

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

The regular meeting of the Board of Supervisors of the Arbor Greene Community Development District was held on Monday, December 20, 2010 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:

John Brickley	Chairman
Christine Nelson	Vice Chairperson
T. Dorsey Yawn	Assistant Secretary
Adam Tanenbaum	Assistant Secretary
Toby Thomson	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Tracy Robin	District Counsel
Harve Turner	General Manager
Audience Members	

The following is a summary of the minutes and actions taken at the December 20, 2010 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

Mr. Brickley announced that at this time we have the opportunity to say thank you to a parting member of our Board who has served many years for the Arbor Greene CDD. He noted we continue to be very grateful for his efforts in trying to get the Board organized.

A recognition of appreciation plaque was presented to Mr. Lozicki for his service to the District while serving on the Board of Supervisors.

Mr. Lozicki thanked the Board and noted he will miss being part of the Board.

SECOND ORDER OF BUSINESS

**Approval of the Minutes of the
November 22, 2010 Meeting**

Each Board member received a copy of the minutes of the November 22, 2010 meeting and any additions, corrections or deletions were requested.

Mr. Ricciardi indicated that Mr. Turner requested an addition to verbiage on page 8; the addition was made and will be made part of the public record.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the minutes of the November 22, 2010 meeting were approved as amended.

THIRD ORDER OF BUSINESS

**Approval of the November 30, 2010
Financial Statements**

Mr. Brickley reported on the December 16, 2010 Budget Workshop meeting noting the following:

- Our revenue was at 7.9% of budget primarily because we received an early \$126,000 assessment payment from the County.
- We did the usual line by line review of the budget and found that in this month there were a number of miscodings that needed to be corrected; the dollar figures were fine but the coding needed to be redone.
- The financial statements for the end of November, 2010 were recommended for approval.

On MOTION by Mr. Yawn seconded by Mr. Thomson with all in favor the financial statements as of November 30, 2010 were approved.

Mr. Brickley requested that the Board allow a change in the order of the agenda items allowing for the Audience Comments portion of the meeting to commence at this time; the Board concurred.

TENTH ORDER OF BUSINESS

Audience Comments

Mr. Doug Kugley of the Trace addressed the Board regarding his concern regarding speeding in the neighborhood. He expressed his opinion that speeding in the villages and the off-shoots from the main boulevard are the most egregious violations of the speed limit.

Mr. Brickley explained that the speeding issue in the community is not new. Solutions continue to be discussed, but the District is struggling with remedies.

Mr. Ricciardi noted there are some programs that some communities have enacted. One community is involved in a national program; Keep Kids Alive, Drive 25. The use of speed bumps/humps are problematic and they create a lot of controversy within the community.

Mr. Kugley noted that trying something and failing is better than doing nothing.

Mr. Brickley explained we continue to try through the Newsletter, website and through the police and people still speed.

The record will reflect that Mr. Tanenbaum joined the meeting.

Mr. Tanenbaum indicated that the Board is responsive to solutions, but they have to take into consideration the tolerance of the population in Arbor Greene.

The suggestion was made that a group of residents should come together and bring ideas and recommendations to the Board on the speeding issue.

Mr. Robin reported that through the years the Board had the District's engineer conduct traffic studies and make recommendations. The Board has had experience with the traffic engineer about what the options are for dealing with speeding and what some of the consequences are. You hear a little frustration from the Board, but it is not because there has not been an effort to understand these problems and deal with them. The Board has not found an effective way to handle them for the reasons they indicated.

Mr. Manny Cabrera addressed the Board regarding permission to conduct a karate program in the aerobics room at Arbor Greene. He noted he is not an Arbor Greene resident and indicated he presented a program to the Board a few months ago, but he has modified the proposed schedule and has checked with Mr. Farrell and conducting his program on Monday, Wednesday and Friday nights would not conflict with other events going on.

If Arbor Greene residents show interest in this program, the Board will consent to consider the program.

Mr. Farrell indicated the entire proposal is not ready for Board approval at this time; the Arbor Greene resident interest level and trial demonstrations are needed before the Board considers approving the program.

Mr. Cabrera will work further with Mr. Farrell and Mr. Turner and if all the requirements are met, a contract could be worked out for presentation to the Board.

Ms. Jessica Rutherford of the Trace addressed the Board regarding a petition to mediate the conservation buffer area behind her home. A letter from Mr. and Mrs. Rutherford explaining this issue is included in the General Manager's Report as enclosure 11.

Mr. Brickley noted based on Ms. Rutherford's request, one of the reasons that District Counsel is in attendance at this meeting is to help explain what can and cannot be done in the conservation areas.

Mr. Robin explained these dedicated conservation areas are managed through SWFWMD and SWFWMD rules that we have experienced in other communities do not take into account the kind of activity as outlined in the Rutherford's letter. The SWFWMD people will tell you that the permits do not allow any activity in the conservation areas at all. Based on past experience with SWFWMD we do not think the Rutherford's request is possible.

Mr. Robin suggested that Mr. Ricciardi request that the District Engineer investigate the issue with SWFWMD.

Mr. Ricciardi will contact the District Engineer, Mr. Dave Bartelt regarding the program outlined in the letter from the Rutherford's and he will report back to the Board on their discussion.

Mr. Anthony Melikian addressed the Board regarding easement encroachment at 18004 Avalon Lane.

Mr. Ricciardi read from an email received from the District Engineer on this issue. The email concluded with the engineer indicating that if access to this area has not been an issue to date, he does not anticipate there will be one in the future.

Mr. Robin explained that as long as we can verify through the District Manager that the encroachment will not have any serious consequences in terms of the functioning of the District's easements and the easement will continue to be serviced and continue to have usable access and that the use for which the easement was reserved will not be impaired, then on a case by case basis the Board will review these requests once the District Engineer has signed off on the issue, the Board can usually agree to release that portion of the easement provided the resident pays for the cost of the Engineer and Counsel who will prepare the release documents.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor authorization for the Chairman to sign documents to vacate the easement as requested, as submitted, subject to District Counsel drawing up the necessary documents and contingent upon the resident agreeing to pay the Attorney, District Engineer and District Manager was approved.

Mr. Ricciardi noted we will wait for Counsel to draw up the documents, have them signed by the Chairman and at that point he will get the invoices from the parties involved and submit the documents and invoices to the resident as timely as possible.

Mr. Mike Konicek of the Landings addressed the Board regarding a request for some type of barrier to be erected at the exit near the pond to prevent automobiles from skidding into the pond.

Another resident suggested installing a "slippery when wet" sign on the road in question.

FOURTH ORDER OF BUSINESS

Devonshire Crosswalk Concerns

Mr. Turner discussed a previous traffic study and a current traffic study proposal as referred to in his General Manager's Report.

A lengthy discussion referencing all the items on the crosswalk issue, as incorporated in the General Manager's Report ensued.

Mr. Tanenbaum MOVED and Ms. Nelson seconded a motion to approve the recommended action on page 2 of the General Manager’s Report regarding the Devonshire Crosswalk; Action Recommendation #2 install “State Law – Yield” signs, a pole mounted sign, and pavement markings at the crosswalks at Devonshire, Avalon, Arbor Creek, Arbor Run and in front of the clubhouse as well as trim trees and bushes in the median at Devonshire.

Mr. Robin recommended that the traffic study be done.

Mr. Tanenbaum asked questions regarding the traffic study and the possibility of the District being sued.

A discussion on adding TPD patrols for the purpose of enhanced crosswalk coverage ensued. If adding TPD patrols is approved, the added officers would be asked to look at speeding issues at Devonshire crosswalk.

On VOICE vote with Mr. Tanenbaum, Ms. Nelson and Mr. Brickley voting AYE and Mr. Thomson and Mr. Yawn voting Nay the previous motion to approve Action Recommendation #2 was approved.

On MOTION by Mr. Brickley seconded by Mr. Tanenbaum adding additional TPD Patrols (3) by 3 days per week, Monday through Saturday, rotating between 6:30 and 9:30 a.m. and 4:30 P.M. through 7:30 P.M. was approved.

The ice cream truck issue was discussed.

Mr. Robin indicated that nuisance laws are difficult to enforce.

The record will reflect a 5 minute break in the meeting was taken.

SIXTH ORDER OF BUSINESS

Attorney’s Report

There not being any specific report, the next item followed.

The record will reflect Mr. Robin left the meeting.

SEVENTH ORDER OF BUSINESS

Engineer’s Report

There not being any, the next item followed.

EIGHTH ORDER OF BUSINESS

General Manager's Report

Item 1a of the General Manager's Report regarding the Community Center Security was discussed.

Mr. Turner recommended approval of the cost to modify the fence and exit turnstile and approve additional staffing to man the front desk during the most busy periods as indicated in his report.

Mr. Thomson suggested chaining the exit gate as a trial.

Mr. Tanenbaum indicated he is in favor of recommendation #2 (additional staffing to man the front desk during the most busy periods of the week).

Mr. Turner noted adding staff is a long term/higher cost solution.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor recommendation #2 of item 1a of the General Manager's Report, placing additional staff at the front desk of the clubhouse during the most busy periods of the week for the remaining eight months of fiscal year 2011 at a cost of not to exceed \$11,376 was approved.

It was clarified that there would be one attendant plus one person strictly for checking ID's.

It was noted that no action on the fence/gate will be taken at this time.

Item #8, at the bottom of page 2 of the General Manager's Report – Contract Renewal – Borrell Electric was discussed.

Mr. Yawn MOVED and Mr. Brickley seconded a motion to retain Borrell Electric as the electrical repair provider

Upon further discussion on the Borrell Electric contract renewal the previous motion was withdrawn by Mr. Yawn. The item was deferred to the January meeting.

Item 2a, on page 3 of the General Manager's Report – Cross Creek Gazebo Repair of the Floor was discussed and Board consensus was to defer further discussion on this item for three months.

Item 2b – Retaining Wall Replacement was discussed.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor this item was deferred until wood replacement costs can be obtained.

Item 3b, on page 4 – Accident in Entry Retention Pond was discussed; a recommendation was made by Mr. Turner and the Board decided to defer this item.

Item 3c, on page 4 – Jani King Cleaning Contract Expiration was discussed.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor renewal of the Jani King contract was approved.

Item 3d, OLM Services Landscape Consultant Contract Renewal was discussed.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor continuing the landscape contract with OLM was approved.

Item 3e, Royce Parking Contract Expiration was addressed.

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor continuing the Royce Parking Contract for repair of the front gate and village gates was approved.

Item 3f, Gate Maintenance Agreement with Carriage Homes HOA was discussed and Mr. Turner made the recommendation to continue the maintenance contract, but not to assume responsibility for the operation of the gate.

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor Mr. Turner's recommendation #1 that the CDD be the maintenance coordinator for Carriage Homes was approved.

Mr. Brickley requested to have the gate company attend the next meeting.

Item 4b, Concerns, regarding the increasing severity and frequency of gate incidents was vehemently discussed.

Item 4e, Alligator Removed from the Landing was mentioned, with Mr. Turner reporting he always gives permission to Animal Control to remove the alligator.

Mr. Ricciardi reported to the Board that he distributed the requested information to Reserve Advisers on the contract. A meeting is scheduled with them for January 13, 2011.

The requested bond documents were sent to the HOA.

He also reported on an email he received from Mr. Miccolis dated December 20, 2010.

Mr. Ricciardi noted he responded to Mr. Miccolis and informed him that he would pass the information on to the Board.

NINTH ORDER OF BUSINESS

Supervisor's Requests

There not being any, the next item followed.

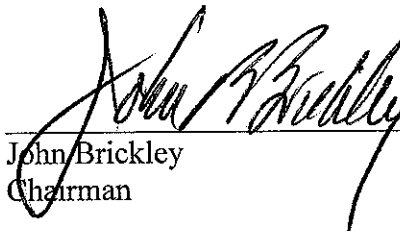
ELEVENTH ORDER OF BUSINESS

Adjournment/Continuation

Board consensus was to continue the meeting to Monday, January 3, 2011 at 6:30 P.M. to review resumes submitted for the position of General Manager.



R. John Ricciardi
Secretary



John Brickley
Chairman