

**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, June 22, 2009 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 P. Brickley	Chairman
Christine Nelson	Co-Vice Chairperson
Michael Lozicki	Co-Vice Chairperson
T. Dorsey Yawn	Assistant Secretary
Adam S. Tanenbaum	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Dave Bartelt	District Engineer
Armando Cabre	Florida Engineering & Environmental Serv.
Harve Turner	General Manager

*The following is a summary of the minutes and actions taken at the June 22, 2009 Arbor Greene Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the May 25, 2009 Meeting**

Mr. Brickley stated each Board member received a copy of the minutes of the May 25, 2009 meeting and requested any additions, corrections or deletions.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the minutes of the May 25, 2009 meeting were approved.
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**THIRD ORDER OF BUSINESS**

**Approval of the May 31, 2009 Financial Statements**

Mr. Brickley reported on the June 18, 2009 Budget Workshop.

The May 31, 2009 financial statements were reviewed noting the following:

- As of May 31, 2009 we were at 95.85% of revenue, expenses at 60.81% and the assessment income at that point was 97.09%. This puts us in fair shape through eight months of the fiscal year.
- A few line item issues were looked at but beyond that the workshop members made a recommendation to the Board to approve the May 31, 2009 financial statements.
- The 2010 budget was reviewed and there were not many changes made. As we are getting closer to a final revision, we are looking at potentially a 2 to 3% increase in the overall assessment, which would range anywhere from \$2.50 to \$8.00 per month, depending on the particular community. The Retreat assessment was revised down dramatically because this year they were paying for a number of gate requirements that occurred in 2008. We also included a miscellaneous contingency TRIM line item of \$34,000, which was approximately 2% of the overall budget. This is something we will continue to look at in terms of potential needs or surprises that come up over the next few months. We can always drop that out if we need to, or right now it is the only flexibility we have in that budget for fiscal year 2010.

Mr. Ricciardi reported, on the assessment trends, as of June 8<sup>th</sup> we are now up to 98% as compared to 97% last year.

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

Mr. Ricciardi asked the Board which table they would like to send out to the residents regarding the Retreat assessments.

Board consensus was to send out the most current table to residents.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor based on the Chairman's comments as noted above regarding the budget workshop meeting the financial statements as of May 31, 2009 were approved.

*The record will reflect Ms. Nelson joined the meeting.*

**FOURTH ORDER OF BUSINESS**

**Engineer's Report**

**A. Speed Limits in Villages**

Mr. Bartelt reported the speed limit signage and problems with speeding needs to be coordinated with the City of Tampa. They have jurisdiction over speed limit signage and traffic calming; the person to contact there is Mr. William Horton and his contact information will be given to Mr. Turner. The City has traffic calming guidelines, but they do not provide for speed bumps or tables on any roadway and not on any two lane road.

If contacted, they will come out to assess the speeding problem and provide recommendations. By statute the City cannot have a speed limit sign indicating less than 25 mph. The City needs to be involved in the type, size and placement of the signs.

The City maintains that if you install speed tables, it affects other areas because drivers will go to other areas to avoid the speed tables. In the case of the villages this may not be germane; there may only be one way in and out.

Mr. Turner and the Board noted a contradiction between the information reported by Mr. Bartelt and the information previously gathered regarding whether or not the City of Tampa would have to be consulted or involved in any traffic calming decision made by and within the District. It was suggested that Mr. Ricciardi and Mr. Bartelt contact the City to find out if the District has the legal authority to change the speed limits within the Arbor Greene CDD and whatever the answer is, should be backed up by a citation or an ordinance. Mr. Brickley recommended that this issue be brought back to the next meeting for further discussion.

**B. Stormwater Drainage System Maintenance**

Mr. Bartelt reported for the last few months, since the water level in the ponds came down, erosion problems have been popping up and they have been inspected. Erosion problems have been noticed in between residential lots. Some of the worst erosion problems occurred because the ponds were not built properly with ample slope. The best method is to fix the erosion, compact the dirt and sod immediately. It was reported that SWFWMD permits require

the ponds to be maintained with a 4-1 slope for safety reasons. The priority is to fix the storm drains.

Mr. Turner reported almost \$35,000 has been spent on repairing the inlet drains along the easements. Another request for almost \$14,000 for repairing five more inlet drains is included in your agenda package today; some of them are pretty serious.

*The record will reflect Mr. Bartelt left the meeting.*

**FIFTH ORDER OF BUSINESS**

**Guest Speaker-Michael Mitcham,  
Criminal Intelligence Bureau Detective,  
TPD**

Mr. Brickley introduced Detective Jeanette Hevel and Criminal Investigator Mike Mitcham from the City of Tampa Police Department.

Investigator Mitcham reported we are in the construction fraud unit. The unit was formed because people in the City of Tampa were being ripped off for millions of dollars. A brochure explaining the program was handed out to the Board. Mr. Brickley explained this information would be posted in the Newsletter.

The program was explained by Investigator Mitcham and he requested that the CDD let residents know that this team exists.

*The record will reflect the guest speakers left the meeting.*

Board consensus was to inform the residents by including the information presented by the detective and investigator in the community Newsletter and the District website.

Mr. Tanenbaum expressed his disagreement with including guest speakers such as these on the CDD meeting agenda.

Mr. Brickley asked the Board to allow another guest speaker, Mr. John Stack of Architectural Fountains to address the Board regarding a potential replacement for the existing fountain.

Mr. Stack reported that he does not think the current fountain is worth fixing. He proposed installing a "display aerator"; it is a fountain but also an aerator with a 7.5 horsepower motor with less water pumping per minute. The existing lights and light cables will not be replaced because they are currently okay. Only 4 lights will be used for the fountain; the 8 lights can be put in storage. There will be a 5 year warranty on all parts, except the light bulbs and

light lenses and a 90 day warranty on labor; which is \$75 per hour. A service contract will cost \$125 per quarter for cleaning and maintenance and replacing light bulbs.

**SIXTH ORDER OF BUSINESS**

**District Manager's Report**

Mr. Ricciardi reported on items not included on the agenda as follows:

- The Board was reminded to fill out and return to the Hillsborough County Supervisor of Elections office the Form 1, Statement of Financial Interests that was mailed to them directly from the SOE. The deadline for receipt of the Form 1 by the SOE is July 1, 2009.
- A stack of permit inspection requests were received from SWFWMD. The requests were incorrectly mailed to 601 Bayshore Boulevard, which is Mr. Funk. Together with the District Engineer, Mr. Ricciardi will work to get the address changed to Severn Trent's address in order to receive the inspection requests in a timelier manner. Two of the permits are still in the name of Arbor Greene HOA and the District Engineer will inquire whether the permits are actually the CDD's and if so he will work to get them transferred to the CDD.

**A. Questions and Comments on the Proposed Fiscal Year 2010 Budget**

Mr. Ricciardi reported the updated fiscal year 2010 budget numbers will be available for the July budget workshop meeting. If there are any last minute tweaks they can be worked out at that workshop meeting. Mr. Ricciardi will try to attend the meeting.

**B. Discussion of Consideration of Charging 4% Of Gross Revenue Above \$7,000 for All Concessionaires**

Mr. Ricciardi opened up this item for discussion.

Mr. Tanenbaum noted he wants to make sure the District gets their cut, as some people are getting free use of the District facilities and making a fair amount of money off of it. The use causes wear and tear of the facilities and the people of Arbor Greene are paying for the maintenance for the benefit of a few.

Mr. Brickley noted in connection with this issue, in front of you there is an issue on the tennis teams, the organization and the program here, which is recommending a fee to non-residents who play here on the Arbor Greene teams. The request is for a fall season and a spring season.

Ms. Nelson expressed her approval of charging a fee to non-residents who play tennis on the tennis team at Arbor Greene.

Mr. Lozicki was in favor of trying the method of charging non-residents a reasonable fee.

Mr. Tanenbaum MOVED to charge non-residents who play tennis on the Arbor Greene tennis team \$45 per session and also charge the tennis program 4% of the gross revenue over \$7,000 that is received from the tennis team proceeds. There being no second to the motion, the motion failed.

On MOTION by Mr. Lozicki seconded by Ms. Nelson with all in favor establishing a fee of \$45 per session for non-residents playing on the Arbor Greene tennis team was approved.

Mr. Tanenbaum MOVED to assess a 4% of gross revenue above \$7,000 for all concessionaires and Mr. Yawn seconded the motion.

Mr. Yawn asked Mr. Turner if there are any figures at this point showing what those revenues might look like?

Mr. Brickley and Mr. Turner responded it is in that summary.

Mr. Lozicki reminded the Board that a similar discussion occurred a few years ago and it was decided that since the tennis team and Allan were considered an asset to the community that the District would prefer supporting him rather than charging him.

Mr. Brickley noted if Allan were to leave for any purpose and the District tried to bring in another tennis professional to run the program, the new tennis professional would have to be paid and it would cost more than \$4,600; the amount that could be received as a result of this action.

Mr. Ricciardi noted it has been his experience with other Districts for these kinds of concessionaires, a fee is usually charged. It is usually a flat fee rather than a head count or gross revenue. Most CDD's charge a flat fee to these higher concessionaires such as SwimKids or Tennis. The smaller concessionaires would probably not be charged a fee, as participation is encouraged.

The discussion on whether or not to charge a fee to concessionaires continued with the Board recommending that the issue be tabled.

**SEVENTH ORDER OF BUSINESS**

**General Manager's Report**

The following items listed in the report were discussed:

- Priority Pond Inlet Repairs

The information listed on page 2 of 3 of the General Manager's Report dated 6/22/09 regarding priority pond inlet repairs was referred to. A copy of this page, along with the complete General Manager's Report is attached hereto and made part of the public record.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor stormwater structure repairs as identified on the page titled Priority Pond Inlet Repairs of the General Manager's report, in the amount of \$13,650 was approved.

- Community Center Building Termite Treatment – Three termite treatment quotes are included in the enclosures provided in the General Manager's report. This item was deferred to the next budget workshop meeting.
- Holiday Lights – The current contract expires in August, 2009.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the recommendation made by Mr. Turner to contract with Trimmers Holiday Décor, as indicated in the General Manager's Report on page 3, for holiday decorations at a cost of \$9,750 per year with a one year contract was approved.

Mr. Turner verified that the storage issue is included in the Trimmers Holiday Décor contract.

- Sidewalk Repairs – Mr. Turner indicated he thinks the District can get by with repair costs of \$17,000 to \$20,000 next year. The contractor can be instructed to replace only half of the slab. This item will be discussed at the July workshop meeting.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Requests**

Ms. Nelson asked the Board to consider having a page on the website for classified ads.

Mr. Yawn reported there are depressed pavers at the guard house exit. Mr. Turner will get an estimate for repairing the pavers.

The issue of the fountain was revisited and discussed.


On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the purchase of a new front entrance fountain/aerator, 7.5 hp, from Architectural Fountains in an amount not to exceed \$9,400 was approved.

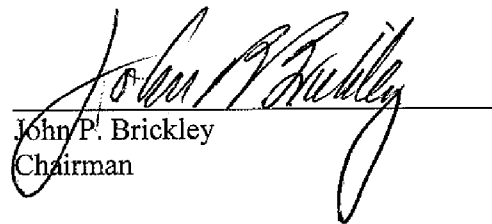
**NINTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
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John Ricciardi  
Secretary

  
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John P. Brickley  
Chairman