

**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, February 25, 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 Tanenbaum	Chairman
Christine Nelson	Vice Chairperson
Toby P. Thomson	Supervisor
Steven Eckhardt	Supervisor
Michael S. Candella	Supervisor

Also present were:

John Ricciardi	District Manager
Tonja Stewart	District Engineer
Bob Farrell	General Manager

8 Residents

The following is a summary of the minutes and actions taken at the February 25, 2013 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order

A. Roll Call

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

B. Approval of Agenda

Mr. Tanenbaum indicated Website Upgrade, under agenda item 4E, Special Reports will be deleted from the agenda. The consensus of the Board was to approve the agenda as amended.

SECOND ORDER OF BUSINESS

Review and Approval of the Minutes of the January 21, 2013 Regular Board Meeting

Each Board member received a copy of the minutes of the January 21, 2013 meeting and any additions, corrections or deletions were requested.

Mr. Tanenbaum requested the following change/addition to Page 9, at the bottom of the page, under the Sixth Order of Business, A. Public Comments and Requests; delete the italicized sentence and add the following: Devonshire may proceed with trimming of their trees. The CDD has not made any decisions regarding funding of tree trimming on the verge and it is unlikely to make any decisions before the next budget cycle.

Other corrections were requested and will be made part of the final minutes.

On MOTION by Mr. Candella with all in favor the minutes of the January 21, 2013 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Review and Approval of the January 2013 Financial Statements

Mr. Tanenbaum reported on the February 21, 2013 workshop meeting noting the following:

- The financial statements were reviewed.
- We are in good shape; right on the mark in terms of our expenditures.
- Revenue is now at 93% of budget.

The workshop Board members recommended approval of the January 2013 financials.

On MOTION by Mr. Candella with all in favor the January 2013 financial statements were approved.

FOURTH ORDER OF BUSINESS

Reports

A. Chairman's Report

Mr. Tanenbaum noted he spoke with Mr. Sean Kiehl of the HOA and he noted he is comfortable that the HOA will re-double their efforts to enforce covenants. He is fine with not having to do the towing and the HOA does not have much interest in doing that although, he does not want the issue to go away. He hopes the CDD will try to do something about street parking. Regarding the mailbox issue, they realized they don't need to amend the covenants to deal with the mailboxes. Since it doesn't require an amendment to the covenants, the Board

will deal with it at their HOA meeting. If a mailbox needs to be replaced, then you need to replace it with an aluminum mailbox. If the wooden mailbox is maintained, you will be allowed to keep the wooden mailbox.

Regarding the Newsletter, Mr. Tanenbaum suggested to Mr. Farrell that unsigned articles should not go in the Newsletter and the Board agreed. Mr. Farrell will implement this.

Mr. Tanenbaum also suggested that a similar sign to the sign posted at the exit which states "All Trucks to the Right" be installed at the entrance. Mr. Farrell will proceed with plans to make that change.

B. District Engineer's Report

This item was postponed to a later time during the meeting.

C. District Counsel's Report

There not being any report, the next item followed.

D. District Manager's Report

Follow up items:

- 2014 budget
- Mailboxes – Can the CDD purchase mailboxes? The CDD cannot pay for it because the mailboxes serve a private purpose for the sole use of the resident. The CDD is prohibited from spending funds on private property. The District can not loan money to the HOA to purchase new mailboxes because that would be lending funds to a private entity for purposes of private property.
- Could Arbor Greene lease out the snack bar to an outside vendor? Mr. Ricciardi read from District Counsel's emailed response dated February 21, 2013.

A copy of the email is attached hereto.

- The draft letter to the HOA revoking Resolution 2010-1 has been signed by the Chairman. If and when the Board wants to give authority back to the HOA, another Resolution would need to be re-issued.
- At the last meeting there was a motion passed by the Board to charge 7% sales tax on fees above the line to non-residents, whereas below the line to residents. Subsequent to that a question was raised at a workshop about the tennis contract and charging sales tax on services that the tennis instructor is giving. Discussions with the Florida Department of Revenue were very firm that while

CDD's are exempt from paying sales tax on purchases, they are not exempt from paying sales tax on revenues they receive for rental or use of their facilities. It was suggested to the Board to hold off on this issue for another month. Mr. Ricciardi will verify with Ms. Paula Davis of Severn Trent regarding collection of sales tax by vendors. Mr. Farrell's staff will have to communicate to Ms. Randall, the District's Accountant when these revenues come in so we don't pay sales tax on top of a sales tax. Mr. Tanenbaum recommended deferring the collection of tax/premium from T-Bay to become effective April 1, 2013. Mr. Tanenbaum will discuss collection of T-Bay sales tax with Mr. Ricciardi and Ms. Davis.

On MOTION by Mr. Tanenbaum with all in favor changing the effective date for the CDD collecting 7% sales tax on T-Bay swimming fees to April 1, 2013 was approved.

i. RJR/LJ Tour of Arbor Greene - Discussion

Mr. Ricciardi reported on the tour of the community that he and Mr. Farrell and Ms. Lynn Jackson conducted on February 12, 2013. The Arbor Greene CDD Site Visit Report was provided to the Board. Mr. Farrell will determine what items can be followed up on such as routine maintenance.

ii. Questions/Consideration of Recommendations

Mr. Tanenbaum asked if there is a systematic inspection of the community. Mr. Farrell responded every day, all roads, and playground structures are checked for things that need repair. Mr. Farrell was asked to encourage staff to provide input on things needing attention.

It was noted the OLM Landscape Inspection Report of February 5, 2013 was provided to the Board.

E. Special Reports

i. Clubhouse

Mr. Eckhardt reported this is still in process.

ii. Website Upgrade

This item was deleted from the agenda.

F. General Manager's Report

i. Vendor/Concessionaire Contract Review/Amendments/Approval

#99062 – Contracts – Vendors, who is actually paying what.

Mr. Thomson asked to put this in as a workshop item for the next workshop discussion. (the non-resident fee)

In the new format you have a proposed contract for Fitness Logic; contract was redone per the Board's request; from quarterly to monthly; rate went from \$125 to \$95 per visit. Board approval was requested; the Chairman already signed it.

The Starka Fitness, Body by Davida and Vanguard contracts will be put in the new format.

Alan's contract expires in April; we have been working with him. There will be a more formal contract in March. Mr. Tanenbaum requested that it be made clear that the CDD is not terminating Alan Williams's tennis contract.

Vanguard Cleaning Service is the company we used for the last year; their contract is up.

#819 – Painting and Repair in clubhouse, administration and snack area. We were asked to talk about the cracks in the dormers and find out if they are included in the project and the engineer responded these cracks were included in the bid package under crack repair.

#946 – Cross Creek gazebo quotes – quotes to re-electrify the front gazebo were obtained from Borrell Electric in the amount of \$2,517.

#958 – Arbor Greene Cedar Tree Removal at Swimming Pool Fence – recommend replacing it, the cost would be \$7,700. (photos are included in the report)

#979 – Dispose of old golf cart with the blown engine – requesting permission to dispose/trade/barter.

#905 – Cross Creek/Devonshire Beautification Project – The initial cleaning has been performed. A quote from Greenview Landscaping for landscape improvements is enclosed in the GM's report.

#920 – BBQ Grills – The cost for 2 BBQ grills and picnic tables at the common area behind the existing snack shop would be approximately \$3,500.

#978 – Monument Stucco Repair/Painting – a quote from Burkett for \$2,600 is enclosed in the report.

#977 – Front lobby glass replacement – quote from Borter Glass for \$1,921 is enclosed in the report.

Information items:

- Roundabout fountain lights are out and should be fixed on February 28th.
- #556 – tennis court light pole repairs – the project has been delayed. The approved project cost was \$13,500 and there is an \$800 wiring problem; the new designs have no junction box. There will be an additional cost of \$800. Board recommendations are requested.
- #832 – The tree at Devonshire was taken out. The new trees are small but this project is done.
- #980 – US Securities – Mike Stewart was gone and now back with US Securities.
- Sidewalk Update – the first phase is complete – quote received.
- Miami curbs – maintenance
- There are approximately 150 trip hazards remaining. A quote from Precision Sidewalk Safety for not to exceed \$9,750 was received.

i. Expenditure Requests/Policy Matters

This was not discussed.

ii. Questions/Consideration of Recommendations

Mr. Eckhardt asked if the painting and repair of the clubhouse quote, which included repairing the cracks in the dormers, included leveling them? Mr. Farrell responded no. The survey included the purely external and did not include structural assessment. No one has addressed if the dormers are leaning.

The record will reflect Ms. Stewart, District Engineer joined the meeting.

Consensus of the Board was to proceed with the Engineer's Report at this time.

FOURTH ORDER OF BUSINESS

Reports (continued)

B. District Engineer's Report

Ms. Stewart noted a structural engineer or a general contractor could do an assessment regarding the clubhouse dormer repairs. Mr. Tanenbaum asked for a recommendation from

Ms. Stewart on what should be done to proceed with an assessment of the clubhouse. Ms. Stewart responded that she would have Stantec representatives examine the dormers. Consensus of the Board was to modify the project and refer to the project as Clubhouse Renovation; not just repainting.

It was also reported by Ms. Stewart regarding the crosswalks, standard paint does not hold up; thermoplastic will be applied and Ms. Stewart will cover the difference in the cost of the already installed latex paint and the thermoplastic paint as she did not ask the Board which paint they preferred. Regarding the crosswalk triangles, the aerial is not up to date (do not include the triangles). Triangles are not “typical” in crosswalk markings.

The following amounts were discussed: \$4,400 thermostrip, \$1,320, \$800 for triangles, \$6,520 for all crosswalks. Mr. Thomson wants a breakout of costs for each crosswalk. Ms. Stewart will prepare a detailed proposal for the next meeting. Mr. Farrell will order crosswalk signage poles.

Ms. Stewart asked about repair of erosion of pond banks; she will look at options for repair and specifications.

The record will reflect Ms. Stewart left the meeting.

FOURTH ORDER OF BUSINESS

Reports

F. General Manager’s Report

iii. Questions/Consideration of Recommendations (continued)

99062 Fitness Logic contract – Mr. Thomson had questions about what is included in Exhibit B (Maintenance). Mr. Farrell responded this vendor will come in and they include minor/high wear parts to include only cables, tension belts and chains. Mr. Farrell indicated he is very happy with the service this vendor provides.

On MOTION by Mr. Thomson with all in favor the Fitness Logic contract dated February 5, 2013 as presented in the General Manager’s Report was approved.

Mr. Thomson requested adding an item to the next workshop agenda “Logic used on contract terms”.

#946 – Gazebo – re-electrification. Mr. Tanenbaum indicated it needs to be done as it was intended to be electrified.

On MOTION by Mr. Tanenbaum with all in favor the re-electrification project outlined in the General Manager's Report, identified as item #946, to be completed by Borrell Electric at a cost of not to exceed \$2,517 with funds to come from Unassigned Funds with a 10% contingency upon approval of the Chairman was approved.

On MOTION by Mr. Thomson with Mr. Candella, Mr. Tanenbaum, Mr. Thomson and Ms. Nelson voting Aye and Mr. Eckhardt voting Nay authorization for the General Manager to dispose of the 2001 golf cart, the value estimated to be zero, in the best interest of the District was approved.

#958 – Cedar Tree Removal and Replacement at Swimming Pool – The consensus of the Board was to defer this to the 2014 budget.

#905 – Cross Creek Devonshire Beautification Project – this will be included as a workshop agenda item and will be included as an item for discussion when the fiscal year 2014 budget is discussed.

#920 – BBQ Grills – Mr. Thomson indicated he has no interest in moving forward with this item. The consensus of the Board was not to take any further action on this item at this time.

#978 – Monument Repair – Mr. Thomson asked if the quote includes painting of all monuments or only the ones that need to be painted? Which monuments get repaired and what is the scope of work for each one? Mr. Farrell will obtain a scope of work by monument and a quote to repaint all of them. (This item will become old business)

#977 – Lobby Entrance Glass

On MOTION by Mr. Thomson with all in favor replacement of the curved glass above the front entrance door by Border Glass in the amount of not to exceed \$1,921 taking funds from Assigned Reserve Clubhouse was approved.

#556 – Tennis Court Light Pole Repainting – Additional funds needed.

On MOTION by Mr. Thomson with Mr. Thomson, Mr. Candella, Mr. Tanenbaum and Ms. Nelson voting Aye and Mr. Eckhardt voting Nay increasing the project's budgeted amount to \$14,300 from \$13,500 for tennis court light repairs with funds to be taken from Unassigned Funds was approved.

The additional repair cost of \$800 will facilitate future maintenance by staff.

Future tours of the community by the District Manager will be done upon request of the Board.

#945 – Common Telephone – Mr. Thomson requested this be discussed again at the next workshop meeting.

#947 – Vendor proposals from concessionaires – The Board wants to leave this as a general what to do with the gazebo and not so much looking for outside vendors.

#951 – Tree Root Quails Landing – A resident complaint; Mr. Thomson asked why the Board is seeing this complaint and Mr. Farrell explained this item was included only as informational for the Board.

FIFTH ORDER OF BUSINESS

Unfinished Business

A. New Crosswalks – Completion/Issues

B. Cross Creek Gazebo

These items were previously discussed.

C. Staff Assessments

This item will be added to the workshop agenda.

D. Pool Gazebo/Grills

This item was previously discussed.

SIXTH ORDER OF BUSINESS

New Business and Supervisor Requests

A. Public Comments and Requests

Ms. Julie VanAcker, a resident of Whisper Pointe addressed the Board and proposed having a state of the art dog park built at Arbor Greene near the tennis courts. She obtained 130 signatures in support of the dog park. Mr. Thomson asked if other governmental entities have been approached regarding building a dog park? Ms. VanAcker responded no. Mr. Thomson also asked if the petition signers had an idea of the estimated cost of the park? Ms. VanAcker responded no, they were only asked if they would support a local dog park. The estimated cost is \$92,000. Mr. Tanenbaum brought up that Family Fun Day activities would be curtailed by the suggested location of the park.

Ms. Consuelo Lauer of Carriage Homes expressed her opinion in favor of the dog park and noted it brings people together, not just for dogs. It is also great for kids.

Mr. Tanenbaum suggested, for starters, that lower cost options should be researched. Ms. VanAcker suggested that just the fence be considered for approval.

Mr. Scott Paul of Whisper Pointe suggested that the dog park near Burger 21 is a very nice amenity and if Arbor Greene had a similar park, this neighborhood would look different than all the other neighborhoods he sees all the time. A dog park is a unique and special amenity.

Mr. Paul Bouchet of Parkview noted a dog park would be a resolution to a problem. Mr. Thomson and Mr. Tanenbaum suggested that this item be further discussed at the next workshop meeting as it is a large project to be considered.

Ms. Julia Lamb, Concessionaire for T-Bay presented a proposal to provide a snack table at the swimming pool to raise money for T-Bay; a table and cooler on wheels with soda and chips. Mr. Thomson asked about the Arbor Greene vending machines owned by Pepsi; Arbor Greene gets 18%. Ms. Lamb proposed selling the snacks until a decision is made on whether snacks will be sold at the gazebo.

On MOTION by Mr. Eckhardt with all in favor authorization for T-Bay to sell identified items at the swimming pool on a trial basis (water, soda, Gatorade, chips, candy, ice cream sandwiches) during March 9th thru 17th, without paying 10% to the CDD was approved.

Mr. Paul Bouchet addressed the Board regarding a series of Arbor Greene Newsletter articles which he has been asked to sign his name to. Mr. Tanenbaum expressed his opinion that Newsletter articles should be signed if the submitter is not an Arbor Greene staff member. He also indicated the CDD cannot make guarantees about pulling articles or not. Mr. Thomson inquired why there is an article regarding removing personal debt in the Arbor Greene Newsletter since it has nothing to do with Arbor Greene specifically as articles such as Tennis, Neighborhood Watch, the HOA and the CDD do. Mr. Tanenbaum suggested that a motion be made which would clarify any specifics the Board would like to attach to Newsletter publication requirements. Mr. Thomson indicated he will need time to think about it.

B. Supervisor Requests and Motions

Mr. Thomson reiterated he would like to discuss *contracts and concessionaire non-resident fees* at the next workshop meeting. A handout on fiscal year 2014 budget items was

distributed to the Board. Mr. Thomson also reported the sliding glass door for the guard house is beat up. Mr. Farrell noted it is on our list.

Mr. Tanenbaum reported Jeri (office staff and Newsletter Editor) is resigning as of March 8th. This is a part-time position and Mr. Tanenbaum asked if the Board should consider hiring for this position, combine it, or out source the Newsletter. Mr. Eckhardt suggested an alternative method of having an outside person prepare the Newsletter. Consensus of the Board was to have Claudia do the Newsletter for now.

Mr. Thomson revisited the issue of rebidding the OLM, Greenview and Severn Trent contracts. Mr. Tanenbaum expressed his concern about bidding these contracts out and noted he believes it is a waste of time and money unless there is an identifiable concern with the vendor. Mr. Ricciardi noted it is not conceivable to bid out the OLM contract at the same time you bid out landscape services as without OLM you don't have a performance based contract. They are the only landscape consultant company that does a performance based contract. The Board will have to make the decision if you are interested in testing the market for landscapers and if so you could acknowledge that OLM brings a lot to the table in terms of a performance based contract by ensuring you get value out of your contractor and keep OLM or move away from a performance based contract, bid out the contract with specifications you have without a performance contract and maybe hire a consultant to do inspections. Mr. Thomson recommended deferring this issue to a future date.

Mr. Tanenbaum indicated regarding street parking and towing, District Counsel will need to be involved and consulted on starting the process; does the Board support this approach? Consensus of the Board was that it is okay to ask District Counsel to look into this and bring something back to the Board on this issue for further discussion.

C. Announcements

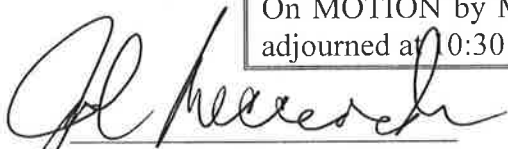
There not being any, the next item followed.

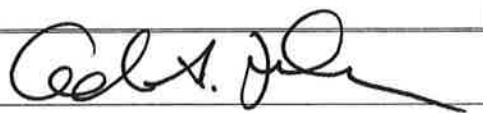
SEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Thomson with all in favor the meeting was adjourned at 10:30 P.M.


John Ricciardi
Secretary


Adam S. Tanenbaum
Chairman