

WORKSHOP REPORT
Grand Haven Development District

Meeting Date 01/27/09 Start 10:01 a.m. End 4:45 p.m.

ATTENDEES: Present

P. Chiodo; Barry Kloptosky/OM; D. Cross; S. Davidson; S. Halley; C. Trautwein

BUSINESS ITEMS:

1) Role of a CDD Board Member

Presentation and hand out made by Steve Davidson

A) Presentation of Chapter 190 and State Requirements of District Managers and the Board's Role (see handout)

1) Role of a Supervisor

2) Role of a District Manager

3) Competitive Bidding needed over \$150M.

B) Excessive Cost of CDD Meetings

-C. Trautwein indicated an estimate of professional services for January meeting to be \$3285. Length of meetings have increased since MOHA have left the facility to meet at Creekside.

C. DOM Responsibility (see handout)

1) Barry K made comments about the difficulty of dealing with contractors caused by Supervisors interference.

D. Pete Chiodo's views (see handout)

1) specific role of CDD Board members

2) Proposed requisition process

Steve D. warned about violating the Florida Public Employee Relations Commission's Act. Steve stated that we must stop public statements of perceived employee's performance. All criticism of employees should be directed to the FOM to be dealt with (see handout)

E. Steve D. Was assigned to recommend Bid threshold amounts.

2) Solarfit

Gloria Eidson presents proposal for solar panels for VC pool. (See packet)

We need prices based on electric heat pumps and gas back up. Figures based on Central Florida weather. Disc blankets will save money and are safe. The collectors' wind code is 140 mph. 12 year warranty products and labor

3) Proposed CDD Board Meetings

Pete C. (See handout)

Discussion re content of supervisor's requests.

Prior request for Agenda items - 1 ½ weeks prior to DOM. Three days prior to meeting items must have a Supervisor's initial in order to be included.

4) District Manager Services

Pros and Cons of Rizzetta's performance. Dennis Cross (handout)

Suggestions *District Management*
Bring in two ~~Investment~~ Companies for interviews.
Present Rizzetta with areas that need improvement.
Send a list of concerns to Rizzetta
Have Rizzetta attend a workshop to attempt resolution.
Rizzetta needs to explain what is done in other CDD districts.

5) Capital Expenditures

A) Tom Lawrence did an update on Capital Projects. (See handout) *F.F.G.*
Dennis Cross recommend five year development by an Ad Hoc ~~Committee.~~ *F.F.G.*
Steve D. recommend we create a pool of names of volunteers to be used for Ad Hoc ~~Committees.~~
Barry K and Tom L. Reviewed the 2009 Capital plan.

6) VC Pool

The cost of compliance is higher than Barry K thinks is fair. Duda Pool Company should reduce his fee. Negotiations pending. Duda offered to absorb engineering fees \$2500.

7) S. E. Cline Company- Storm water improvements

A) Requesting \$2900. Additional funds to contract- reason major repair of additional linear feet of pipe and cart path.
B) \$4000. Requested for replacement of collapsed pipe uncovered during repair.

8) Jim Gibson's email request

Meetings to be held at night. Sam H. Supported night meetings.
Pete C., Charlie T. felt unnecessary other than Budget times or special issues. Time of meetings does not necessarily represent reason for low attendance. Steve D. Stated that we could incur more charges for pm meetings in the future.

9) Job Tracking Numbers

Sam H. Suggests each work order should have a number for better tracking.

10) Creekside Display Case

Investigate cabinet display case costs. Suggest purchasing material and have a volunteer resident construct the case.

11) GH Directory

AMG update the directory. The cost of one update (\$1200?) Included in current contract.
Charlie T. Will be the liaison.

12) Fitness Center Hours

Reassess the hours at budget time. Inquiry to AMG for cost of facilitator to extend hours.

13) Sea Wall

Barry K. SEAPECK reduced price by \$900 to \$21432. with contingencies of \$2500.

14) Maintenance of Gate

Sam H. wants a detailed account of the work that Dave F. Is doing at the gatehouse. Barry to check for outside maintenance contract.

Tom L. Said he had previously done comparison and it would be more expensive to go outside.

Report Issued by Charles J. Trautwein Vice Chairman January 28, 2008


Secretary/Assistant Secretary

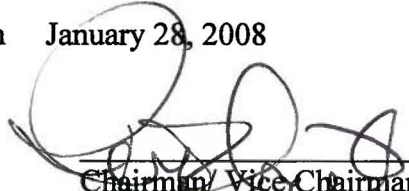

Chairman/ Vice Chairman

Exhibit A

CHAPTER 190

COMMUNITY DEVELOPMENT DISTRICTS

190.007 Board of supervisors; general duties.--

(1) The board shall employ, and fix the compensation of, a district manager. The district manager shall have charge and supervision of the works of the district and shall be responsible for preserving and maintaining any improvement or facility constructed or erected pursuant to the provisions of this act, for maintaining and operating the equipment owned by the district, and for performing such other duties as may be prescribed by the board. It shall not be a conflict of interest under chapter 112 for a board member or the district manager or another employee of the district to be a stockholder, officer, or employee of a landowner. The district manager may hire or otherwise employ and terminate the employment of such other persons, including, without limitation, professional, supervisory, and clerical employees, as may be necessary and authorized by the board. The compensation and other conditions of employment of the officers and employees of the district shall be as provided by the board.

(2) The board shall designate a person who is a resident of the state as treasurer of the district, who shall have charge of the funds of the district. Such funds shall be disbursed only upon the order, or pursuant to the resolution, of the board by warrant or check countersigned by the treasurer and by such other person as may be authorized by the board. The board may give the treasurer such other or additional powers and duties as the board may deem appropriate and may fix his or her compensation. The board may require the treasurer to give a bond in such amount, on such terms, and with such sureties as may be deemed satisfactory to the board to secure the performance by the treasurer of his or her powers and duties. The financial records of the board shall be audited by an independent certified public accountant at least once a year.

(3) The board is authorized to select as a depository for its funds any qualified public depository as defined in s. 280.02 which meets all the requirements of chapter 280 and has been designated by the Treasurer as a qualified public depository, upon such terms and conditions as to the payment of interest by such depository upon the funds so deposited as the board may deem just and reasonable.

History.--s. 2, ch. 80-407; s. 7, ch. 84-360; s. 32, ch. 86-191; s. 963, ch. 95-147.

CHAPTER 190

COMMUNITY DEVELOPMENT DISTRICTS

190.033 Bids required.--

(1) No contract shall be let by the board for any goods, supplies, or materials to be purchased when the amount thereof to be paid by the district shall exceed the amount provided in s. 287.017 for category four, unless notice of bids shall be advertised once in a newspaper in general circulation in the county and in the district. Any board seeking to construct or improve a public building, structure, or other public works shall comply with the bidding procedures of s. 255.20 and other applicable general law. In each case, the bid of the lowest responsive and responsible bidder shall be accepted unless all bids are rejected because the bids are too high, or the board determines it is in the best interests of the district to reject all bids. The board may require the bidders to furnish bond with a responsible surety to be approved by the board. Nothing in this section shall prevent the board from undertaking and performing the construction, operation, and maintenance of any project or facility authorized by this act by the employment of labor, material, and machinery.

(2) The provisions of the Consultants' Competitive Negotiation Act, s. 287.055, apply to contracts for engineering, architecture, landscape architecture, or registered surveying and mapping services let by the board.

(3) Contracts for maintenance services for any district facility or project shall be subject to competitive bidding requirements when the amount thereof to be paid by the district exceeds the amount provided in s. 287.017 for category four. The district shall adopt rules, policies, or procedures establishing competitive bidding procedures for maintenance services. Contracts for other services shall not be subject to competitive bidding unless the district adopts a rule, policy, or procedure applying competitive bidding procedures to said contracts.

History.--s. 2, ch. 80-407; s. 9, ch. 91-308; s. 113, ch. 94-119; s. 42, ch. 99-378.

Florida Public Business Code Section 287.017 - Procurement Of Personal Property And Services - Purchasing categories, threshold amounts; procedures for automatic adjustment by department.

Title XIX PUBLIC BUSINESS

Chapter 287 PROCUREMENT OF PERSONAL PROPERTY AND SERVICES

287.017 Purchasing categories, threshold amounts; procedures for automatic adjustment by department.--

- (1) The following purchasing categories are hereby created: (a) CATEGORY ONE: \$15,000. (b) CATEGORY TWO: \$25,000. (c) CATEGORY THREE: \$50,000. (d) CATEGORY FOUR: [REDACTED] (e) CATEGORY FIVE: \$250,000.

Exhibit B

Re District Employees

Supervisors interface with District managerial staff only. District Supervisors take perceived District employee problems to employee's immediate supervisor (FOM.) Criticism, review of District employee performance should be done thru Human Resource channels thru employee's immediate supervisor. BOS Supervisors should not make District employee performance comments in open public meeting. Complaints to Florida Public Employee Relations Commission can ensue.

This unanticipated exposure has prompted investigation re necessity of individual Supervisor's D & O / E & O Liability Insurance coverage and policy limits.

BOS Supervisors interface with managerial staff: DM, DC, FOM

District employees under, are supervised by, and report to FOM.

Exhibit C

Current situation re the awarding of maintenance, repair, and capital contracts below Chapter 190.033 s. 287.017 Public Business Law Statutory requirements.

Current process is dysfunctional – Board micromanaging the selection of contractors by constantly questioning FOM recommendations, by unilateral use of professional staff and by the addition of “surprise contractors

Current process has caused following problems:

significant delay in project commencement
significant cost overruns in DE, DM, DC expenses
(cost>savings)
damaged credibility of GH FOM amongst area contractors
damaged credibility of GH CDD/BOS amongst area contractors
diminished pool of contractors willing to do the projects the District requires (What are these?-
BOS Vision/Mission/
Goals/Values)

NEW GUIDELINES

District Field Operations Manager – well qualified, with years of experience in the building trades. Valuable community asset.

For projects below the Chapter 190.033 s. 287.017 requirements of Title XIX Public Business Law, the GH FOM is instructed to secure up to three bids . The FOM will also secure and provide to the BOS the following information on all prospective contractors:

quality of workmanship
quality of materials generally used by contractor
scheduling and completion history of contractor
warranty service record of contractor
bid price of contractor

The FOM will report these findings to the BOS along with his evaluations of the proposals. This recommendation will be based on a composite of all above criteria.

The BOS, based upon the process delineated above, will select the contractor.