meeting for Board approval.

Mr. Shiver informed the Board he has met with Solitude Lake Management to discuss ongoing algae and debris issues. Solitude is requesting an onsite visit with Mr. Shiver and possibly the Chairman to discuss strategies on handling the algae issues. He also noted one of the bigger issues is that Solitude is only on property once a month, so they have presented a quote for bi-monthly service. Mr. Shiver noted he would prefer to have the onsite meeting prior to approving increased monthly property visits.

Mr. Shiver informed the Board the gate at the amenity center had been upgraded, however the access control system has been damaged, and the vendor is delaying the repair. A temporary lock will be put on the gate in the interim. Mr. Shiver suggested upgrading the access control system to a system that is not proprietary to avoid a similar issue in the future and provided a proposal from Alpha Dog in the amount of \$4,500. There is also a monthly fee of \$60

for utilization of the Cloud for data storage. Mr. Toohey made the suggestion to forgo repairing the system if it's going to be upgraded shortly thereafter.

Mr. Shiver informed the Board a mesh system was purchased to improve the WiFi quality at the amenity center. Staff also negotiated the monthly cost of the internet service with AT&T for a savings of \$260 per month.

On MOTION by Mr. Toohey seconded by Mr. Snow with all in favor the Alpha Dog proposal for upgrading the access control system in the amount of \$4,500 was approved.

TWELFTH ORDER OF BUSINESS Financial Reports

- A. Balance Sheet and Statement of Revenues & Expenditures**
Copies of the financial statements were included in the agenda package.
- B. Approval of Check Register**

A copy of the check register totaling \$62,475.24 was included in the agenda package.

On MOTION by Mr. Greenberg seconded by Mr. Toohey with all in favor the Check Register was approved.

C. Assessment Receipt Schedule

A copy of the assessment receipt schedule was included in the agenda package showing the District is 98.16% collected as it relates to on roll assessments.

FOURTEENTH ORDER OF BUSINESS Audience Comments / Supervisor's Requests
Audience Comments

A resident stated, "There are still three builder's power boxes in people's yards. How do we get rid of those?" Mr. Peiratti responded that he would take care of it.

Resident Charles Gay, asked, "Does this building have meter protection through Florida Power?" Mr. Shiver responded, "I don't know if they offer that on commercial buildings." Mr. Gay also stated, "I was trying to find out with the construction going on, they put the sidewalks in down both sides and they let the grass grow up last year and finally about late summer they started cutting them back. I didn't know when they were going to come in and finish that up. I'm also wondering if they're going to install the irrigation system and connect to my irrigation system to finish it off." Mr. Pieratti responded that the sidewalks should have been a builder responsibility. Mr. Laughlin noted he would look into the irrigation issue.

Supervisor Requests

Mr. Snow asked if there is something the District can do to include equipment at the playground for younger kids. Mr. Shiver responded that there is space for more equipment at the playground and noted more sizable toddler structures can cost around \$12,000 to \$15,000. Mr. Snow also asked about the possibility of changing the splashpad area of the pool to something that would get more use. Mr. Shiver responded that he would not suggest a hot tub due to liability and adding any more water features would be pricey. A shade structure would be a possibility as a lesser expensive option, but further options could be explored in the future. Mr. Snow also questioned if the meeting frequency is adequate and asked how District business is handled between meetings. Mr. Laughlin responded that between meetings bills are paid as needed and Mr. Shiver is onsite at the District to handle operations and maintenance issues. Mr. Laughlin also noted there are procedures in place if emergencies come up that allows staff and the Chairman to spend a certain amount of money without needing Board approval, and special meetings can be scheduled quickly if needed.

FOURTEENTH ORDER OF BUSINESS

Next Scheduled Meetings – Budget Workshop on April 20, 2021 at 11:00 a.m. and Regular Board of Supervisors Meeting on May 18, 2021 at 11:00 a.m. at the Amelia Concourse Amenity Center

Mr. Laughlin reminded the Board quorum is not required for the budget workshop as no decisions can be made, it's simply for the purpose of discussing the upcoming year's budget.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Toohey seconded by Mr. Greenberg with all in favor the meeting was adjourned.


Secretary / Assistant Secretary


Chairman / Vice Chairman