

**MINUTES OF MEETING  
TSR  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Workshop on September 7, 2022, at 3:30 p.m., at Cunningham Park, 12131 Rangeland Boulevard, Odessa, Florida 33556.

**Present were:**

Mike Liquori	Chair
Matt Call	Vice Chair
Jason Silber	Assistant Secretary
Mary Comella	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	District Manager
Alyssa Willson	District Counsel
Mark Yahn	SunScape Consulting, Inc. (SCI)
Scott Paulson	LMP Landscape Maintenance Professionals, Inc., (LMP) Vice President/General Manager
Erwin Martinez	LMP Branch Manager
Bill Evans	LMP Corporate Business Developer
Thomas Lazzaro	Down-to-Earth, LLC (DTE) CEO
Gary Hawkins	DTE Account Manager
Vince Forte	Regional Operations Leader
Ed Colon	Branch Manager
Frank Stalzer	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 3:30 p.m. Supervisors Liquori and Call were present.

Mr. Adams stated this is a Workshop and a quorum is not required. The purpose of the Workshop is to review the Landscape Maintenance Proposals.

Supervisor Silber arrived during roll call.

**SECOND ORDER OF BUSINESS****Review of Proposals of Landscape Maintenance Services****A. Affidavit/Proof of Publication**

The affidavit of publication was provided for informational purposes.

**B. Review of Bid Tabulation and Analysis**

Mr. Adams presented the Bid Tabulation and Analysis Report which was emailed to the Board prior to the meeting.

The DTE Representatives left the room while the LMP Representatives were interviewed.

Ms. Willson reminded everyone that the Board is tied to what each vendor proposed. They can provide supplemental information or make clarifications but they cannot negotiate or otherwise ask to make subsequent changes to the proposal.

**C. Q and A with Respondents**

Mr. Scott Paulson, Vice President and General Manager of LMP introduced the other LMP employees in attendance. He presented and discussed the following:

- A three-week detailed schedule and on-site crew.
- The plan to subcontract the ponds using the same company.
- Commended DTE's services but identified a few deficiencies that need to be addressed.
- He or the Safety Director performs a Monthly Quality Inspection (MQI). An incentive program to help with consistent attendance and prevent staff attrition is in place.

Mr. Paulson responded questions posed, as follows:

- Regarding if LMP is comfortable with the clause in the scope of work requiring LMP to credit the CDD if LMP drops below 10%, Mr. Paulson replied affirmatively.
- Regarding how LMP expects to handle the large peanut weeds, Mr. Paulson explained LMP's approach, which is addressed in their proposal.

Mr. Yahn stated DTE has done a great job addressing this and it has not been an issue for a while.

- Regarding the meaning of having six to eight Technical Personnel, Mr. Paulson stated personnel is comprised of vermin/pest, irrigation and arbor care staff.

Mr. Call asked about the maps. Mrs. Adams stated Mr. Wilkes prepared the proposal/bid which covers the entire CDD.

- Regarding whether the color-coded area of the map was included in the pricing, Mr. Paulson replied affirmatively
- Regarding whether Albritton Park is included in the weekly schedule, Mr. Paulson stated that it is set up monthly to keep the weeds under control.
- Regarding if a system is in place for residents to reports issues, Mr. Paulson stated that LMP can create an email address specific to Starkey Ranch or a website. Mrs. Adams preferred LMP provide a link to post on the CDD's website.
- Regarding whether LMP will use its existing labor or if they need to hire, Mr. Paulson stated that business decisions will be made to dedicate existing labor to the site and he will probably hire more to fill in any shortages.
- Regarding whether LMP was fired customers in the past two years and, if so, the reasons, Mr. Paulson replied affirmatively, due to budgetary decisions or communication issues.

Mr. Paulson apologized about the map and stated he will have it updated. He discussed current protocol to address post COVID-19 pandemic safety practices.

Mrs. Adams discussed references and stated that Cypress Creek Town Center visitors have compared the landscaping to Disney World. The Manager stated they experienced some difficulties in the first six months with the Operations Manager in 2016, performance increased in 2017, they were placed on a six-month probation period due to irrigation concerns; overall for a commercial property they are really good.

- Regarding whether LMP will write into the contract that the price will decrease once the proper facilities are available, Mr. Paulson replied affirmatively and noted the proposal includes off-site facility pricing and on-site facility pricing.

Resident Frank Stalzer asked if LMP will be ready to start on October 1, 2022. Mr. Paulson replied affirmatively; there is a plan in place to be ready to start on October 1, 2022.

Q & A with LMP concluded.

Mr. Thomas Lazzaro, CEO of DTE, introduced the other DTE employees in attendance.

Mr. Lazzaro and Mr. Hawkins responded to the following questions:

- Regarding how DTE can help set up the off-site facility, DTE will meet with the CDD to determine what the facility is and adjust accordingly.

- Regarding what support DTE needs from the CDD to help set up the on-site facility, power, water, security fencing and enough space to store equipment and vehicles is needed.
- Regarding whether the \$1,692,036 amount covers everything inside the CDD and areas not yet conveyed to the CDD, the response was no; the pricing includes only areas that are maintained today, it does not include the three parcels not yet conveyed to the CDD.
- Regarding DTE's plans to upgrade personnel, DTE will assign certain employees to spend more time on the property, along with upgrading technicians and hiring an Irrigation Manager.
- Regarding why the declining quality of service is not being addressed, DTE personnel felt that, based on last year's reports, these items were addressed; however, given the recent comment, he will focus more on the team. Mr. Colon noted changes to the team.

Ms. Comella commented that some of the issues were due to COVID and noted that, over the last year, the area is looking much better. Mr. Call noted Mr. Hawkins' commitment to the community.

A Board Member asked Mr. Yahn if DTE's plans address ant infestations due to the current drought conditions. Mr. Yahn stated the general service-related items are reasonable. He is unaware of the current plans and stated that most of the problem is with weed work and irrigation that require management and staff positions to be filled by key personnel.

Regarding why the \$1,723,431 off-site facility proposal, year one, increased when compared to the current contract, it was noted that the proposal was based on 2019 figures and 2022 irrigation figures; it was not based on the entire build out.

It was noted that the map was not revised before it was included in the agenda package.

The Q & A with DTE concluded.

Mr. Yahn responded to the following questions:

- Regarding his opinion of which company would be the best to service contract, he stated contract rates have not increased by this amount in Florida since 2019. Based on SCI having to resolve the labor dispute in 2021, he did not see how DTE can fix labor. He liked the methodical approach to the job and commended Mr. Hawkins' commitment but is unsure, if they had to work without Mr. Hawkins.

Mr. Yahn wished more bids had been received.

Due to the discrepancies with the map and what services are actually included in the bid, Ms. Willson stated the CDD is limited to what was included in the bid package, which

includes the map, and any verbal communication clarifying information cannot be considered, as that is considered additional information that you cannot rely on as part of this sealed bid evaluation.

Mr. Call asked Mr. Yahn if, in his professional opinion, there would be multiple bidders, so that it is more competitive, if the Board rejects all bids and puts the project out to bid again, with a December or January start date. Mr. Yahn replied affirmatively.

Ms. Comella asked why only two bids were received. Mrs. Adams stated she contacted about 13 contractors during the original bid period and only three responded.

Mr. Yahn voiced his opinion that this job is too prestigious to have three contractors bid on it. He felt that rejecting bids can cause problems with DTE. Personally, he is not comfortable awarding the contract to DTE or the other bidders because of the price. He would take some risks and try to find out the true value of this contract; he hoped that will save money in the process.

Ms. Comella commented that the Board cannot proceed because it got the wrong bids. Ms. Willson stated that is a reason to reject all the bids, as it is not in the best interest for the CDD.

Mrs. Adams stated the wrong bid was received because the contractor bid is based on the Exhibit but it did not include those parcels on the property not yet turned over to the CDD. The Board cannot rely on verbal communications with the contractor and must rely on the paperwork that was presented to them of what they are being requested of, which was given to all the contractors.

### **THIRD ORDER OF BUSINESS**

### **Adjournment**

There being nothing further to discuss, the workshop adjourned.

**On MOTION by Mr. Liquori and seconded by Mr. Call, with all in favor, the meeting adjourned at 4:53 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair