

**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 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 Tanenbaum	Chairman
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

4 Residents

The following is a summary of the minutes and actions taken at the January 21, 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. Thomson requested adding a Sales Tax item under Supervisors Requests and Motions.

The consensus of the Board was to approve the agenda as amended.

SECOND ORDER OF BUSINESS

Review and Approval of the Minutes of the December 17, 2012 Regular Board Meeting

Each Board member received a copy of the minutes of the December 17, 2012 meeting and any additions, corrections or deletions were requested.

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

On MOTION by Mr. Thomson with all in favor the minutes of the December 17, 2012 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Approval of the December 2012 Financial Statements

Mr. Tanenbaum reported on the January 17, 2013 workshop meeting noting the following:

- The financial statements were reviewed.
- The first round of tax assessments came in; over \$1 Million. This puts us at 86.21% of budgeted revenue.
- Expenditures are at 25.94% of what was budgeted.

The workshop Board members recommended approval of the December financials.

On MOTION by Mr. Candella with all in favor the December 2012 financial statements were approved.

FOURTH ORDER OF BUSINESS

Reports

A. Chairman's Report

Mr. Tanenbaum recognized Mr. John Brickley and Mr. Dorsey Yawn, former members of the Board of Supervisors.

Mr. Brickley presented a certificate to Mr. Dorsey Yawn for his service to the Board and the community.

Mr. Tanenbaum noted he will discuss his report subsequent to the Engineer's Report.

B. District Engineer's Report

Ms. Stewart reported the ADA pool lifts have arrived and will be installed before January 31st.

Three crosswalk proposals were received; the lowest is \$7,200. This information has been forwarded to the General Manager for coordination and follow up.

Regarding accessibility to the pool, a pool contractor looked at the area for possible options. Due to the number of doors with access to the pool, the only way to make it child-proof is to put up fencing. The cost would be \$23 to \$25 per lineal foot and there is approximately 100 feet for an approximate cost of \$2,500 for the fence. There would be another \$500 to \$600 for a gate and in order for it to be ADA compliant and child-proof there would have to be a card reader on the gate. The cost of a card reader would be \$1,500 to \$2,000.

Ms. Stewart will work with Mr. Farrell in researching other options for making the project ADA compliant.

Mr. Eckhardt expressed his opinion that another fence around the pool is not needed.

Mr. Tanenbaum asked if there was anything that can be done from inside the clubhouse to make access to the pool more child safe.

Ms. Stewart suggested possibly restricting the number of doors, which allow access to the pool. A building authority would need to be engaged for a discussion on how many doors are technically required.

Mr. Tanenbaum requested to have staff look at the doors to restrict usage to one or two doors and at a minimum look at the doorknob that is currently in the down position.

The record will reflect Ms. Stewart left the meeting.

A. Chairman's Report (continued)

Mr. Tanenbaum introduced Mr. Sean Kiehl, President of the Arbor Greene HOA and Mr. Stuart Marofsky, President of the Devonshire HOA. Mr. Kiehl was invited to attend the meeting to discuss the declining conditions out in the villages noticed by Mr. Tanenbaum.

Mr. Tanenbaum noted he is interested in seeing the Board cooperate more with the HOA and interested in changing the culture and viewpoint on how the CDD works with the HOA.

A handout from the Amendment to the Amended and Restated Declaration of Covenants, Condition and Restrictions for Arbor Greene of New Tampa Homeowner's Association, Inc., was distributed by Mr. Tanenbaum and discussed.

The following was noted:

- The verge area is owned by the CDD. The covenants require homeowner's take care of those areas.

Sample photos of areas in the community were also handed out by Mr. Tanenbaum.

- The upkeep of some of the trees, gutters, and mailboxes, especially if they are wooden mailboxes, are a huge problem.
- We should work together because if we don't do anything about it to get ahead of the curve, it is already long past where something should be done.

Mr. Kiehl gave the status of the HOA fees and efforts to enforce covenants.

The following was noted:

- The HOA is pursuing abatements.
- The management fees are 67% of the budget.
- The HOA would like to work with the CDD.
- The cost of installing a mailbox is \$350.
- The HOA would like residents to replace the mailboxes with cast aluminum.
- The cost of tree trimming is \$50 per tree.

Mr. Tanenbaum pointed out the lack of inconsistency in the trees and mailboxes. He indicated he doesn't think residents would care who is doing the upkeep, either the CDD or the HOA, or where the source of the money comes from to get the work done; they just want to see it done.

Mr. Tanenbaum shared his idea to see if there is a way to coordinate using the CDD resources financially, with the HOA's mission of enforcing the covenants and dealing with the violation side. The HOA could designate/delegate the responsibility to the CDD for trimming the trees and replacing the mailboxes and doing some sort of charge back to the HOA and then the HOA goes back and recovers from the homeowner and when they do, we get the money back. We have the ability to collect better than the HOA because of our assessments and power of a tax lien.

Mr. Eckhardt asked what the HOA is doing about foreclosures.

Mr. Kiehl responded we can only do things in the front yards and cannot do anything with the structure itself.

Mr. Tanenbaum asked for Board opinion on pursuing these issues such as mailbox repair/replacement, tree trimming etc. with the HOA and Mr. Kiehl.

Mr. Thomson indicated he has no interest.

Mr. Candella indicated he would be willing to review proposals if/when they are put together.

Mr. Eckhardt indicated he would like to see the CDD get involved with the HOA and try to make it look better.

Mr. Tanenbaum indicated he will continue to pursue this with the HOA.

C. District Counsel's Report

There not being any report, the next item followed.

D. District Manager's Report

Mr. Ricciardi reminded the Board they took action last month to suspend the Rules of Procedure approved in May 2000. District Counsel wanted the Board to know he would advise them not to suspend them, but rather to work toward revising them.

It was also noted Mr. Ricciardi and Mr. Farrell met to review the current contract procedures; minor changes were recommended. A draft of the Contract Management Procedures, Revised 1/21/2013 was handed out to the Board, which included the recommended changes.

On MOTION by Mr. Thomson with all in favor the revised, updated Contract Management Procedures, revised 1/21/13 were approved.

A copy of the drafted Contract Management Procedures is attached hereto for the public record.

Mr. Ricciardi also reported the following:

- The OLM inspection report was forwarded to the Board.
- Correspondence was received from the Florida Department of Environmental Protection indicating they accepted the recent NOI submission. This was for the NPDES Permit the District has. The renewed permit coverage is effective April 1,

2013 and will expire on March 31, 2018. The first annual report (Year 2) is due by September 30, 2015.

- We were notified that the audit of the Workmen's Compensation insurance premium done last year found we will receive a credit of \$236.
- Regarding the Board's question on how does the Board take action to utilize Reserve/Assigned Funds in terms of a budget line item, basically you make a motion at a regular meeting to utilize X amount of dollars from the Reserve (whatever fund it is) and utilize those funds for such and such. You can move funds into General Funds, Unassigned, but you still have to do it by a passing motion.

The fiscal year 2014 budget process was briefly discussed. The Board requested that drafts of the budget show three past years.

Mr. Thomson noted he previously asked Mr. Ricciardi how much it would cost to have minutes of the workshop meetings transcribed. He recommended the District contract with Severn Trent to transcribe the monthly workshop meetings at a cost of \$250 per meeting for the remainder of the fiscal year 2013 workshop meetings. Also, this item should be included in the budget for fiscal year 2014.

On MOTION by Mr. Thomson with all in favor authorization to contract with Severn Trent Services for the transcription of the District's monthly, workshop meetings at a cost of \$250 per meeting for the remainder of fiscal year 2013 was approved.

- i. Questions**
- ii. Consideration of Recommendations**
There not being any, the next item followed.

E. Special Reports

i. Clubhouse Appearance

Mr. Eckhardt noted he would like to start working on getting estimates and or input from the residents. He would like to go to different communities to find out what company they are using to set up their clubhouses.

ii. Web/Social Media

Mr. Candella reported he is working on it.

F. General Manager's Report

i. Vendor/Concessionaire Contract Review/Amendments/Approval

The USSA contract was finalized.

New this month is Borrell and TAW. Borrell will hold the rates.

Both contracts were recommended for approval.

Item #859 - Action on the Phenomenal Fitness contract was not recommended.

#865 – Travertine Floor Quotes – The vendor recommended by Mr. Eckhardt was significantly lower than the other bidders. This vendor was recommended by Mr. Farrell.

#859 – Fitness Equipment Maintenance Vendor – All bidders quoted on a quarterly contract. Fitness Logic was recommended by Mr. Farrell.

#819 – Painting and Repairing – Karins Engineering Group, Inc. provided a Project Manual that can be given to bidders for bidding purposes.

Mr. Farrell received a resident request to reinstall barbeque grills for the parks. A price quote for the standard grill previously used is \$160 plus shipping.

Other items in the General Manager's Report are informational in nature.

The pool lifts arrived today and scheduled to be installed tomorrow.

There are now 6 tennis court lights out and Borrell is scheduled to come out Wednesday.

It was also reported in December the Board was provided with an advance copy of the tennis contract for Alan Williams that expires April 30th. It was a three year contract. Alan requests no changes.

ii. Expenditure Requests/Policy Matters

There were none.

iii. Questions

Mr. Thomson asked when the barbeques were removed.

They were probably removed in 2009 or 2010.

Were all the old ones disposed of?

Yes.

iv. Consideration of Recommendations

Mr. Eckhardt suggested looking into putting grills in the Community Center plaza area in lieu of the community parks.

The consensus of the Board was to have Mr. Farrell explore and report back to the Board with barbeque grill options, 2 or more, to consider.

On MOTION by Mr. Thomson with all in favor the renewal contracts, with no changes, with Borrell Electric and TAW were approved.

Tennis Contract – Mr. Farrell is looking for direction from the Board on what changes they want made.

Mr. Thomson indicated he does not think the District needs to sponsor the USTA Tournaments and needs to have someone who will give private lessons on one court or two for the duration of the lesson. Also, take out the exclusive use of the snack shop.

Charging tennis fees for non-residents was discussed.

Mr. Farrell noted the USTA event does tie up the facility and has little direct benefit to residents, but it is good for the community.

A discussion ensued regarding leasing out the snack bar to an outside company and/or operating the snack bar by the District itself.

Regarding the contract with Mr. Alan Williams, the contract will state storage space will be made available, not necessarily storage space in the snack bar.

Consensus of the Board was not to solicit a new tennis instructor yet.

Travertine Floors – Mr. Farrell recommended Son Bright Systems, Inc.

On MOTION by Mr. Thomson with all in favor the proposal from Son Bright Systems, Inc. for floor cleaning as outlined in the General Manager's Report, in the amount of not to exceed \$1,550 was accepted.

Fitness Equipment Maintenance Vendor – Mr. Eckhardt asked if staff cleans the equipment and Mr. Farrell responded staff cleans the equipment daily.

Mr. Thomson suggested monthly maintenance instead of quarterly and Mr. Farrell will get a contract for/with Fitness Logic.

On MOTION by Mr. Thomson with all in favor authorization for Mr. Farrell to develop a contract with Fitness Logic as the fitness equipment maintenance vendor with monthly maintenance service was approved.

Clubhouse Painting and Repair Report – Mr. Thomson asked if the dormers are included in this repair project. The dormer is leaning and if it is not included in the project, why not?

Mr. Farrell will ask the District Engineer to investigate.

Mr. Farrell will also contact Chris Clayton, recommended by Mr. Eckhardt, to look at the dormers.

The clubhouse painting and repair issue (item #819) will be added to the next agenda under Old Business.

It was noted there is no interest by the Board to pursue the purchase of sidewalk grinding equipment. Mr. Farrell will get additional quotes for sidewalk grinding on a more fixed price basis. The following will be added to the next workshop agenda: Update on sidewalk grinding costs, needs and fixed price contract options.

FIFTH ORDER OF BUSINESS

Unfinished Business

A. Resolution 2010-1

Previously, at the request of the HOA, the Board adopted this resolution to authorize the HOA to engage in towing vehicles pursuant to the covenants regarding overnight street parking. The HOA has since indicated they are no longer interested in pursuing this.

On MOTION by Mr. Tanenbaum with all in favor Resolution 2010-1 was terminated.

Mr. Tanenbaum reported Mr. Farrell, Mr. Ricciardi and Ms. Lynn Jackson of Severn Trent will tour the grounds of Arbor Greene to identify areas needing attention by the CDD.

B. Website Renovation – Vendor Solicitation Process

Mr. Farrell will reach out and get more information and will contact Nate Clawson.

C. Resort Pool Safety Upgrade

This item was previously discussed and tabled at this time.

SIXTH ORDER OF BUSINESS

New Business and Supervisor Requests

A. Public Comments and Requests

Mr. Marofsky of Devonshire asked if the CDD will pay for trimming of the verge trees.

The CDD Board has no objection for Devonshire to proceed with tree trimming.

Mr. Jack Carman of Heather Sound asked who cleans the trash out of the ponds.

Mr. Farrell responded two groups; one group gets to every pond at least once per month. Pond maintenance aims to do half of the ponds per week. The number of trash bags picked up per week is reported to Mr. Farrell.

Mr. Carmen also asked what is the mechanism to get a copy of the deed restrictions and covenants.

Mr. Eckhardt responded a copy should be distributed from the realtor right after signing your contract.

Mr. Tanenbaum reported the documents can be found on the ArborGreene.org website.

B. Supervisors Requests and Motions

i. Mr. Thomson – Staff Appraisal

Mr. Thomson suggested a more formal approach to evaluating the General Manager and recommended the same for the Maintenance Manager, Clubhouse Manager and Administrative Manager.

A sample Employee Performance Appraisal and Planning document provided by Mr. Ricciardi was distributed to the Board for consideration.

Mr. Tanenbaum asked to see the existing list of duties for all employees.

The existing list of duties for all employees will be reviewed and discussed at the next workshop meeting under “Staff Appraisals”.

The Board was reminded that consideration of the budgeted salary increase for the General Manager will be due in February.

Mr. Thomson noted the sales tax issue was discussed at the last workshop meeting.

<p>On MOTION by Mr. Thomson with all in favor effective March 1, 2013 the CDD will collect 7% sales tax on top of the following fees: Newsletter ads, T-Bay Swimming Fees, Non-Resident Club Membership and Tennis League Fees was approved.</p>
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The telephone bill was discussed at the last workshop meeting. The Board questioned what costs are included in the common telephone bill?

Mr. Farrell responded the Verizon Mobile – Gary Maintenance and all calls from the clubhouse. Additional information will be provided at the next workshop meeting: “Clubhouse Telephone Costs”.

Another question discussed at the last workshop meeting was: when is the next tennis non-resident membership due?

Answer, April 27, 2013.

ii. Mr. Tanenbaum – Fountain Hours; Cross Creek Gazebo; Snack Bar

The email correspondence between Mr. Miccolis and Mr. Tanenbaum was mentioned.

Mr. Tanenbaum asked the Board if there is any interest in expanding the fountain hours.

The fountain history was briefly explained for the benefit of the new Supervisors.

Cross Creek Gazebo – Electricity lines at the gazebo were destroyed by road work. Mr. Tanenbaum would like electricity reestablished as an aesthetic and safety issue. The consensus of the Board was for Mr. Farrell to get quotes to reestablish electricity to the gazebo.

Regarding the snack bar, Mr. Farrell will get more proposals for snack bar operations.

Mr. Eckhardt indicated he is interested in getting more information on getting a vendor in there, such as the people at Back Nine or Arbor Creek or Saddlebrook to see if anyone is interested in leasing out a portion of that space during the summer months.

Regarding the approved sidewalk cleaning at Arbor Greene Drive, Mr. Tanenbaum reported it looks great and is interested in the cost for doing the other two arteries of Arbor Green, Arbor Creek and Arbor Wind. Mr. Thomson noted he was going to propose to the Board for 2014 to do that and the parks and sidewalks fronting and common areas on a regular basis.

Mr. Tanenbaum addressed the request received from Mr. Baxter regarding a portable bar code. It was noted there is a temporary gate pass available for residents, which quickens the entry process for those vehicles without a bar code. Mr. Thomson does not approve of a portable bar code. Mr. Eckhardt thinks the portable bar code should be granted as Mr. Baxter is a tax payer and a resident of the community.

Mr. Eckhardt MOVED to approve one portable bar code for Mr. & Mrs. Baxter as per their request as they do not own a vehicle, but utilize different rental cars.

On VOICE Vote with Mr. Eckhardt voting Aye and Mr. Thomson, Mr. Candella and Mr. Tanenbaum voting Nay the motion failed.

Mr. Tanenbaum will notify Mr. and Mrs. Baxter of the Board's vote.

Mr. Farrell reported the extra guard used during the holiday was effective and asked the Board if they approve of the same guard coverage for the Super Bowl from 3 P.M. to 7 P.M.

The consensus of the Board was to approve of the extra guard hours.

Mr. Thomson reported the Cross Creek frontage vegetation needs to be cleaned out as well as monument cleaning. This item should be included on the next workshop meeting agenda: Cross Creek Frontage Area Beautification.

C. Announcements

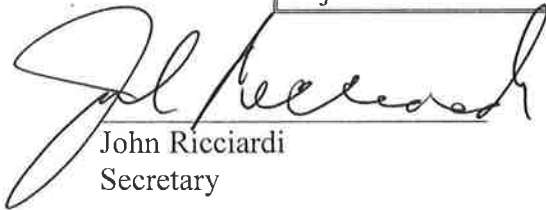
There not being any, the next item followed.

SEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Thomson with all in favor the meeting was adjourned.



John Ricciardi
Secretary



Adam S. Tanenbaum
Chairman