

MINUTES OF MEETING  
CHAMPIONSGATE  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the ChampionsGate Community Development District was held Tuesday, February 12, 2019 at 2:00 p.m. at the offices of RIDA Development, 8390 ChampionsGate Boulevard, Suite 104, ChampionsGate, Florida.

Present and constituting a quorum were:

Phillip Montalvo	Chairman
John Lambert	Vice Chairman by phone
Ron Root	Assistant Secretary
Darin Tennyson	Assistant Secretary
Jordan Rockefeller	Assistant Secretary

Also present were:

Jill Burns	District Manager
Scott Clark	District Counsel
Mark Vincutonis	District Engineer
Yvonne Shouey	RIDA Development
Marc Reicher	RIDA Development
Teresa Viscarra	GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Burns called the meeting to order at 2:00 p.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Appointment of Individual to Fill the Vacancy in Seat 3 with a Term Ending November 2022**

Ms. Burns stated the Board appointed an individual at the last meeting to fill the vacancy and that person declined the appointment. Is there a nomination to fill the vacancy?

Mr. Montalvo stated two of the Board Members have their homes up for sale and will be moving out of the area. I have names of two individuals who are interested in serving on the Board.

Ms. Burns stated Mr. Rockefeller is here today and we can appoint him and if one of the Supervisors wished to resign at the end of the meeting, we would still have four Board Members.

Mr. Lambert stated after we have the vote on Jordan if that is going to be the recommendation, I will tender my resignation.

Mr. Clark stated let's deal with the one who is here then we can talk about the candidate that you are thinking about and the Board can get some direction on whether we are going to do that or keep looking.

Mr. Reicher stated Jordan and his brother have been on property for almost three years and they operate the car wash and I thought it would be a nice balance to have someone who runs a business here and he is also a resident.

On MOTION by Mr. Montalvo seconded by Mr. Tennyson with all in favor Jordan Rockefeller was appointed to fill the vacancy in Seat 3 with a term ending November 2022.

**B. Administration of Oath of Office to Newly Appointed Board Members**

Ms. Burns being a Notary Public of the State of Florida administered the Oath of Office to Mr. Rockefeller.

Ms. Burns stated after the meeting Scott and I will go over the paperwork I have given to you that covers the laws and guidelines for elected officials.

Mr. Reicher stated the most important thing is you are prohibited from talking to other Board Members about District business.

Mr. Clark stated that includes by email, social media and things like that.

**C. Consideration of Resolution 2019-04 Electing Assistant Secretary**

On MOTION by Mr. Tennyson seconded by Mr. Montalvo with all in favor Resolution 2019-04 appointing Mr. Rockefeller as an Assistant Secretary was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the December 11, 2018 Meeting**

On MOTION by Mr. Root seconded by Mr. Tennyson with all in favor the minutes of the December 11, 2018 meeting were approved, as presented.

**FIFTH ORDER OF BUSINESS**

**Review and Acceptance of Fiscal Year 2018 Audit Report**

Ms. Burns gave a brief overview of the Fiscal Year 2018 audit, which is considered to be a clean report with no significant findings.

On MOTION by Mr. Montalvo seconded by Mr. Tennyson with all in favor the Fiscal Year 2018 audit was accepted, and staff authorized to transmit the final report to the State of Florida.

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Consider Resolution 2019-05 Adopting Rules and Regulations for Streets and Roadways within the District Prohibiting Certain Street Parking; Providing Remedies to Correct Street Parking**

On MOTION by Mr. Root seconded by Mr. Montalvo with all in favor the public hearing was opened.

Mr. Montalvo stated we have an issue with parking primarily on Laura Lane between South Goodman and Masters.

Mr. Clark stated we have noticed a public hearing to potentially adopt the rule. I brought text in the form of a resolution, it is open to discussion if it is not what the Board wants, we can make some amendments to it. First, we dealt with Laura Lane within the right of way of Laura Lane there can be no parking. We need to put up the signage, the tow compliance signage in order to be able to enforce it. Beyond that there are some general things in the statutes and these are things you are familiar with about not blocking people's driveways, not parking next to a fire hydrant, at a stop sign, parking in a way to hinder emergency access. I have also incorporated those things to give the ability to tow cars if you have a problem and that would be on any road that you own. I have said so we could short circuit the process that the District would have the

right in addition to Laura Lane if there are other problems that happen we can come back through a resolution, not the public hearing process, and say we have a problem on this street so let's authorize striping and signage to deal with that problem when it comes up in the future. If you have a truck and get towed the amount you are going to pay to get it out is much more prohibitive than getting a ticket. A ticket you pay as a cost of doing business, the fees to tow trucks is \$500 - \$700 depending on the size. They wouldn't do it twice.

Mr. Montalvo stated but the Sheriff would be able to issue a ticket.

Mr. Clark stated the Sheriffs vary from County to County on what they will do. Some will say it is not a County road we are not going to ticket it but usually, and I think Osceola is included in this, if you give them a copy of the rule that we have adopted and say this is the regulation that we have we want you to enforce it with tickets when you come in I think Osceola County will do that if we have a conversation with them.

Ms. Shouey stated you have to post that they will ticket if you are parking illegally.

Mr. Root stated ticket or tow.

Ms. Shouey stated right. I had to do it before for the fountain area with the skateboarders, they won't do anything unless you have the signage.

Mr. Montalvo stated the trucks that park on Laura Lane are there for a limited amount of time and may be gone by the time the tow truck arrives whereas if a deputy is in the area, they can give them a ticket. I wouldn't discount that need to build that relationship with the Sheriff's Office.

Mr. Reicher asked if you adopt this what are the logistics of implementing it?

Mr. Clark stated for ticketing, the Sheriff has different language they want to see on the sign. For towing, there is compliant language in 715.07 that you have to have certain language, certain letters, tow away zone.

Ms. Shouey stated most towing companies have that.

Mr. Clark stated we would engage a tow company to come in and wander through or we can call them when we have a problem, you can work it either way but generally they won't charge us anything, they do it for the very generous fee they get from towing.

Mr. Montalvo stated we deal with a couple in Bella Trae and they do a pretty good job.

Mr. Clark stated we should probably reach out to one that is already coming into Bella Trae to do our enforcement. For purposes of discussion on the second page where it says

parking is defined by Florida Statute 316.003(27) they changed that number and it should be 316.003(50). I will produce a clean copy and get it signed after the meeting.

On MOTION by Mr. Montalvo seconded by Mr. Tennyson with all in favor the public hearing was closed.

On MOTION by Mr. Tennyson seconded by Mr. Rockefeller with all in favor Resolution 2019-05 was approved.

*Mr. Lambert left the telephone conference at this time.*

## **SEVENTH ORDER OF BUSINESS**

### **Discussion of Poblocki Sign Company Correspondence and Monument Signage**

Mr. Reicher stated at the last Board meeting the Manager asked that you give us the opportunity to go back to Poblocki and see if we can figure out how to make these signs a little more cohesive and consistent. I think we have something that is potentially a solution. We had a meeting and Luke showed up onsite and he didn't sign anything in writing, but I believe Poblocki will cover the lion's share of these modifications, but I don't think it is going to be a big cost to this District at the end of the day.

Mr. Reicher distributed a sketch of the proposed signage and stated the big issue was the fact that the cans were hanging over and that is more of an issue with the radius. On the flat sides they only hang over about 5". His initial schematic showed a stone element finish on the side but not underneath it as a runner. Our solution was to add those stone elements and it makes it look more finished and more consistent with the Downtown ChampionsGate vibe. You still have a 5" protrusion on the side but I don't think that is as severe and the fact that this stone would pop out in front of it would balance it nicely. If you like the design then we will send back correspondence saying you are going to fix all the workmanship issues plus add the stone. Is this a direction that looks more finished to you that could resolve an ongoing and extended sign saga?

Mr. Montalvo stated it looks good to me.

Mr. Reicher stated I think he is saying he is going to absorb the cost but we won't know until we get a final agreement and direction from the Board that this is what we want to do.

Mr. Montalvo stated he said this would have to be in the nature of a change order that would have the specifications and completion dates so we don't get trapped in another situation.

Mr. Reicher stated the rounded wall, the one in the front, the boxes protrude out further because the radius isn't equal on each sign and the solution on the fly was to add this secondary box so on the second page you see the notation and they range between 11" and 13" in protrusion and the idea is to take an EFIS with a stucco finish and create a radius that absorbs that 11" to 13". What you are doing with the rounded is absorbing that 11" to 13" that is currently protruding but then look like its embedded into the sign the same 5", which is what the light box is. You would add the stone elements into the radius to the extent it is possible along the radius. If you want us to pursue this remedy to finish the sign work, we need to have a date certain when things are going to get done and outside dates. We are looking for feedback. The last time I made the request to meet with him and come up with a design and this is what we are coming back with today.

Mr. Montalvo stated the design is acceptable, the question is flat or rounded profiles.

Mr. Reicher stated we can do a mockup.

Mr. Montalvo stated let's do that.

Mr. Reicher stated we made him aware of all the deficiencies and if you like the design we will go back and see if we can work out some type of addendum to the agreement that allows him to finish and we don't think there will be any cost. When you look back at the original schematic the only thing that wasn't in the schematic is the stone that runs under it and if he came back and said he needs another couple hundred to do the stone under every sign and it is outside the design I would come back to you.

On MOTION by Mr. Montalvo seconded by Mr. Tennyson with all in favor Mr. Reicher was authorized to proceed to move forward with Poblocki based on the presentation with a rounded profile.
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## **EIGHTH ORDER OF BUSINESS**

### **Consideration of Transfer of Environmental Resource Permit No. 49-00884-P**

Ms. Burns stated there is a request to transfer the environmental permit for a couple of ponds to the District.

Mr. Clark stated I went through these to verify that we have the appropriate easements and we do.

On MOTION by Mr. Montalvo seconded by Mr. Root with all in favor transfer of the Environmental Resource Permit no. 49-00884-P was accepted and the Chairman was authorized to execute the transfer documents.

## **NINTH ORDER OF BUSINESS**

### **Discussion Items**

#### **A. Bond Payoff and Use of Surplus**

Ms. Burns stated the amount of bonds outstanding based on the amount in the reserve and assessments collected this year are such that we do not need to collect debt assessments on the upcoming tax bill. As a result, without having to put anything on roll for the upcoming year we are going to have an excess of funds of \$480,241.

Mr. Reicher stated last time we talked about that we could never figure out who would get what portion of it so we would just hold it and keep it as a reserve fund to do projects.

Ms. Burns stated to be used for capital projects.

Mr. Reicher stated I have talked to my general partner, who is the largest landowner, and he thinks that is a good idea and he would support that.

Mr. Clark stated both Bond Counsel and I have reviewed the prior documents related to the issue, the assessment resolution and what we are doing is allowed and consistent with all those documents.

Mr. Reicher stated keep in mind this bond is retiring after 20 years and there are a lot of things in the ground that you don't see that are in existence and we really need to think about the right way to put these monies back to use and set the property up to be functioning and efficient going forward the next 10 to 20 years. That could be irrigation that we are going to talk about a little later.

Ms. Viscarra stated we were hoping to be able to use what is left in reserve to speed up the last payment and I will work with the trustee to see what is stated in the bond documents about how quickly we can have access to those funds.

Mr. Clark stated there are notice periods with the trustee some of which may hit before we meet again, I think it would be good for the Board to authorize staff to take such actions as necessary to prepay the bonds on or before the next due date and to move any remaining proceeds into a capital reserve account.

On MOTION by Mr. Montalvo seconded by Mr. Root with all in favor staff was authorized to prepay the outstanding bond amount on or before the next bond call date and to move any remaining proceeds into a capital reserve account.

Mr. Clark stated I will look at it, but I think we need to give notice by March 15<sup>th</sup> that we intend to do that.

#### **B. Status of Master Boulevard Overlay**

Ms. Shouey stated the contractor is ready when you are ready.

Mr. Montalvo stated I signed the contract a month ago.

Ms. Shouey stated they want 30 days' notice and I wasn't going to give them that notice. We were going to talk about when you wanted to do it because they have to close down one lane.

Mr. Root stated May is a good month to do this for a lot of reasons.

It was the consensus of the Board to give notice to the contractor that he can commence the Masters Boulevard overlay in May, specific date to be determined by staff.

#### **C. Laura Lane Sidewalk Update**

Mr. Vincutonis stated at the last Board meeting we talked about running a sidewalk along Laura Lane. I prepared an updated cost estimate to have the sidewalk on the south side of Laura Lane so it runs behind all the commercial enterprises. I estimated just under \$104,000 to do that. That excludes lighting. I think Yvonne was going to try to see who handles the lighting and see what that would be and whether or not it is even needed.

Mr. Root stated I know the minutes reflect their opinion, but I'm not convinced. Those lights that are 100 feet high light up my neighborhood, which is a quarter mile away.

Mr. Rockefeller stated I agree there needs to be a sidewalk, but I don't know about lights.

Ms. Shouey stated I will walk down there but if you don't think we need it, that is a big expense. If you have the specs I can get a bid for the sidewalk.

Mr. Vincutonis stated I was anticipating a 5-foot sidewalk adjacent to the back of curb. One thing we have to look at is the sod work is going to be on private property on three lots so there will have to be some easement acquisition. There are electrical boxes and a manhole, so there will need to be some retaining wall.

Ms. Shouey asked is the proposal just for the sidewalk and not the other stuff?



Mr. Vincutonis stated it includes the retaining wall and landscape. It does not include easement acquisition if there is any cost associated with that. We will be going up two drives, east of Walgreens because those drives are pretty steep and the crosswalks are going to have to be 2% so we have to cut into that and reshape their drive. I think we need to generate a plan, survey this, understand what the boundaries are relative to the back of curb and set grades on these conditions, set the retaining wall so we can get prices from some contractors. I anticipate needing a 10-foot easement across those three lots and maybe a bigger temporary construction easement.

Mr. Montalvo asked what is our next step?

Mr. Clark stated we don't have to formally bid it based on the numbers so just bring as many proposals as you can.

Ms. Shouey stated we have to have a plan then we will get it to the contractors. Maybe by the April meeting we can have it all together. Once I get the plan then we have to get easements.

Mr. Reicher asked before we have plans drawn do we want to contact the four property owners and say we are considering doing this and are requesting an easement and we will replace your landscaping is this something you would agree to. We have no power to condemn and if one of the four says no we need a new plan. We can contact the owners.

Mr. Clark stated have Mark do a sketch of the sidewalk easement, the construction easement, address any details about torn up landscaping and things like that and you would be the people to approach them.

Ms. Shouey stated I can do a letter and contact all these people.

Mr. Clark stated if they say yes conceptually then I will draft a form of easement that they can send to their general Counsel.

Ms. Shouey stated I will do that Scott, then get that to you.

#### **D. Corner of S. Goodman/ChampionsGate Right Turn Lane**

Ms. Shouey stated I would like to get more sturdy delineators around there. They make them where they are all together and made out of a heavier material because all we do is keep putting them up. I instructed our 8 – 12 officers to concentrate on that and they have never seen them do that.

Mr. Montalvo stated most of them have stopped at 7-11 to get gas and don't know how to get back. We may consider putting a sign at 7-11 directing them to I-4.

Ms. Shouey stated I have other signs on order and I will order those. I was waiting for you on the delineators.

Mr. Montalvo stated if it is within my spending authority and if the Board has no objection to that, then we will do it.

Ms. Shouey stated I think maybe \$1,000 max.

Mr. Root stated the turn radius when you are coming off I-4 and turning to go into 7-11 or one of the restaurants is getting chewed up terribly.

### **E. Condition of District Irrigation System**

Ms. Shouey stated I'm going to contact Weber and have him give me a price as to what he thinks and it is going to be a big amount.

Mr. Montalvo asked can we have an audit of the system so that we can look at it?

Ms. Shouey stated I don't understand how we do an audit without digging.

Mr. Reicher asked over the years is maintenance increasing on an annual basis?

Ms. Shouey stated yes.

Mr. Reicher stated that is the truest indication that it is aging.

Ms. Shouey stated because it is so old they are having to put band-aids on the band-aids. Last week we had two main lines break and for some reason those main lines are 6 and 8 feet deep.

Mr. Montalvo stated what I meant by an audit was if he has to completely start from scratch and run new lines. The areas that don't need fixing we need to identify.

Ms. Shouey stated ChampionsGate Boulevard is the worst.

Mr. Montalvo stated I mean throughout the system. Do we have a diagram?

Ms. Shouey stated I have an as-built.

Mr. Montalvo asked using that as-built can you identify the areas that need to be addressed and prioritize them?

Mr. Reicher stated it is very difficult because when they break they break. One of the things we can look at is all the controllers.

Mr. Root stated if a section breaks at that point maybe we need to think in terms of sectional replacement of that pipe rather than a band-aid.

Ms. Shouey stated we do that now. The problem is just like the break they had at Masters, the water pressure from the other leak snapped another pipe. It is like they are weak, they are old.

Mr. Montalvo asked how can we understand the nature of the problem? Should we replace the whole system?

Ms. Shouey stated no.

Mr. Montalvo stated any direction the Board gives to Yvonne in terms of irrigation, needs to include technology improvements. Even though we are on well water, we often do like other communities and that is water while it is raining. I think that needs to be anticipated as part of an upgrade.

Ms. Shouey stated I haven't talked to Weber, himself, to see what they feel should be done. Let me go to him and see what he thinks we should do.

Mr. Root stated we need to ask Weber what it will take to keep more water off the streets.

Ms. Shouey stated it is the heads they put on, that causes the water to go in the street. It may be nothing more than changing out the heads. I will find out when I talk to him.

## **TENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

There being none, the next item followed.

#### **B. Engineer**

There being none, the next item followed.

#### **C. Manager**

##### **i. Approval of Check Register**

On MOTION by Mr. Root seconded by Mr. Tennyson with all in favor the check registers were approved.
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##### **ii. Balance Sheet and Income Statement**

A copy of the balance sheet and income statement were included in the agenda package.

**ELEVENTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**TWELFTH ORDER OF BUSINESS                      Supervisor's Requests**

Mr. Root stated I wish my resignation to be effective today at 3:14 p.m. prior to the end of the meeting.

Mr. Montalvo stated one of the two people I spoke to about this Board is Lee Dawson who is a Bella Trae resident and an Engineer, he is our neighborhood watch coordinator and deputized and has a relationship with the Sheriff's Office and is a fulltime resident. For the second position I spoke with Lisa Allen also lives in Bella Trae, is very much involved in governments, deals with the association, used to be a school teacher and school administrator and has great organizational skills and she is also a full time resident. She is on the Board over there too.

Mr. Reicher stated I don't know how you go about informing people about vacancies but a representative from another area would be a good idea. How do we make the general public aware of this opportunity?

Mr. Clark stated if they have an HOA over there you can put it out that way. Have them put it on their website.

On MOTION by Mr. Montalvo seconded by Mr. Tennyson with all in favor Mr. Root's resignation was accepted and Seat 4 was declared vacant.
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Mr. Montalvo stated I will talk to Liz and ask her to come to the next meeting and if there is anyone else who is interested can attend also.

Ms. Burns asked does the April date work for the three of you because if John resigns we need all three of you here for quorum.

Mr. Montalvo stated let's meet on April 8<sup>th</sup>.

Mr. Tennyson stated my schedule has changed and Mondays are better for me.

Mr. Montalvo stated we can change the date from the second Tuesday to the second Monday at 2:00 p.m.

Ms. Burns stated we can advertise that and update the meeting schedule to meet on the second Monday at 2:00 p.m.

On MOTION by Mr. Montalvo seconded by Mr. Tennyson with all in favor Lee Dawson was appointed to fill the vacancy in Seat 4 with a term ending November 2022.

**THIRTEENTH ORDER OF BUSINESS**

**Audience Comments**

On MOTION by Mr. Montalvo seconded by Mr. Tennyson with all in favor the meeting adjourned at 3:27 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman