

**MINUTES OF WORKSHOP MEETING
ARBOR GREENE
COMMUNITY DEVELOPMENT DISTRICT**

The workshop meeting of the Board of Supervisors of the Arbor Greene Community Development District was held on Thursday, March 21, 2013 at 6:30 p.m. in the Gathering Room, Arbor Greene Community Center, 18000 Arbor Greene Drive, Tampa, Florida.

Present and constituting a quorum were:

Adam S. Tanenbaum	Chairman
Toby P. Thomson	Supervisor
Steven Eckhardt	Supervisor
Michael S. Candella	Supervisor

Also present were:

Bob Farrell	General Manager
1 Resident	

The following is a summary of the minutes taken at the March 21, 2013 Arbor Greene Board of Supervisors workshop meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Tanenbaum called the meeting to order and the Supervisors identified themselves at roll call.

SECOND ORDER OF BUSINESS

Review of the February 2013 Financial Statements

Mr. Tanenbaum reported the following:

- o Revenue is at 91.53%.
- o Expenditures are on track; at 42.05%.

The budgeted amount for gas for the fitness pool was discussed.

Regarding the cash in the checking account, Mr. Ricciardi will be asked to address possible investments for this money.

Page 4 of the financials, under Gatehouse, R&M Gatehouse, the negative amount (1,532) was questioned. It was explained this is the reimbursement for damage and was deposited and posted on February 1st; it was a State Farm check.

An item on Page 4 of the financials, under Landscape, R&M-Pump Station was questioned. A budgetary proposal was requested from the current vendor, ITS, and additional quotes for similar services will be obtained for budget consideration.

R&M Sidewalks, on Page 5 of the financials was questioned. Also questioned was the Swimming Pool, ProfServ-Pool Maintenance amount (1,150) and it was explained this is the regular maintenance charge.

Page 6, R&M Grounds (2,454) was questioned. The majority of that was for painting the fitness pool fence; \$1,200 was the down payment. There are approximately 30 additional sections to be done; the fence was rusted and had to be scraped down.

Page 7, the line under Total Expenditures, Excess (deficiency) of revenues Over (under) expenditures: (12,845), 833,887, -66491.92%, (108,756) was questioned. Mr. Ricciardi will be asked to explain this line.

Mr. Farrell indicated he has a first draft of the proposed 2014 budget for Board review and passed out a copy to the Board. He noted Mr. Ricciardi will attend the April workshop meeting. At the regular meeting in May, the Board will set the high water mark for the budget from which additional increases cannot be made. If there are specific things the Board would like to have added, we can pencil them in so they can be reviewed in April.

Mr. Tanenbaum noted the budget is a guide of where we are spending our money; there are only two numbers that matter in any given point in any given year; how much we take in and how much we spend. We have to figure out how much we need to meet our needs for the next year. For April we need to know how much revenue equals each percentage, each 1% increase or a point increase in the assessments over last year. Whatever we approve in May is formally called the Proposed Draft Budget; we approve the high water mark. We can always go lower on the assessments, but we cannot go higher in increases after the budget is published in May.

Mr. Farrell noted last year the goal was to keep the assessments flat.

The drafted budget handed out by Mr. Farrell was discussed by the Board.

Mr. Farrell suggested allocating more time to the April workshop agenda for discussion of the proposed fiscal year 2014 budget.

THIRD ORDER OF BUSINESS

Development of Towing Policy

Mr. Tanenbaum reported on a conversation he had with the District's Attorney and noted the following:

- He is fine with it as an idea as long as covenants are not mentioned.
- He can put together a policy for consideration; it should probably go to a public meeting consistent with Chapter 120.
- He does not like the fact that we suspended our Rules of Procedure. He thinks we should have our Rules of Procedure in place and recommended we should have a public hearing on the towing policy in the future and combine it with whenever we do the Rules of Procedure again to be considered together at one public hearing.
- He asked the following questions so that he can insert answers to come up with a draft for the towing policy:

Do we want to have a system of warnings first?

Will we designate a person with the authority whether to tow or not? Who makes the decision; the towing company will need to contact someone.

Do we want to have patrols going around the community; how often, who or just based on reporting?

Will there be an appeal to the Board mechanism?

What would be the rule; no overnight parking on any of the streets?

The Board was asked if there is still any interest in continuing with the development of a towing policy. Mr. Candella suggested getting Mr. Ricciardi's input on how other CDD's are handling this. Mr. Thomson suggested that Mr. Robin write up a proposal to be brought back to the June workshop meeting.

FOURTH ORDER OF BUSINESS**Non-Resident Fees-Sales and Use Tax**

Mr. Tanenbaum indicated he spoke with Mr. Ricciardi on this issue and everyone is correct. Using Julia Lamb as an example, we cannot have Julia collect sales tax from people that she services because her services are not taxable; she doesn't have a tax ID or authorization from the Department of Revenue to collect tax. The fee she pays the CDD is essentially a rental fee; usage fee for our pool. For us, the rental part is taxable by the Department of Revenue so we pay tax on rental money that we collect from her under the contract. We can change that contract or negotiate with her next time it comes up. As for any commercial lease or otherwise, we can specify the fee for usage is X dollars plus 7% sales tax; then we can collect it. The money is segregated, it's our revenue, the sales tax goes to Coral Springs and they send it to Tallahassee. We will have to change the existing contract with Julia to fee plus sales tax. Julia was the only vendor we decided to collect sales tax from. The current contract with Julia Lamb expires on 1/1/2014. Mr. Thomson noted he would rather not wait; see if she would be willing to work to amend the contract.

FIFTH ORDER OF BUSINESS**Staff Duties Revisions/Assessments/
Streamlining**

Mr. Farrell explained where he is at with preparing staff job descriptions for further discussion and review by the Board. Mr. Thomson noted this should be done for the General Manager only; not the staff who reports to the General Manager. Mr. Farrell indicated his cycle starts in March as he was hired in March. Mr. Tanenbaum noted it was recommended by Mr. Ricciardi that he sit down with Mr. Farrell and have a conversation about the past year, identifying one or two areas he can focus on as a goal for next year. Mr. Thomson noted he doesn't mind waiting for this review/goal conversation to happen next year since Mr. Farrell's new cycle has already begun. Mr. Tanenbaum suggested bringing this up for consideration at Monday's meeting taking out the parts Mr. Thomson noted, and next March the amended document will be used in a review for the General Manager.

The staff job descriptions prepared by Mr. Farrell were briefly discussed again. Lifeguard issues were discussed.

EIGHTH ORDER OF BUSINESS**Consideration of Dog Park Options**

Ms. Julie VanAcker, a resident of Whisper Pointe, introduced herself. She indicated she is proposing the construction of a dog park for the Arbor Greene community. Mr. Tanenbaum expressed his opinion that it is too expensive and he does not like the idea of using all of that area for a dog park. He is not against the idea of a dog park as a concept and if there is a way to accommodate it at less cost, and a smaller space, he thinks it is worth exploring. Ms. VanAcker asked if everybody received her update for the budget workshop for today; in it she outlines phase 1, 2 and 3 so that it could be less expensive and it could be less of an area, so that it could be used for other purposes. Ms. VanAcker expounded on her dog park proposal. Ms. VanAcker and the Board discussed the dog park at length. Mr. Eckhardt expressed his opinion that the Arbor Greene CDD fees are the highest in all of New Tampa and his goal is to get rid of all the waste and right now nothing has been eliminated. The idea is great, but other projects take priority over this one. Mr. Candella and Mr. Thomson concurred with Mr. Eckhardt; there are a number of issues that must be addressed and adding a new park, which will require on-going funds here and there to keep it up and considering the community already has ten parks, there are roads and facilities that need repair. Residents would be asked to pay for something new when the existing facilities require repair and maintenance costs. Mr. Thomson explained in six years the debt service money will be paid off, freeing up that much money that keeping assessments the same we could spend in O&M in everyone's total assessment would be the same. This will be a significant amount of money in 2019; we could use this money to build whatever parks we want or remodel the facility. Ms. VanAcker explained many people who signed the petition were amenable to options for attaining funds through fund raising, donations or sponsorship, or if the residents come up with half the funds, will the CDD match it, if CDD approval is granted. It was suggested that a notice be included in the next Newsletter indicating the Board has received a proposal to build a dog park on District vacant land, to be funded by donations. Mr. Tanenbaum offered to include the notice in the Newsletter, under Chairman's Message. Mr. Farrell summarized the discussion and noted he believes the Board is saying they want to put it out for resident input. Mr. Candella suggested if the notice goes in the May Newsletter it should also state anyone interested in sharing an opinion should attend the May regular meeting.

SIXTH ORDER OF BUSINESS

Clubhouse Common Telephone Costs

Mr. Farrell provided the requested current phone bills to the Board and they were reviewed and discussed. This will continue to be listed as a workshop agenda item.

SEVENTH ORDER OF BUSINESS

Discuss Logic Behind Contract Terms

Mr. Thomson explained he asked Mr. Ricciardi to see if new contracts with Severn Trent, OLM and Greenview could be minimum two years, no auto-renew provision for any of them at the same rate, terms and level of service as they are now. Mr. Ricciardi reached out to Greenview and OLM and as a representative of Severn Trent, he indicated all three contractors would be fine with doing that. Mr. Robin also indicated he is fine with doing up to a three year contract. Mr. Thomson proposed these conditions for each of these three largest contracts; OLM, Greenview and Severn Trent. The Board concurred and this will be addressed again at the regular meeting on Monday. If the Board approves, Mr. Robin will be asked to have those three contracts written up to comply with the conditions proposed by Mr. Thomson. Also, Mr. Thomson expressed his opinion that Concessionaire Contracts should be approved for longer lengths of time; such as two or three year contracts; not one year contracts. Mr. Ricciardi advised as long as the 30 or 60 day termination clause is kept in the contracts, there should not be an issue with having longer length contracts. The general Board consensus was that as contracts come up, old or existing Concessionaire agreements will be adjusted to two years; new Concessionaire agreements will be one year on a trial basis and will be switched to a two, and the vendor agreements will be case by case with the notable exception that Mr. Thomson will make a motion regarding the three top vendors.

NINTH ORDER OF BUSINESS

Cross Creek Devonshire Beautification Project (2014 Budget Consideration)

Devonshire resident complaints and the plan of action that will be taken by the Board at the regular meeting on Monday were discussed; plants and upgrades for berms.

The record will reflect Mr. Candella left the meeting.

Viburnums were suggested for the area depending on how much money there is in the current budget. The nursery was contacted and they have 30 gallon Viburnum in stock. This issue will come up in the General Manager's report before Audience Comments.

Mr. Thomson suggested the next time this issue is approached it should be called Cross Creek Beautification Project; nothing to do with Devonshire.

TENTH ORDER OF BUSINESS

Policy Manual Revisions/Rules of Procedure Redrafting

Mr. Thomson noted he went through this and was trying to make sure what we actually have in here is what we actually do. He crossed things out that are not really needed. Mr. Tanenbaum noted he is still making revisions; there are formatting issues and he is thinking about changing the categories. Mr. Tanenbaum suggested that he make changes and have a new version circulated again on Monday, not to be discussed on Monday, just to circulate publicly or he will announce it. Other Board members can add their comments. It was noted the Board is capable of putting together the Rules of Procedure and the District Attorney's assistance is not needed; the Rules of Procedure really only govern how this Board operates and how we conduct business. The Policy Manual is a product of what we do. Any rule of procedure can be changed or suspended by a majority vote. A revised Policy Manual will be distributed to the Board on Monday.

ELEVENTH ORDER OF BUSINESS

Verification of Bar Code and Clubhouse Privileges

Mr. Tanenbaum expressed his opinion that we should have a rule in place for identification verification for people who use the clubhouse. Proofs of residency options were discussed. He also opined that anyone who is in violation of HOA covenants and anyone in a short term lease should not be using the clubhouse.

TWELFTH ORDER OF BUSINESS

Adjournment

As the recording of the meeting ended at 219 minutes, the workshop meeting was adjourned.