

**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, January 22, 2007 at 6:30 p.m. in the Gathering Room of the Arbor Greene Recreation Center, 18000 Arbor Greene Drive, Tampa, Florida.

Present and constituting a quorum were:

John Brickley	Chairman
Christine Nelson	Co-Vice Chairperson
T. Dorsey Yawn	Assistant Secretary
Michael Lozicki	Assistant Secretary

Also present were:

Robert Fernandez	District Manager
Mark Straley	Straley Robin & Williams
Harve Turner	General Manager
Heather Jaxheimer	Lennar Homes
Chris Raia	Lennar Homes
Jianmin Li	Blue Shark Swim Team
Wei Xue	Blue Shark Swim Team
Steve Corcoran	Resident
Mallory Gerstein	Resident
Steve Gerstein	Resident
Philip Youngs	Resident

The following is a summary of the minutes and actions taken at the January 22, 2007 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Brickley called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the December 18, 2006 Meeting

Mr. Brickley stated each Board member received a copy of the minutes of the December 18, 2006 meeting and requested any additions, corrections or deletions.

- *Mr. Corcoran* should replace *Mr. Porkering* throughout the document.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor the minutes of the December 18, 2006 meeting were approved as amended.

NINTH ORDER OF BUSINESS

Audience Comments

- Mr. Raia from Lennar Homes presented an overview of the 159-unit townhomes they are building:
 - The project is comprised of three-story townhomes from 2,400 to more than 2,900 square feet.
 - Each unit will have four bedrooms and three baths.
 - The units will have two-car and 1½ car garages.
 - Buildings with two or three units will have elevators in each unit and buildings with four or five units will just have stairs.
- Lennar is requesting permission to put up advertising signage visible from Cross Creek.
- They are requesting either a 4 x 8 or 4 x 6 sign which will be double-sided.
- They are requesting permission to install it near the fixed cement Arbor Greene sign in front which is similar to what they have at Heritage Isles.
- They would like to keep the signage up for as long as it may take to sell all units, or no longer than 18 months.
- Mr. Brickley believes the location may be in the city’s right-of-way requiring their approval.
- The District has accepted the larger sign as long as it is on their right-of-way and not city’s.
- Ms. Jaxheimer will further elaborate on the signage when she arrives.

THIRD ORDER OF BUSINESS

Approval of the November 30 and December 31, 2006 Financial Statements

- The November and December financial statements were discussed at the January 18th Budget Workshop.
- Mr. Brickley, Mr. Lozicki, Mr. Yawn and Mr. Turner attended.
- Income was at 3.7% and expenses were at 12.9% of budget in November.

- Since the rental cost for pool furniture was paid off expenditures increased.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the November 30, 2006 financial statements were approved.

- \$1.2 million was received from the city in December.
- Arbor Greene income is currently at 84.6% of budget and expenditures are at 24.7%.
- On Page 11 under *Holiday Lighting*, the current month and year-to-date figure is at \$4,493 with no budget, and on Page 14 under *Other Current Charges, Holiday Lighting* is budgeted at \$15,000 for the year.
 - Mr. Brickley recommends deleting the four instances of \$4,493 on Page 11.
 - On Page 14 the year-to-date actual figure for *Holiday Lighting* should reflect \$4,493 against the budgeted figure of \$15,000.
- Mr. Yawn recommends a Shinn & Co. staff member attend a budget workshop as soon as they are more familiar with the District.
- Ms. Nelson recommends all pages of the financial statements be consistently in portrait or landscape format.
- Ms. Nelson recommends the Village Assessment breakdown be included in future financial statements.
- On Page 43, the *Debt Service 2006 Series Fund* shows a year-to-date figure of \$176,342, but in November it was at \$2,816.
 - Mr. Fernandez and Ms. Randel will check on this.
- On Page 45 under *Expenditures in Administrative Expenses/Professional Services*, the current monthly figure is at \$16,835, and the year-to-date actual is \$17,049, but the adopted budget is at \$9,605, which should be \$19,210.

On MOTION by Mr. Lozicki seconded by Mr. Yawn with all in favor the December 31, 2006 financial statements were approved as amended.

NINTH ORDER OF BUSINESS

Audience Comments (Continued)

- Ms. Xue and Mr. Li from the Blue Shark Swim Team presented a proposal to rent one lane of the community swimming pool to teach children to swim and improve their skills.
- Arbor Greene already has a contract with a teacher who has been giving swimming lessons for three years and is a resident.
- Wharton High School also uses the pool four days per week.
- The Board recommended they speak further to Mr. Turner and the current swim teacher to determine whether or not they need assistance.

FOURTH ORDER OF BUSINESS

District Manager's Report

- Mr. Fernandez discussed the use of Cypress Mulch in the play area.
- Even though Arbor Greene is part of the Hunter's Green DRI, there are no special mulch requirements from the Florida Quality of Development Designation.
- In the Estuary their review criteria addresses the mulch which may be enforced by the HOA Design Review Committee.
- It has been clearly established the CDD is authorized to name some standards to CDD property as long as it is not inconsistent with the developer and owner.
- Mr. Straley is not certain whether or not CDD property is subject to deed restrictions.
- All general landscaping with the exception of the playgrounds has pine bark mulch, which is in conformance to Arbor Greene deed restrictions.
- There are no CDDs with pine bark mulch on their playgrounds.
- Mr. Brickley will be happy to attend the next HOA meeting and explain the rationale.

NINTH ORDER OF BUSINESS

Audience Comments (Continued)

The signage presentation continued with the arrival of Ms. Jaxheimer.

- As a result of the widening of Cross Creek and establishment and construction of a sidewalk, this area is considered city property, but the property inside the sidewalk is Arbor Greene property.

- Since the Board does not want their sign to block the monument sign, it may be put up on the other side of the driveway.
- Mr. Turner will work with Ms. Jaxheimer and Mr. Raia to find the appropriate location.
- Only one sign will be put up.
- The Board wants to get notification as to where the sign is going to be put up.
- According to Mr. Turner, the 10' area from the sidewalk toward Arbor Greene is city property, and no signs can be put there. The sign must be 10' to 12' away from the sidewalk making it safer as far as obstructing vision from any cars or children.

FIFTH ORDER OF BUSINESS

Attorney's Report – Discussion of Facility Use Policies

- Since the draft agreement is strictly a resident rental policy, a similar one for non-residents also needs to be done.
- The facility was built with tax exempt bonds which can only be issued for construction of what the IRS deems to be public facilities.
- Arbor Greene is not obligated to advertise that a non-resident may rent the facility.
- Non-residents may be charged a higher rate to rent the facility.
- The Board asked Mr. Fernandez to perform a survey of what other comparable CDD clubhouses charge in order to determine the appropriate rental rate.
- Once a rate structure is established, a public hearing must be scheduled.
- The Board will review the current document, send comments to Mr. Fernandez who will pass them on to Mr. Straley.
- A draft with all comments will be discussed at the next meeting.

Mr. Straley discussed the promissory note issue and his meeting with Mr. Addison.

Mr. Straley discussed the release form which was sent to both Mr. Turner and Mr. Straley.

- The purpose of this release is to cover potential property damage when school buses enter and exit.

- The Board recommended deleting *private* and replacing it with *CDD-owned*; and anything referring to the *property owner* should be replaced with *Chairman of the Board of Supervisors of the Arbor Greene Community Development District*.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor the Chairman was authorized to execute the Release from the Hillsborough County School District to cover property damage when school buses enter and exit the District as amended.

SIXTH ORDER OF BUSINESS

Engineer's Report

There not being any, the next item followed.

SEVENTH ORDER OF BUSINESS

General Manager's Report – Discussion of SWFWMD Report

Mr. Brickley and Mr. Turner discussed the General Manager's Report, a copy of which is attached.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor action taken by the Chairman to replace the broken gate system with a new system in the amount of \$3,100 was ratified.

The Board discussed purchasing additional fitness equipment.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor consideration of purchasing an abdominal machine was tabled.

A routine inspection report is done by SWFWMD. This was done through PSI, but no report has been received.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

- Mr. Yawn discussed the boardwalk going out to the deck.
 - At times the gate has been locked.
 - Mr. Yawn recommended putting steps along with an opening on the side facing the street in order to provide access from the road or parking lot.
 - The approximate cost to install steps is \$500 plus materials.

- The Board agreed to pursue this, and no motion is required since it is within Mr. Turner's authority.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the meeting was adjourned.

Robert Fernandez
Assistant Secretary

John P. Brickley
Chairman

AGENDA ITEMS FROM MEETING

- Bob Fernandez/Helena Randel to check Page 43 of the December 2006 financial statements under Debt Service 2006 Series Fund. Year-to-date figure is at \$176,342. The same figure in November showed \$2,816. (See Page 3)
- Bob Fernandez to do a survey of other comparable CDD clubhouses in order to determine an appropriate rental rate for this facility. (See Page 6)

ISSUES FOR NEXT MEETING

- Discussion of Draft Facility Use Policies for Residents and Non-Residents. Board members to review current draft policy and individually send comments to Bob Fernandez who will pass them on to Mark Straley. New Draft Policy for both residents and non-residents to be presented at the next meeting, along with discussion of a public hearing to set rates. (See Page 6)
- Discussion of Promissory Note Issue.