

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**CONCORDE ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Concorde Estates Community Development District was held on **Wednesday, July 25, 2018 at 6:00 p.m.**, at the Concorde Estates Clubhouse, located at 3151 Georgian Bay Lane, Kissimmee, Florida 34746.

Present and constituting a quorum:

Sailyn Alli	Board Supervisor, Chairperson
Edwin Diaz	Board Supervisor, Vice Chairperson (<i>joined in-progress</i>)
Basam Alli	Board Supervisor, Assistant Secretary
Cesar Goyetche	Board Supervisor, Assistant Secretary
Martha Mendez - Land	Board Supervisor, Assistant Secretary

Also present were:

Anthony Jeancola	District Manager, Rizzetta & Company, Inc.
Gregg Johnson	District Counsel, Garganese, Weiss, D'Agresta & Salzman, P.A.
Steve Boyd	Boyd Civil Engineering (<i>via phone</i>)
Roy Deary	Vesta
Brian Koehler	Duval Landscape Maintenance
Audience Member	Present (<i>Mr. Land, Mr. Barbuck</i>)

FIRST ORDER OF BUSINESS

Pledge of Allegiance

Mr. Jeancola asked everyone to stand and recite the pledge of allegiance.

SECOND ORDER OF BUSINESS

Call to Order

Mr. Jeancola called the meeting to order and read the roll.

THIRD ORDER OF BUSINESS

Audience Comments on the Agenda Items

Mr. Barbuck discussed ongoing litigation with the former amenity manager. He directed his comment / question towards Mr. Johnson. A subpoena was issued for internal business records by the clerk of court and sent to Rizzetta & Company. He wanted to know if there was a conflict of interest with Mr. Johnson providing legal advice to Rizzetta regarding the subpoena for the internal business records. Mr. Johnson explained that he advised to Mr. Dailey that the District did not have a responsibility to indemnify Rizzetta. Rizzetta has a duty to respond to a records request per the contract as per Chapter 119. Discussion ensued.

Mr. Land commented on Rizzetta being responsible for responding to record requests. He requested documents regarding the previous amenity manager's hours from Mr. Smith at a prior meeting.

He has not received the requested information. Mr. Land claimed that Rizzetta is holding back documents / information. He asked for an update regarding the stormwater issues. Mr. Jeancola stated that the County was contacted. The County has taken a look at the issue and is not doing anything at this point and time as there may be some orifices / outfall structures that are contributing to the problem.

Mr. Land stated that the irrigation system and damaged street lights are a concern. He also stated that landscaping, entry features, and amenities (pool/club house) are in breach of contract. He states that he has a fundamental right and is asking the Board to hold Rizzetta accountable and claims that Rizzetta is stealing from the community/Board.

Mr. Cruz requested that the Board considers increasing legal counsel fee to \$1,000,000.00. He noted that the District had an amenity manager who was not performing the scope of work. He said that he has approached landscaping companies and that they do not want to do business due to the community's appearance. He also indicated that he previously requested for repairs be made to benches, tennis courts, etc. had not been done. Discussion ensued.

Ms. Alli stated that the new interim club house manager encountered some issues in the first two weeks. Residents were giving her a hard time when she tried to enforce the rules. Discussion ensued.

A question was asked regarding who was responsible for cleaning up the trash and debris in the community. Mr. Jeancola stated that BrightView is responsible for the common areas and the interim club house manager keeps clubhouse areas clear.

Mr. Diaz expressed his concern regarding non-agenda items still being discussed.

Discussion ensued regarding community trash and debris clean up.

A new resident asked about audience comments. Ms. Alli clarified that audience comments at the beginning of the meeting are for agenda items. Comments at the end of the meeting are for general comments and questions.

There was a comment regarding the servicing of the sprinklers. The resident stated that Florida statute 373.62 - Water Conservation states that there needs to be a stop mechanism for when there is rainfall. There are applicable fines that can be imposed. This will be addressed with the new company.

FOURTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Johnson reached out to the trustee's counsel regarding the construction requisition paperwork. He has not heard back from them yet. He will follow up with a formal letter.

He drafted as a resolution regarding Supervisor compensation. It required clarification regarding scenarios such as physical and telephonic attendance. General discussion ensued. Mr. Johnson will bring the resolution to the next regularly scheduled meeting. He summarized that the resolution limits the amount of compensation to \$400.00 per month. This also stipulates that a Supervisor will only be paid \$200.00 if they attend 2 meetings per month via a phone call. He will include verbiage regarding continuation meetings in the resolution entitizing Supervisors to be compensated. Ms. Land requested a copy be sent to the Board.

Mr. Johnson stated that he was in communication with the trustee and they confirmed that the bond restructuring closing occurred in January. Discussion ensued.

B. District Engineer

Mr. Jeancola provided the Board with the report provided by Mr. Boyd prior to the meeting.

Mr. Boyd stated that the County investigated the hole in the roadway and that they repaired a pipe and patch. The curb drains have been examined and it is believed that there are some outfall structures that require clearing. To follow up, the District will need to have the pond vendor repair and remediate the structures. Ms. Land indicated that they experience issues even when the ponds are low. The orifices need repair as noted in the report (1, 5, 8 and 14). Ms. Land commented that Avex is not installing the drain socks and causing issues with debris entering into the curb drain. The Board requested that Mr. Johnson draft a letter to Avex regarding the erosion control.

Ms. Alli asked Mr. Boyd to get pricing from vendors.

Ms. Land inquired about the outcome of the other District in which the County alleged had similar pond issues. In that scenario, the other District did not have to perform orifice repairs.

Ms. Alli asked if Mr. Boyd could personally review the items reported by his staff. He confirmed that he will come back out.

Mr. Alli asked if the County actually came out to do an inspection, which was confirmed. Mr. Boyd confirmed that he will inspect it on the 6th.

Mr. Alli inquired about the status of the lighting with KUA. Mr. Boyd indicated that based on prior discussions, he was under the impression that this item was tabled. Ms. Alli agreed.

Ms. Alli asked about the gate and concrete posts since the removal of the neighboring property's fencing. It may not be feasible. An alternative may be necessary. Ms. Alli would like Mr. Boyd to look at this area on the 6th.

C. District Manager

Mr. Jeancola reviewed the community task and topic updates with the Board. He confirmed with the Board that the lake clearing has been tabled.

D. Clubhouse Manager

Mr. Jeancola discussed the Amenity Management Report dated July 2018 provided by the interim club house manager.

There was a discussion regarding RASI having a 40-hour work week. The Board asked confirmation be had with Mr. Smith whether the 40 hours includes lunch. Ms. Alli stated that if it did then that means that the District would be paying for it. Ms. Land read Mr. Smith's e-mail out loud. It indicated that if there was a lunch, hours may need to be adjusted.

Discussion ensued regarding the prorated amenity management fee of \$650.00 for the month of July. Ms. Land does not believe that \$650.00 is a prorated amount and that it should be proportionate.

Mr. Barbuck asked why the Board is consenting to pay for Rizzetta's services. Mr. Johnson advised that if services are being provided, the District is obligated to pay for services. Mr. Cruz indicated that he has met with other attorneys regarding quantifiable damages.

A resident asked why the Board wouldn't consider having an attorney on a contingency basis rather than increasing legal fees.

Ms. Land wanted to make a motion for the Board to have Mr. Barbuck work as a private investigator on the District's behalf.

Ms. Alli asked if this would be a conflict of interest. Mr. Johnson stated that it is not as long as he is not being compensated.

A motion was made by Ms. Land and seconded by Mr. Goyetche to have the Board authorize Mr. Michael Barbuck as a private investigator, pro bono, on the District's behalf, for Concorde Estates Community Development District.
--

Mr. Diaz objected.

Ms. Land motioned to have a demand letter drafted to Rizzetta due to the following reasons: inconsistency of club house manager's pay; missing hours; removal of manger without cause and only providing a part time replacement; alleged forged documents from rental compensation; and the mishandling of residents' confidential and financial records. Discussion ensued. Mr. Johnson stated that he does not have an issue drafting a demand letter to Rizzetta, but that there needs to be a remedy of what is being demanded.

Mr. Land asked if the Board could request a shade meeting. Mr. Johnson advised they cannot request one until there's litigation.

Mr. Barbuck indicated that he has requested internal business records for the last 5 years. He also stated that he has enough information for the state attorney. Mr. Johnson noted a conflict may arise if Mr. Barbuck does become a board member.

The motion died.

Ms. Land stated that she has asked Rizzetta for some internal business records since May 2018. She received some. Mr. Johnson asked her to forward her request to him and that he would draft a formal letter to Rizzetta demanding that they provide them to her.

Ms. Alli stated that the interim clubhouse manager had a request from a resident asking to rent the club house through midnight. Ms. Alli does not feel that it is reasonable and any such requests should be brought before the Board. Ms. Alli's concern is that this resident stated that she has rented the clubhouse until 11:00 pm in the past. The clubhouse can be rented until 10:00 pm at the latest assuming there is staffing available. Discussion ensued.

FIFTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting held on June 27, 2018

Mr. Jeancola presented the Minutes of the Board of Supervisors' Meeting held on June 27, 2018.

On a motion by Mr. Diaz seconded by Ms. Alli, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on June 27, 2018, for Concorde Estates Community Development District.

SIXTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures for June 2018

Mr. Jeancola reviewed the June 2018 expenditures with the Board.

One sling was sent as a tester. Mrs. Alli advised the sling vendor, Admiral Furniture, will do the installation for \$70.00 per chair. 22 are needed and would back out the cost paid thus far.

Ms. Land asked if they could be returned. She asked how much the new chairs would cost. The lounge chairs would cost \$115.00.

Mr. Alli asked about ordering a fan that Mr. McGath purchased.

Ms. Alli asked if admiral can be contacted regarding the cost to replace the pool furniture.

Ms. Alli stated that the elliptical machine is broken and a sign should be placed on it.

There are two lights out on the monument at the front and tree light.

Mr. Boyd needs to follow up regarding street conditions.

There were refunds from Rizzetta for event rental. The Board would like to know how the calculation that they used was formed, the date of the event, and why the refund was issued. The Board would like amenity management to clarify the credits and explain how they arrived at them.

On a motion by Ms. Alli, seconded by Mr. Goyetche, with all in favor, the Board ratified the Operation and Maintenance Expenditures for June 2018 in the amount of \$40,202.44, excluding RASI billing under protest, for Concorde Estates Community Development District.

The Board would like amenity management to provide an update regarding the off-duty officer's as they inquired about reports of security not being on site. Mrs. Alli indicated their invoice should not be paid if services are not being provided.

Discussion regarding key to office ensued. Amenity management was requested to change locks before the next meeting.

SEVENTH ORDER OF BUSINESS

**Consideration of Proposal(s) in Response to
Landscape Maintenance & Irrigation
Maintenance Services RFP**

The Board reviewed and discussed the Landscape Maintenance & Irrigation Maintenance Services Proposals as follows:

- 1) Down to Earth Landscape Irrigation & Golf
- 2) Duval Landscape Management
- 3) Infinity Landscape Solutions
- 4) Millennium Grounds & Water

Mr. Johnson advised that based on the project manual, the District must select the lowest most responsible bidder. If the lowest bidder is not selected, it must be because a bid is rejected. General discussion ensued.

On a motion by Ms. Alli, seconded by Mr. Goyetche, with all in favor, the rejected all bids received in response to the Landscape Maintenance & Irrigation Maintenance Services RFP, for the Concorde Estates Community Development District.

The Board would like to add field manager check off, references and irritation to the scope of work.

EIGHTH ORDER OF BUSINESS

Acceptance of FYE 2017 Audit

Mr. Jeancola stated that the financial statements were presented in accordance with generally accepted accounting principles. There was an instance of adverse findings, the same as prior years. The SPE is separate from the District and its financials are not included as part of the District's nor do they provide such. The District does not control any or own ownership over SPE.

On Motion by Mr. Diaz, seconded by Ms. Alli, with all in favor, the Board accepted the Fiscal Year 2017 Audit, for the Concorde Estates Community Development District.

NINTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

A resident discussed the use of the gym and having his 12-year-old younger brother use the facility. He would like to ask the Board to allow his brother to utilize it. The policy states that an individual must be at least 18 years old to use the gym. Mr. Johnson advised that the Board could change the rule to allow "with adult supervision". General discussion ensued. The Board left the policy as is.

Mr. Land discussed Mr. McGath's lack of work and its affect on Brightview not cutting areas by the alley and along the backside of the community.

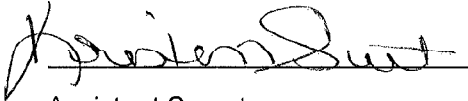
Ms. Alli stated that someone moved the exercise equipment and asked that Shannon contact Exercise Systems.

The magnetic locks need to be reviewed to ensure they are closing and locking at 9:00 pm.

TENTH ORDER OF BUSINESS

Adjournment

On a motion by Mr. Diaz, seconded by Ms. Alli, with all in favor, the Board adjourned the meeting at 9:40 p.m., for Concorde Estates Community Development District.


Assistant Secretary


Chairperson/Vice Chairperson