

**MINUTES OF MEETING
SILVERADO
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Silverado Community Development District held a Regular Meeting on October 29, 2021 at 10:00 a.m., at the Avalon Park West Amenity Center, 5060 River Glen Boulevard, Wesley Chapel, Florida 33545.

Present were:

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| Mary Moulton | Chair |
| Christian Cotter | Vice Chair |
| Raymond Demby III | Assistant Secretary |
| Ty Vincent | Assistant Secretary |

Also present, were:

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| Cindy Cerbone | District Manager |
| Jamie Sanchez | Wrathell, Hunt and Associates LLC (WHA) |
| Jere Earlywine | District Counsel |
| Tonja Stewart | District Engineer |
| Barry Mazzoni | Operations Manager |
| Debi LaCroix | Access Difference |
| Ron Brown | Access Difference |
| Patty Desthers | Access Difference |
| Tirria William | Access Difference |
| Jon Sowers | Yellowstone Landscape (Yellowstone) |
| Scott Carlson & Tyree Brown | Landscape Maintenance Professionals, Inc. (LMP) |
| Brian Stahl | Trimac Outdoors |
| Ashley Pollard (via telephone) | Resident |
| Giselle Madera-Rodriguez | Resident |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:03 a.m. Supervisors Cotter, Moulton, Vincent and Demby were present in person. Supervisor Zook was not present.

Ms. Cerbone stated that the meetings for the Silverado, Avalon Park West and Summerstone CDDs, would be held back-to-back with brief breaks between meetings. She discussed the public comments protocol, noted there will be two opportunities to speak during

the meeting and explained that the Board and Staff may decide whether to respond to questions or comments during the meeting but are not required to respond.

SECOND ORDER OF BUSINESS

Public Comments

This item was presented following Item 3B.

THIRD ORDER OF BUSINESS

Consideration of Proposals for Landscape & Irrigation Maintenance Services

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Project Manual

The Project Manual was included for informational purposes. Ms. Cerbone reviewed the list of respondents and stated Mr. Mazzone would discuss the respondents’ proposal packages and his rankings. The Board may choose to accept Mr. Mazzone’s rankings or complete rankings of their own.

▪ **Public Comments**

This item, previously the Second Order of Business, was presented out of order.

Resident Ashley Pollard stated, with regard to the agenda item about a street in the back of the community, he would like to make a public information act request for the permit and the inspection paperwork done by the County. He felt that lights are needed in the back of Silverado Boulevard and at the mailboxes. He wants to see invoices and know who paid for recent repairs to gutter drain covers and sidewalk damaged by the builders, throughout the community, because he felt that property owners should not be required to pay for those repairs. Ms. Cerbone stated the roadway and lighting issues would be addressed later in the meeting. Regarding the public records request, she would need to research whether the CDD is the party of origin in order to determine whether the information can be supplied by the CDD; if the CDD is not the party of origin, Mr. Pollard would need to contact the City or the County.

Resident Giselle Madera-Rodriguez expressed her interest in the discussion about the streets later in the meeting and noted that she called and emailed regarding the subject.

C. Respondents (*proposal packages available upon request*)

- I. **Brightview Landscape Services, Inc.**
- II. **Capital Land Management Corporation**
- III. **Grandview Botanicals, Inc.**
- IV. **Green Expectations**
- V. **Landscape Maintenance Professionals, Inc.**
- VI. **Trimac Outdoors**
- VII. **Yellowstone Landscape**

D. Evaluation/Ranking

Mr. Mazzoni distributed his scoring/ranking form to the Board. He discussed the ranking process and categories and reported the following:

- Two respondents did not provide financials, as requested, and received only half credit for the “Financial Capability” category. The Board might wish to consider requesting financials, should a bidder that did not provide financials be selected.
- There was a good response to the RFP.
- The top two respondents are extremely close; therefore, he recommended selecting one of the two highest ranked respondents.
- Three addendums were sent with the RFP so that bidders could ask questions and receive answers from Staff.
- The RFP required bidders to attend a mandatory on-site pre-bid meeting. One bidder arrived late. The current landscaping company was not present at the meeting; however, their ranking did not fall within the top three respondents in the ranking provided. The company that arrived late did not submit a bid.

Mr. Earlywine commended Mr. Mazzoni on his presentation. Due to the competitive nature of the bids, he stated it was more than fair to disregard the bid by Grandview Botanicals, Inc. (Grandview) because they did not attend the mandatory pre-bid meeting. While RFPs must be judged based on information submitted and RFP criteria, information known about bidders may be taken into consideration in the scoring. While financials were requested, they were not mandatory. Landscape Maintenance Professionals, Inc. (LMP) did not provide financials and, while the score in the “Financial Capability” category may be adjusted based on what is known

about the company’s financial capability, bidders may not supplement their bids after the fact so the decision may not be based on additional information provided later.

Discussion ensued regarding the ability to take the lack of financials into account during the scoring. Mr. Mazzone discussed his previous knowledge of LMP and how he incorporated his knowledge of the company into the rankings. The consensus was that LMP was the highest ranked responsive and responsible bidder. A Board member noted that, with additional financial information, LMP’s score would likely be higher.

A Board Member asked how the bids compared to the current budget. Ms. Cerbone stated the Fiscal Year 2022 budget included base landscaping expenses of \$243,470, not including tree trimming, and additional amounts supplemented core maintenance. Mr. Mazzone confirmed that the bids presented would represent a cost savings for the CDD.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, accepting Mr. Mazzone’s rankings of the respondents as the Board’s rankings, Landscape Maintenance Professionals, Inc., as the #1 ranked respondents, was approved.

E. Award of Contract

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, awarding the Landscape & Irrigation Maintenance Services contract to Landscape Maintenance Professionals, Inc., and authorizing CDD Staff to prepare an agreement and for the Chair or Vice Chair to execute, was approved.

FOURTH ORDER OF BUSINESS

Consideration of Quotes for Playground Mulch

A. EZ Mulch

B. Grandview Botanicals

Mr. Mazzone presented the quotes for replacement of playground mulch; a second proposal was requested from EZ Mulch reflecting a greater quantity of mulch. Discussion ensued regarding the bids, depth of mulch required and the size of the project. Mr. Mazzone

believed that the amount of mulch quoted by EZ Mulch would be sufficient. A Board Member stated that the quote could be reconsidered if additional mulch is needed.

On MOTION by Mr. Cotter and seconded by Mr. Demby, with all in favor, the EZ Mulch quote, in the amount of \$2,460, was approved.

▪ **Discussion Resumed: Evaluation/Ranking**

Ms. Cerbone read the scores and rankings provided by Mr. Mazzoni into the record, as follows, in order, highest to lowest:

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|---|-------------|
| Landscape Maintenance Professionals, Inc. | 97.0 points |
| Yellowstone Landscape | 96.0 points |
| Brightview Landscape Services, Inc. | 94.1 points |
| Trimac Outdoors | 90.9 points |
| Capital Land Management Corporation | 88.5 points |
| Green Expectations | 85.4 points |
| Grandview Botanicals, Inc. | 83.9 points |

Ms. Cerbone stated each Board Member and Staff had a copy of the rankings, including the totals and how each respondent was scored by category, in front of them during deliberations.

FIFTH ORDER OF BUSINESS

Update: Stormwater Reporting Requirements

Ms. Cerbone stated the CDD would be required to submit a Stormwater Management Needs Analysis, with the first being due by June 30, 2022 and then every five years thereafter.

District Counsel provided information regarding the legislation. The District Engineer was asked to provide a proposal at the next meeting for the cost to prepare the Analysis.

Mr. Earlywine discussed the legislative requirement for the CDD to analyze its existing facilities and project what may be needed over the next 25 years; a 24-page template was provided for the District Engineer to complete.

Ms. Stewart stated she had some CDDs that were required to complete NPDES-MS4 Permits, which were very complex. Given her firm’s experience, the number of Districts they work with and their operations, she did not think the CDD would need to budget additional funds to cover the costs of the new reporting requirements. More information regarding the scope of work would likely be available in January 2022.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, authorizing the District Engineer to prepare a cost proposal for preparation of the Stormwater Management Needs Analysis, was approved.

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2021

Ms. Cerbone presented the Unaudited Financial Statements as of September 30, 2021. She noted the following:

- Page 1: All “Accounts payable” and “Retainage payable” were paid for the “Capital Projects Fund Series 2018A-1”; these entries, which pertained to the prior Developer, would be reversed.
- Page 2: “Uncoded revenue” was received from Ferguson Waterworks; confirmation was expected regarding where those funds may be utilized.

On MOTION by Mr. Demby and seconded by Mr. Cotter with all in favor, the Unaudited Financial Statements as of September 30, 2021, were accepted.

SEVENTH ORDER OF BUSINESS

Approval of August 27, 2021 Public Hearing and Regular Meeting Minutes

Ms. Cerbone presented the August 27, 2021 Public Hearing and Regular Meeting Minutes.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, the August 27, 2021 Public Hearing and Regular Meeting Minutes, as presented, were approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC.*

There was no report.

B. District Engineer: *Stantec***• Update: Roadway**

Ms. Stewart discussed the CDD's 50-year history of drought and stated, since regular and above average rainfall has occurred, some drainage problems developed. Roadway construction plans showed that some streets have roadway underdrain and some do not because groundwater at a certain depth from the pavement's edge calls for roadway underdrain to control brownout conditions. She discussed issues with roadway underdrain and stated that groundwater can be observed seeping from the ground. She spoke with the Geotechnical Engineer who worked on the project; the design, permitting and construction administration process was very extensive. Everything was tested but the region has pockets of very shallow clay material that can present problems. Similar, previously unforeseen conditions have been experienced in many other communities in the area, including Sun City Center, which has been in existence for 40 years. Three-year old streets in brand new subdivisions are showing signs of the same problem. While asphalt manufacturing quality is being considered, it would not affect groundwater seepage. It does not seem that anything happening in this CDD is unusual compared to other communities in the area. Monitoring would continue and it was hoped that, as the roadways dry during dry season, it will change. The Geotechnical Engineer reviewed the information and advised that no structural deficiencies to the roadway were found. Streets have been monitored since 2008 in Bridgewater, when the CDD was still in a drought and there were problems there; the problems have been monitored over the years. Her firm's professional opinion is that there is no structural impact to the roads. Monitoring would continue where dips in the road were observed and asphalt deterioration can be addressed if found.

Discussion ensued regarding Mr. Pollard's earlier public information request. Ms. Cerbone stated she would provide contact information to Mr. Pollard following the meeting.

Ms. Madera-Rodriguez stated she reported holes in the road on Stella Vast Drive and, since first reported almost two months ago, the holes had grown so that when stepped on

there was movement and clay and water seeping out. She was hoping for answers today. Ms. Stewart stated she gave her professional recommendation; however, the Geotechnical Engineer could inspect the area again and stated that he reviewed the videos and she would locate and read the responses for the record momentarily.

Ms. Cerbone stated an adjacent property owner outside the CDD was doing prescribed burns that are impacting the Amenity Area. Mr. Mazzoni stated Amenity Staff and the pool vendor are aware and addressing the issue. Discussion ensued regarding the ongoing nature of the issue. Mr. Mazzoni was asked to contact Code Enforcement to inquire about the problem.

Ms. Stewart stated Totler Engineering Services, Inc., was the Geotechnical Engineer that did the design, permitting and construction administration. After reviewing videos of the roadway in question, the Geotechnical Engineer gave the following response:

“This happens quite a bit during rainy season. From the second video I can see irrigation water trapped in the sod and stands on the curb from regular flowing water. Irrigation water becomes trapped between the base and the asphalt; as the sun comes up and heats the asphalt the water, the water snakes up through the asphalt and flows back towards the curb. It brings finds from the base; not a structural failure of the road.”

The constant flow of water on the slope on Wagon Trail was discussed. A Board Member asked what other road was affected. Ms. Madera-Rodriguez stated it was Stella Vast Drive.

Mr. Pollard stated he wants to look at the structure of the asphalt and discussed why he believes water would not bubble through the asphalt. He felt that the Board should have received a copy of the inspection from the previous Developer; therefore, he should not need to go to the County for it.

Ms. Cerbone stated that Mr. Pollard contacted her because he was concerned about an unnamed dead-end street in the CDD boundary. There is an adjacent property owner where the road ends and construction vehicles have been accessing the adjacent parcel. There has been a lot of construction traffic and there is concern about wear and tear on the road and items flying off vehicles. Mr. Pollard stated he observed trucks cutting short turns, damaging sod, tracking mud over the curb, etc. He asked where the street was going to lead and stated his belief that other communities are not entitled to use the CDD Right-of-Way (ROW). He discussed the reasons, potential concerns and his own research into the issues.

Discussion ensued regarding subdivision interconnectivity, zoning requirements, construction permits, the Development Plan and traffic. Ms. Moulton directed Staff to put the Developer on notice that their actions are causing damage that they would be responsible for paying for the repairs. Mr. Mazzoni asked for photos to be sent to him in advance of the next meeting. Mr. Pollard stated he did not see actual curb damage; he described his observations and stated he spoke with the site supervisor.

Discussion ensued regarding issues at the construction entrance. This item would be discussed at the next meeting.

Ms. Cerbone stated there was an ongoing inquiry about a potential mailbox covering of which the Developer was aware. Mr. Mazzoni stated that lighting was also requested by Mr. Pollard. Mr. Cotter stated an update may be provided at the next meeting.

C. Operations Manager: *Access Management*

Mr. Mazzoni discussed the upcoming field operations transition; effective December 1, 2021, he would assume a new role with Access Management and Ms. Patty Desthers would assume the role of Regional Director of Operations for the Tampa office. He stated that Mr. Ron Brown, a very experienced manager with numerous CDDs, would assume responsibility for the HOA and Field Operations. He thanked the Board for their support.

Mr. Mazzoni stated that “end of summer” repairs were underway at the Amenity Facility; torn furniture was being repaired and replaced, exit buttons were being replaced, pressure washing was recently completed and a ceiling fan required repair. Most of the tables at the main part of the Amenity Facility were fine but seated furniture is in poor condition. Recommendations would be submitted for potential replacements. With today’s approval of the mulch, the playground would be addressed. Regarding the amenity furniture, the lounge chair frames were in good condition; a bid would be obtained for replacement of the fabric with a comparable color. Wicker furniture could not be repaired; recommendations for replacement would be submitted.

D. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING DATE: November 19, 2021 at 10:00 A.M**
 - **QUORUM CHECK**

Supervisors Moulton, Cotter, Demby and Zook confirmed their attendance at the November 19, 2021 meeting.

NINTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TENTH ORDER OF BUSINESS

Public Comments

Ms. Madera-Rodriguez asked for the resolution for Stella Vast Drive. She believed Wagon Trail and Stella Vast Drive are separate issues and expressed concern that the problem would worsen and could affect the foundations and the entire street. Ms. Cerbone stated her understanding was that the Board directed the District Engineer to contact the Geotechnical Engineer to do an on-site visit and report the findings. The Board concurred. Ms. Cerbone stated she hoped it would be on the November agenda and she would be happy to send the information in advance of the meeting if it is available; she would forward the information received thus far.

Discussion ensued regarding roadway issues previously discussed. Ms. Madera-Rodriguez asked why additional inspections were not done. Ms. Cerbone stated that Staff would not contract additional outside professionals without Board direction and, now that direction was received, the aforementioned actions would be taken and the findings reported.

Ms. Madera-Rodriguez raised the issue of street lights. Ms. Cerbone stated lights were mentioned but she did not think there was a plan for additional lights. The Board consensus was that the buildout was done as designed. Ms. Madera-Rodriguez stated there are no lights on the masts and street on Silverado and asked if there was no plan to install lights there. Mr. Vincent replied affirmatively and stated he could forward her the plans for her information.

Ms. Madera-Rodriguez stated there is no dog station on the back side of the street and the closest station is approximately half a mile away. She requested one or two additional stations. Mr. Cotter stated that dog stations are more of an HOA item. Mr. Mazzone stated this request has been presented to the Board previously. Ms. Cerbone stated, as the Board transitions, new members may have a different direction and work with their management

team to determine how to fund such items; the current Board’s decision was to do nothing further. Ms. Madera-Rodriguez felt that property owners should be included in the decision. Mr. Cotter stated that decision-making would eventually transition to resident control and residents could control the budget; items such as street lights and extra dog stations can be expensive, so it is a policy decision that can be revisited later.

Ms. Madera-Rodriguez asked when a new Board would be elected. Mr. Cotter stated that there are five Supervisors; two seats should be up for election in 2022 and another two seats should be up for election in 2024, provided there are 250 registered voters residing within the CDD. Ms. Cerbone stated that the April or May agenda that will be posted on the CDD website would include information regarding the seats and a Resolution and the attestation for the Supervisor of Elections. A qualified elector living within the boundaries of the CDD, whose voter registration card has an address within the CDD boundaries, may complete paperwork with the Supervisor of Elections to participate in the General Election.

Mr. Pollard expressed his opinion that monitoring the cameras at the pool would enable the CDD to have vandals and criminals pay for damages. Regarding the roadwork, he asked for a core sample to be taken of the roadway to determine whether the roadway was built to standard. He felt that the video was inadequate to make a determination and a scope underground may be required. Ms. Stewart stated a copy of the report would be reviewed first.

Mr. Pollard stated he would speak with someone at the County regarding the adjacent property to try and obtain a master plan that would show adjacent streets that utilize the community roadways.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the meeting adjourned at 11:12 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair