

**MINUTES OF MEETING
HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on October 21, 2021 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present were:

Chris Tyree (via telephone)	Chair
Alex Madison	Vice Chair
Courtney Potter	Assistant Secretary
Robin Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC
Jamie Sanchez (via telephone)	Wrathell, Hunt and Associates, LLC
Jere Earlywine	District Counsel
Ashley Ligas (via telephone)	KE Law Group
Mark Hills	Field Operations Manager
Bill Fife	Forestar
Scott Feliciano	Servello & Son, Inc. (Servello)
Craig Larson	Down To Earth Landscape, Irrigation and Golf (DTE)
Chris Skersitk (via telephone)	DTE
Matthew Minnitte	DTE
Greg Wells	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 1:33 p.m. Supervisors Madison, Bronson, Van Auker and Potter were present. Supervisor Tyree was attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

- **Consideration of Proposals for Landscape & Irrigation Maintenance Services**

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

- A. **Proof/Affidavit of Publication**

- B. **Project Manual**

These items were included for informational purposes.

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

Mr. Rom recalled the decision at the last meeting to reject all responses to the Request for Proposals (RFP), review the RFP for accuracy because of significant price differences amongst the respondents and modify the RFP, if necessary, and re-advertise. As a result, more responses were received than when originally advertised. Responses were received from the following:

- I. **Cepra Landscape, LLC**

- II. **D’Best Lawn Care, Inc.**

- III. **Down To Earth Landscape, Irrigation and Golf**

- IV. **Servello & Son, Inc.**

- V. **Yellowstone Landscape**

- D. **Evaluation Ranking**

Mr. Rom stated that Mr. Hills, the Field Operations Manager, and others attended the mandatory pre-bid meeting. The proposals and responses, along with Mr. Hills’ review, recommendations and rankings were emailed to the Board prior to today’s meeting. The Board was provided options to ultimately reach a consensus on the ranking. Mr. Fife, of Forestar, stated he reviewed Mr. Hills’ review of the proposals because he did not receive all five responses.

Mr. Hills discussed his process for evaluating each respondent’s submittal and scoring. His recommendation was to award the contract to Down To Earth Landscape, Irrigation and Golf (DTE).

Mr. Rom reported the following:

- As stated in the RFP, price was not the single factor in evaluating and awarding the contract; it was based on the best fit for the CDD, as it pertains to the scope of work.

➤ Four of the five proposals were submitted and deemed complete. D’Best Lawn Care omitted a directive in the RFP Manual by failing to attach information about each CDD they perform work for.

Discussion ensued regarding the Board being able to make the final decision regarding awarding the contract, deducting points for omitted items instead of rejecting the bid and the bidders’ understanding of the scope of work.

The Board reviewed the Ranking Evaluation form prepared by Mr. Hills and discussed each category and point scoring system. Mr. Rom listed the contract bid price from each respondent and discussed the current budget. The Board accepted the following score and ranking recommendations provided by Mr. Hill:

#1	Down To Earth Landscape	94.92
#2	Servello & Son, Inc.	90.00
#3	Yellowstone Landscape	87.46
#4	Cepra Landscape, LLC	86.82
#5	D’Best Lawn Care, Inc.	77.94

E. Award of Contract

On MOTION by Mr. Madison and seconded by Mr. Van Auker, with all in favor, acceptance of the recommended rankings and recommendation to award the Landscape & Irrigation Maintenance Services Contract to Down to Earth Landscape, Irrigation and Golf, the #1 ranked respondent, and authorizing Staff to enter into a contract, was approved.

THIRD ORDER OF BUSINESS

Buck Lake Related Items

Mr. Rom stated that, at the Buck Lake Committee meeting earlier today, Committee Members, Ms. Kramer of the Harmony CDD (HCDD) and Mr. Tyree agreed on the following items:

A. Approval of July 15, 2021 Buck Lake Committee-Meeting Minutes

Ms. Cerbone stated that the Committee Members each stated they would recommend approval of the Buck Lake Committee Meeting Minutes to their respective CDD Boards.

On MOTION by Mr. Madison and seconded by Ms. Potter, with all in favor, the July 15, 2021 Buck Lake Committee Meeting Minutes, as presented, were approved.

B. Discussion: Review of Harmony CDD Costs Incurred for Buck Lake Maintenance Services

Mr. Rom noted that Ms. Kramer agreed with Mr. Tyree's offer to waive the Buck Lake Maintenance costs incurred for Fiscal Year 2022, as opposed to reimbursing them. As this affects the Fiscal Year 2022 budget, a Deficit Funding Agreement would be presented, should a budget deficit be reached.

On MOTION by Mr. Madison and seconded by Ms. Bronson, with all in favor, waiving the Harmony CDD's Buck Lake Maintenance contributions for Fiscal Year 2022 and authorizing District Counsel to prepare a Deficit Funding Agreement, was approved.

C. Consideration of Bio-Tech Consulting, Inc., Proposal No 21-1034 for Environmental Services [Annual Inspection and Recommended Maintenance]

Mr. Rom stated that Ms. Kramer requested revisions and agreed to revising the proposal and incorporating edits regarding certain verbiage, which was sent to Bio-Tech Consulting, Inc. (Bio-Tech) to resubmit with the changes. It would be changed to state that maintenance can and will be done via boat. Ms. Cerbone stated that the costs would not change but wording was being changed to refer to the area as Buck Lake.

On MOTION by Mr. Madison and seconded by Ms. Bronson, with all in favor, Bio-Tech Consulting, Inc., Proposal No 21-1034 for Environmental Services on Buck Lake, in substantial form, subject to incorporating changes discussed and submitted and approval by District Staff and HCDD approval, and authorizing the Chair or Vice Chair to execute, was approved.

D. Consideration of BTC Proposal/Change Order No 21-2277 [Aquatic Management Consulting/General Project Coordination]

Proposal No. 21-2277 was withdrawn.

Fourth Order of Business

Consideration of Proposals for Landscape & Irrigation Maintenance Services

- A. **Proof/Affidavit of Publication**
- B. **Project Manual**
- C. **Respondents (*proposal packages available upon request*)**
 - I. **Cepra Landscape, LLC**
 - II. **D’Best Lawn Care, Inc.**
 - III. **Down To Earth Landscape, Irrigation and Golf**
 - IV. **Servello & Son, Inc.**
 - V. **Yellowstone Landscape**
- D. **Evaluation Ranking**
- E. **Award of Contract**

This Order of Business was presented following the Second Order of Business.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2021

Mr. Rom presented the Unaudited Financial Statements as of August 31, 2021. Some budget line items that exceeded budget would be monitored and discussed during the Fiscal Year 2023 budget deliberations.

Ms. Cerbone stated she emailed Esperanza and copied Mr. Tyree, in the hopes that the line items that are under budget will offset those that exceeded budget and, if not, the Developer’s contribution amount may increase slightly. It was noted that street lighting contracts to be conveyed to the CDD were in progress. If necessary, a budget amendment would be presented at the November meeting.

On MOTION by Mr. Van Auker and seconded by Ms. Potter, with all in favor, the Unaudited Financial Statements as of August 31, 2021, were accepted.

SIXTH ORDER OF BUSINESS

Approval of August 19, 2021 Public Hearings and Regular Meeting Minutes

Mr. Rom presented the August 19, 2021 Public Hearings and Regular Meeting Minutes.

On MOTION by Ms. Bronson and seconded by Ms. Potter, with all in favor, the August 19, 2021 Public Hearings and Regular Meeting Minutes, as presented, were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Earlywine asked if a Boundary Amendment is needed to include the first piece of property, which is the townhome strip in the front. Mr. Tyree stated it probably would not happen right now.

Mr. Earlywine asked for the status of the next phase of development, in terms of timing of the bonds and the turnover of utilities, etc. Mr. Madison stated that the contractor was selected and he expected the next final phase of development to begin within the next 30 days, at Botanica Boulevard to Old Melbourne Highway. Conveyance of the roadways was expected after ten months or around November 2022. Bonds for the next section of Botanical Boulevard would be issued in Fiscal Year 2023.

Mr. Earlywine stated he would make sure the Acquisition Agreements are in place and would prepare a general ledger of reimbursement items that are due to Forestar. He stated they were a couple of weeks out from submitting as-builts for the utilities and roadways.

Mr. Earlywine stated that, per new legislation, the CDD must prepare a Stormwater and Waste Water Needs Analysis for the next 20 years, which is due by July 2022. Ms. Cerbone stated she would email the template to the Board and CDD Staff and ask the District Engineer to obtain and present proposals at the next meeting. She noted that, due to the timing of the new legislation, any related expenses were not factored into the Fiscal Year 2022 budget.

B. District Engineer: *Poulos & Bennett, LLC*

There was no report.

C. Field Operations Manager: *Association Solutions of Central Florida Inc.*

Mr. Hills reported that things were going smoothly, including landscape maintenance. He is on site every three days with Aaron and meets with DTE every 10 days to address any issues. One large palm tree at the entrance must be replaced next year so the cost should be factored into the Fiscal Year 2023 budget.

The Board acknowledged the positive changes over last year. Mr. Rom agreed and stated that Mr. Hills is always responsive and addresses matters expeditiously, specifically when the CDD’s insurance provider, Egis, identified two minor items on the playground that needed repair and signage around the playground and the ponds. Mr. Hills stated that about \$2,000 to \$3,000 for signage should also be built into the Fiscal Year 2023 budget, as the same size signs will need to be installed at The Palms next year.

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

- **NEXT MEETING DATE: November 18, 2021 at 1:30 P.M.**
 - **QUORUM CHECK**

The next meeting will be held on November 18, 2021, unless cancelled.

EIGHTH ORDER OF BUSINESS

Board Members’ Comments/Requests

Mr. Tyree directed Mr. Earlywine to prepare a bond issuance on the 225 lots in the next two phases, Phases 2A and 2B adjacent to Botanica Boulevard to Old Melbourne Highway, for which an Engineer’s Report would be needed. Ms. Cerbone confirmed that the estimated final phase number of lots is 1,143 units. It was noted that the footages may vary.

NINTH ORDER OF BUSINESS

Public Comments

There were no public comments.

TENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Bronson and seconded by Mr. Madison with all in favor, the meeting adjourned at 2:14 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair