

MINUTES OF MEETING
AMELIA WALK COMMUNITY DEVELOPMENT DISTRICT

The continuation of the April 16, 2019 meeting of the Board of Supervisors of the Amelia Walk Community Development District was held April 29, 2019 at 2:00 p.m. at the Amelia Concourse Amenity Center, 85200 Amaryllis Court, Fernandina Beach, FL 32034.

Present and constituting a quorum were:

Mike Taylor	Chairman
Gregg Kern	Vice Chairman
Rose Bock	Supervisor
Mike Lewis	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jennifer Erickson	Evergreen Lifestyles Management
Bob Johnson	Evergreen Lifestyles Management
Jason Walters	District Counsel (by phone)

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 2:01 p.m.

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Discussion of Amenity and Pool Renovations

Mr. Taylor stated after the last meeting Mr. Kern talked to the pool contractor and general contractor for the amenities. Will you give us an update on those discussions related to schedule primarily?

Mr. Kern stated last time we met the Board approved the proposal from Crown Pools for the pool subject to confirmation that they could accommodate our schedule to coincide with the amenity center renovation. Crown responded with written confirmation that they would be able to start in early May and they have about a 30-day duration so I think that aligns quite nicely with our amenity schedule so they were approved. I believe that contract was circulated by District Counsel and is being executed currently.

Mr. Lewis asked could you provide an update on the amenity center permitting?

Mr. Kern stated Nassau County has issued a building permit so the next critical item in the schedule is the trusses. They're supposed to have confirmation on their design this week and once they get the design they can go into manufacturing. That gives them their timeframe for when they will hit the site. Essentially what the contractor did when they did a hard lump sum bid for this project is they proposed a 45-day schedule so they allocated that much site supervision into that cost. What they're doing is working their schedule back from the critical time, being the trusses, which is why you haven't seen them on site because if they started two weeks ago they wouldn't finish any earlier because the trusses won't be ready any sooner and they also don't have extended periods of site supervision in their contract currently.

Mr. Lewis asked and those are the trusses for the outside screen porch?

Mr. Kern stated yes it will no longer be screened but it's the extended porch. What's there today comes down and then per the plans gets extended twice as big as what it is now so those roof trusses are the most critical lead time.

Mr. Taylor asked and that's accessible through the pool deck so if you were in the pool you could utilize the deck?

Mr. Kern stated yes, much like it is today. The renovation plan extends the porch out and extends the fence line around it so you will have connectivity between the recreational fields and courts and the porch itself so you will be able to come a little more freely whereas now you have to go either through the gathering room or around the pool deck. That gate that comes from the pool deck and goes to the recreation area that is currently locked at all times also has access control being added to it so there will be a lot more pedestrian flow and accessibility.

Mr. Taylor stated so what I'm hearing is it's permitted, the trusses are being designed, the mobilization has occurred with the demo of some of the old furniture and equipment.

Mr. Kern stated yes I believe all but a few units are left to be removed from the fitness center but Jen has done a lot of work to get the facility ready for the contractors. What they indicated to me to expect to see this week is the site laydown, which is setting up the dumpster, construction fencing and those kinds of items.

Mr. Taylor stated the overall scope is adding an extended porch, renovating the fitness facility, new furniture, new pool furniture and repainting inside and out.

Mr. Kern stated yes and those are all covered under separate contracts. The GC will be responsible for everything related to the facility; the porch expansion, the fitness center expansion, and all of the painting and finishing. What we've approved subject to confirmation of the schedule was the pool. Last time we met we discussed the two options and we went forward with the resurfacing option so the pool is a separate contract for the district but they will basically come in and remove the surface of the pool, remove all of the tile, chip the gutters and then redo the whole shell, including the tile and the finish. There is a separate proposal that we discussed at either the last meeting or the one prior for what I call the FF&E, which is furniture, fixtures and equipment. I don't know if this is the appropriate agenda item to bring it up under but I wanted to bring to the board the most recent proposal from Micamy. I think last time we met it was an estimate based on final layout and selections so we've gone back and forth with a couple of revisions and this is where we've landed. I don't want to lose sight of the other agreements we need to get in place to meet the schedule for the amenities. One is going to be the FF&E and the other is going to be the fitness equipment. Those are both items that take six to eight weeks just to order them so we're making progress on the FF&E. This proposal includes all of the pool deck furniture, the furniture underneath the covered veranda, as well as the furniture on the porch and interior for the gathering room so that's going to be all of your lounge chairs, tables, umbrellas, interior tables and chairs. There's an itemized proposal here with the total coming to \$92,513.10. I think the original estimate was at \$110,000 or \$115,000. To meet our budget the goal was to get that down closer to this \$95,000 number so I'm confident this is now within budget and will provide a really nice package for the whole facility. As I mentioned, the timing is critical. It's six to eight weeks generally from the time they receive deposit. They will not order without a deposit so what I'd like to get from the board today if we're okay to move forward is an approval for this number and then for the deposit payment, which is shown at \$69,384.87. I'd like to have that processed as soon as possible so we can have furniture by the time the facility is ready.

Mr. Laughlin stated we just need to approve the actual proposal. The deposit is part of that.

On MOTION by Mr. Kern seconded by Mr. Taylor with all in favor the revised proposal from Micamy Design for amenity FF&E in the amount of \$92,513.10 was approved.

Mr. Kern stated the final component that we need to focus on would be the fitness equipment. What I've done in other districts is leased the equipment rather than paying the full amount up front so the district would enter into a lease agreement. Essentially it's the same process. You go through a layout with the vendor and then very much like an FF&E proposal you go back and forth on the actual layout and equipment provided.

Mr. Taylor asked do we have to solicit proposals on this through an RFP?

Mr. Walters stated we are well under the statutory limits on those.

Mr. Kern stated I've used this vendor in the past and they were the most competitive proposer at the time. Their unit prices are generally the same as well as their add-ins and those kinds of things so I'm confident that it is a competitive price. The vendor is SoFitCo. They've gone through the space that we have available for the amenity center and I think they've included in there several proposed layout images. It includes various cardio machines, some strength training machines and a free-weight area. It's minimal because I don't expect that we need a couple hundred pound dumbbells but there is an added free-weight component. Everything that you see in that layout is what is outlined in the proposal. There are a few things like medicine balls, strength training type things, sanitary dispensers and those kinds of things added in at no cost, it's just something the vendor has done for us. The proposal itself is about midway through the package and the total is \$74,584.32. Again, what I would suggest and what I've done at other districts is to lease the equipment so the vendor provides a leasing company, the district goes through the application process for leasing and basically selects their terms. Much like buying a car you can do 24, 36, or 60 month terms.

Mr. Taylor asked what do you need to move forward with a deposit on this to get this ordered.

Mr. Kern stated I just got it recently but I'd like to get approval for the total and to proceed with staff on the leasing options to make a decision. To do the application process just takes time and I'd like to get the ball rolling on that if we can.

Mr. Lewis asked is the \$74,000 a lease total or a combined total?

Mr. Kern stated either or. It's the same amount whether we want to lease or buy outright.

Mr. Lewis asked what are the advantages and disadvantages of leasing over buying? Do they maintain the equipment?

Mr. Kern stated there are manufacturer warranties provided that can generally accommodate your terms. A lot of times you can include your first year of service and maintenance and I don't know if he included that, but then we can add that if we'd like to select that as an option. I would say generally the benefit to leasing versus buying outright is the obvious cash outlay today so you can make the payments over time. That's where we have to decide the comfort level with what type of interest we're comfortable paying but at the end of the term the district owns the equipment outright. I think the terms call for a \$1 transfer as kind of your last payment and then the ownership is 100% the districts. It's like anything else. We expect we can get five years, the warranties cover parts for three years and we can add service plans and those kinds of things to get us through and then once you have paid in full you have full ownership of the equipment.

Ms. Bock asked do we pay tax?

Mr. Taylor stated there's no tax.

Ms. Bock stated it's included in the total amount.

Mr. Kern stated we can have them revise that to exclude the sales tax.

Ms. Bock stated they've given us the price for 36 months.

Mr. Kern stated Daniel, once we provide the tax exemption certification they can revise their proposal to remove the tax.

Mr. Taylor asked the equipment pieces that are laid out in this proposal, are they equal to or better than what was there before?

Mr. Kern stated certainly. There are more pieces and of course they're brand new. In my experience with amenity centers, working with Evergreen and going around and keeping up with what people used there seems to be some standard pieces of equipment that always get used more than others and I think, particularly for Amelia Walk, it's not a Cross Fit gym so I think it's pretty fitting for our type of resident.

Mr. Lewis stated it looks like two treadmills, two recumbent bikes, a couple of ellipticals and then a multi-station machine in the middle.

Mr. Kern stated the strength training machines are going to be the simulated movements, not your free weights. We can always tweak the layout when the machines come in. It's really giving us a concept and trying to narrow down what equipment is included on the

proposal. I suppose you could always look at adding things if you needed to down the road. The intent is to get a nice space and range of different equipment.

Mr. Taylor asked so the goal for you today is to get authorization from the board to move forward so that we can get this in time for the completion?

Mr. Kern stated yes what I find is if we wait and don't make any progress in between the meetings then we are losing months at a time and the reality is the equipment is not just sitting there waiting for us so once we commit to them we can get them to accommodate our schedule. I think we still have time but I don't want to wait until the next meeting. I don't know if that means approving the proposal and then authorization for myself or staff to work with the vendor on the leasing options.

On MOTION by Mr. Kern seconded by Ms. Bock with all in favor the leasing of fitness center equipment with SoFitCo and Supervisor Kern and staff authorized to finalize the leasing options was approved.

Mr. Lewis asked do we still have a confidence factor in the schedule that was shared two weeks ago? It was sometime in July that if we kept going down the path we're going that we would get everything done. Do we have any more visibility into that or is that still a good schedule?

Mr. Kern stated I would say yes. I received a detailed schedule from the contractor today so when I get it in PDF I will share that with GMS. They are going to start laydown this week and then you will see heavy activity towards the end of the month and their current completion date is the end of July so with the GC's schedule that is what we talked about and with the pool I confirmed his availability with the 30-day duration so that puts him complete before the amenity GC. The FF&E is another one we need to get the deposit processed and paid in order to keep that one on track but I think that will still fit with that schedule and then the fitness equipment if we can make progress I think I can make that one land within the schedule as well.

Mr. Lewis asked so there's nothing else that would need to be done, the furniture, the fitness equipment, the trusses, all that stuff should be on track?

Mr. Taylor stated to get the pool open obviously you have to pass a health inspection and there are a couple inspections that have to happen through the county and health department. With the building the permit just needs to be closed out. I don't think it requires furniture.

Mr. Kern stated I don't believe there is a furniture requirement; it's actually probably opposite. With new construction you almost can't furnish before you get your certificate of occupancy. Talking with the GC today I think they're going to be able to manage the movement onsite and try and contain some of those construction areas to where we can keep certain amenities like the playgrounds and the tennis courts open throughout construction. At times they may need to close access to get materials in and out but between those and any other component within the facility the idea conveyed to them was it just needs to be available as soon as possible so if the pool potentially finishes first, we certainly don't need fitness equipment to open the pool again for example, so there's an opportunity to get different components available or open throughout the process.

A resident stated you have to have the bathrooms open to have the pool open.

Mr. Kern stated there's not a whole lot of work in the bathrooms but there is some work to be done there so if the GC has the bathrooms done and the fence done and the pool contractor has the pool done there is a potential we will have all of the components to where the Department of Health will say, sure you can open your pool. We're just going to continue to monitor that through the process to see how we can make things available when they're ready.

FOURTH ORDER OF BUSINESS

Supervisors' Requests and Audience Comments

Audience Comments

Ms. Amanda Krauss, 85052 Calumet Drive, asked whenever you met with the contractor did you talk to him about pushing everything back until the fall when it's too cold to swim to see what he said about that? That was discussed at the last meeting.

Mr. Taylor stated we looked at our contract and spoke with our legal counsel and looked at the cost delays that would be incurred and it made sense to move forward with the way we're going.

Ms. Krauss asked so you didn't even talk to the contractor about it?

Mr. Taylor stated we had discussions with the contractor.

Ms. Krauss asked and he said no it would cost us too much money as a community? The end of July is the entire summer. Kids start school back the second week of August.

Mr. Taylor stated we understand the comments and concern. We just recently got the funds in place to move forward with this process. This has been an ongoing issue for the community. It's our decision as a board, as you heard, to move forward with the project.

Ms. Joan McDonald, 85405 Cherry Creek Drive, stated I missed the April meeting I just read what people had written but I was at the March meeting when everything was being carted out and that's when we basically didn't have a fitness center, didn't have the pool or anything. My understanding that day was you were getting this proposal back to the contractor that day and he was to have two days to respond and three days to start. What date was that contract actually signed?

Mr. Taylor asked with the building contractor? I'd have to go back and look at the notes. I don't have it off the top of my head.

Mr. Kern stated I know off the top of my head it did take longer.

Ms. McDonald stated obviously it took longer because now we're in May.

Mr. Kern stated yes circulating the agreements and getting them executed took longer than the bid manual actually stipulated.

Ms. McDonald stated I'm hearing six to eight weeks on the furniture. Furniture for the outside or for the fitness center could very well take 12 weeks. I don't understand why these components were not done at least a month ago. Everyone is most upset about the pool because it looks like the pool is basically not open during this entire season. Why was this not planned for during the winter or after school starts up and I think that's what most people are unhappy about. You may have started this last summer but it's taken you this long to get contracts in place and there was no reason to close up the pool at that point until they were ready to work.

Mr. Kevin McDonald, 85405 Cherry Creek Drive, stated I'm sitting here listening and I don't see any pre-planning that was done prior to closing the amenity center and the pool. We're just now talking about replacing the gym equipment when I assume this was part of the original idea of the renovations. That could have been done in February. It just seems like we're closing the amenity center and now we will start figuring it out and making plans.

Mr. Taylor stated that's not completely accurate. We had the budget adopted in October of last year; it had moved forward under the pretense that we would move forward with a renovation to the clubhouse. The board meets monthly, it doesn't meet every two weeks, and we have to meet as a group with a public quorum to make decisions. Certain meetings have tasks that have to be given to certain staff levels to bring forth proposals and information and then we act on those items. I understand everybody's concern and I think as a representative of the board I do apologize that it's starting at this period of time. With the cost of delays and the discontinuation and bifurcation of contracts it just did not make sense to do that. We didn't look at starting it in the winter but that's when a lot of people do their jobs and sometimes that adds delays, weather delays and whatnot. It obviously doesn't affect the swimming cycle for the kids and I get that. I was a swimmer in college and I understand the importance of swimming and having fun in the community. I think the reality is this takes time and it's not something that can be implemented on a whim. We have to get the board to approve the budget, we have to identify the vendors that can do the work and we have to negotiate with the vendors. It's a culmination of a lot of things. I wouldn't say this just started when we shut down the building.

Mr. McDonald stated I've done everything you just mentioned throughout my career and none of it would have been handled like this.

Mr. Howard, 85142 Majestic Walk Boulevard, stated Gregg and I have had many conversations over the last couple of months. One, it wasn't supposed to take six to eight weeks when we talked. When was it discussed amongst the board in an open forum to not delay the construction?

Mr. Taylor stated we discussed the different options at the last board meeting.

Mr. Howard asked and you voted on it at that time?

Mr. Taylor stated we voted to continue the meeting to today.

Mr. Howard asked how much extra was it going to cost to delay construction?

Mr. Taylor stated in excess of \$50,000.

Mr. Howard stated I build multi-million dollar homes and I've built multi-million dollar commercial buildings. I've been in construction for 40 years since I was 13 working for my parents. This is not the way construction goes. You do not close a building down before you've gone through all of your proposals and everything. You do not disrupt the whole community's

summer but the board doesn't seem to really care. Who are the members of the board that live in the community?

Mr. Lewis stated I am. I joined the board in February.

Mr. Laughlin stated Craig Brewis as well, but he's not here.

Mr. Howard stated I realize you all own most of the properties still and will for many years to come as far as Greenpointe goes but this is not the way things are supposed to happen and I really hope you don't keep doing things this way. You have a big sign out there for Morrison that says, "community pool". They can't even get in to see what it's going to look like. When is construction actually going to start? Are you positive they are going to start this week?

Mr. Kern stated they are starting laydown is what they confirmed this morning.

Mr. Howard asked when will they actually start demo inside the building?

Mr. Kern stated demo was middle to end of this month.

Mr. Howard asked do you have the paper schedule with you?

Mr. Kern stated yes.

Mr. Howard asked can you start reading us some numbers?

Mr. Kern stated I'm happy to share it once I get the PDF. I've given you the dates. End of July is substantial completion.

Mr. Robert Sonnati, 85204 Champlain Drive, stated I heard the amenity center was going to take 45-days and the pool was going to take 30. Is that correct?

Mr. Kern stated the contractor confirmed we are on the schedule for the beginning of May to start.

Mr. Sonnati stated so if he starts May 1 in 30 days he's done the first of June. If the other guy starts two weeks from now in the middle of May we should be able to open that pool by July 4th. Do you have a maintenance and repair schedule for the future? Everything on property is going to be done in the next 15 years. Lay it all out, estimate how much it's going to cost and have dates so you guys can get ahead of this.

Mr. Laughlin stated we have one of those. It's called a reserve study and it should be on the website.

Mr. Sonnati stated in the future I hope you guys take a good look at it.

Mr. Laughlin stated that is part of our budgeting process. Each year there is a certain amount we need to include in the budget to plan for future repairs.

Mr. Sonnati stated you're going to put in the budget the year that it is done.

Mr. Laughlin stated no, it takes all of our assets and breaks it down to smaller amounts per year so when something does break we're ready to repair it.

Mr. Sonnati stated okay so it's almost like setting up a reserve account, which is the way I used to do it when I was Treasurer of Ocean Village. We set up reserve accounts and when it came time to pay our bills the money was already allocated and the officers could then just go ahead and get the contract and do it. We didn't have to have board meeting after board meeting to get things done. Once it was approved the officers that were elected could just say, we're going to start this, we've got the money in the reserve account and it's done. You don't have to be billing everybody every year for additional funds to pay for these things because we got stuck pretty good this time.

Mr. Laughlin stated that is the procedure that we use.

Ms. Newburger, 85063 Majestic Walk, stated I have a concern about the maintenance also. There are signs in the community, signposts with the names of the streets or different neighborhoods that look like they haven't been attended to in years. When are these things going to be done? We live in a pretty nice price point neighborhood. What do you think about living in some place with things like this?

Mr. Taylor stated we have proposals coming in.

Ms. Newburger asked when will it be done and when will we start seeing some of these things being taken care of?

Mr. Laughlin stated we will be discussing that at the next meeting.

Ms. Newburger stated I've heard that since February. It's really unacceptable.

Mr. Bob Rosia, 85570 Berryessa Way, stated three years I've lived here. I've complained to Jen 30 times, she gave me 30 different explanations that this was all going to be taken care of in different manners. The same people park on the double yellow line around the circle and when you come around that circle you have to swing wide and then there will be five or six other cars parked. If a car is coming the other way it's really tough. Plus my wife almost hit a kid that ran out in front of a car. It was the guy's own kid that parks his car there. I will not let this go. I come to meetings all the time and say the same stuff and you guys tell me

there are going to be signs put up and lines will be marked. The laws in here don't pertain to the laws outside of this area because we own part of the roads or something but in a community like this with as many houses why can't you make a rule to park in your driveway or garage or find another spot. Don't tell me you're going to do something and then it never gets done.

Mr. Taylor stated if you've been to the last couple of meetings we've had the parking analyzed by our engineer and he's made a recommendation to the board. You can check the meeting minutes for that. Gregg Kern is speaking with our HOA counsel because to make a rule or law change you have to have the HOA adopt new covenants and restrictions if I'm not mistaken.

Mr. Kern stated I believe District Counsel and the HOA counsel have been coordinating. My understanding is the district has to give the HOA the rights to be able to assess fines, which I think is what we ultimately agreed upon last time based on the plan that the engineer has come up with for no parking so it's kind of a collaboration between the district and the HOA. I believe ultimately this board will need to adopt a resolution and the HOA board will need to adopt a resolution to enforce that parking plan and it would include fines.

Mr. Rosia stated I understand but when you park on a double yellow line right on a cul-de-sac that has nothing to do with a law about parking on a road you just can't park on a double yellow line anyway so why can you do it in here?

Mr. Kern stated we certainly acknowledge it has a board and that's why we're taking the steps that we are because unfortunately there's no enforceability.

Mr. Lewis stated as a board we passed a motion to send it to the HOA for review and currently that's the status. Until we get feedback from the HOA board we've done everything we can do as a CDD board.

Mr. Taylor stated we will bring forward more information to the next board meeting.

Mr. Sonnati asked who is the HOA board? I thought you guys were the HOA board? I thought that was the only board we had to deal with.

Mr. Taylor stated there are two separate boards with two separate budgets.

Mr. Laughlin stated this is the CDD, the Community Development District.

A resident asked who is on the HOA board?

Mr. Kern stated Evergreen is our HOA management company and they can give you all of the details on the HOA board.

Mr. Sonnati stated he's not alone on this issue. He's got a lot of us that are supporting him.

Mr. Laughlin stated the HOA is the enforcement side the CDD does not have much enforcement power, which is why it needs to be adopted into the CC&Rs, which allows the HOA to charge fines.

Mr. Rosia asked what happened to the signs that were being made? Was that made up?

Mr. Taylor stated we will bring that to the next board meeting.

A resident asked these contracts that are being negotiated, are there guaranteed completion dates and penalties being written into the contracts if these dates aren't being met?

Mr. Walters stated yes we have a couple of provisions in the agreements that deal with that in terms of the schedule itself, which has to be submitted by the contractor, and then we have expressed provisions related to adherence to that schedule and acknowledgement by both parties that any delays could cause economic damages to the district and we could enforce that by contract so we've got a schedule we're working with with all the vendors and we will hold them to those timelines.

Mr. Red Jentz, 85051 Bistineau Court, stated we're kind of all in this together so I would like to recommend that in the future when we do a big project that there be better communication. Everything goes better when you get all of your stakeholders together and you explain what you're going to do and even ask for help. We've got very talented people in the neighborhood that might be able to help. The second thing is I'd like to recommend for the package for the fitness center that we swap out a Concept2 rowing machine for one of the ellipticals. The reason being is a Concept2 rowing machine is adaptive and it takes up a whole lot less space when it's in storage mode compared to an elliptical. You flip it up in the air and it makes the place look better. I was a rowing coach, division one, and it's a great piece of gear. I don't get commission on these things either. So two things, one is communication. Have a pizza party, announce it and say we're going to do this and ask for people to get involved and become part of a committee ahead of time. I think that would go a long way to prevent this from happening again in the future.

FIFTH ORDER OF BUSINESS

Next Scheduled Meeting

Mr. Laughlin stated we are currently aiming for this location again, but when we do confirm the location it will be on the notice and we will put it on the website also for your information.

Mr. Kern asked in other districts shortly following the meetings is there a meeting summary or update? Is that something we can do with this board and then maybe we can share it on the website or with the HOA just in the interest of communication for folks who aren't able to make it to the meeting. I know the meeting minutes have to get approved at the subsequent meeting and then get approved so they're often a month or two behind.

Mr. Laughlin stated we were actually having a conversation about that.

Mr. Lewis stated yes I brought that up offline with Daniel and I'm going to try and summarize them and let Daniel approve them.

Mr. Laughlin stated I can get it on the website and I'm not sure about an email blast.

Ms. Bock stated Jim Oliver has done that before with St. Johns Golf/Sampson Creek just to keep the communication going and not have to wait for the minutes.

Mr. Taylor asked what method does it go out through Evergreen?

Ms. Erickson stated email blast.

Mr. Laughlin stated I'll get with Jim about that.

Mr. McDonald asked can I suggest with the May 21st meeting that there is an outline of what has been done. Not what is going to be done and what we think is going to be done, what has been done on the 21st since there is no access to residents. It would be great to have some pictures; here's the demo, here's the pool being worked on, tile being chipped out, etc. Let's get some pictures that people can see physically what has been done. If nothing has been done let's get those pictures too.

A resident stated to add to that, there could be a hand out with all of the critical path items and when they're going to happen and that could be posted on the website too.

SIXTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Lewis seconded by Mr. Kern with all in favor the meeting was adjourned.
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April 29, 2019

Amelia Walk CDD


Secretary/Assistant Secretary


Chairman/Vice Chairman