

**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 March 10, 2004 at 10:00 a.m. in the Gathering Room of the Arbor Greene Recreation Center, 1800 Arbor Greene Drive, Tampa, Florida.

Present and constituting a quorum were:

Jeff Meehan	Vice Chairman
Christine Nelson	Assistant Secretary
Bill Wood	Supervisor (via phone)
Mike Gratz	Assistant Secretary

Also present were:

John Daugirda	Manager
Chuck Adams	District Staff
Barbara Koscinski	Arbor Greene
Gary Smith	Arbor Greene
Allan Williams	Arbor Greene
Several Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Oath of Office for Mike Gratz and  
Appointment of Assistant Secretary**

Mr. Daugirda being a Notary Public of the State of Florida administered the Oath of Office to Mr. Gratz, a copy of the signed oath is attached hereto and made part of the public record.

The C.D.D. is a local unit of special purpose government to manage the common area infrastructure and amenities of the District. As new Supervisor, you are a public official. You are appointed to fill the remainder of Ms. Phillips-Benbury's Seat No. 1, which runs to the November 2006 election.

Accompanying the oath are the Sunshine Law and Code of Ethics for Public Officials, a booklet describing your responsibilities under that law, and a Form 1 Financial Disclosure Statement that must be completed and mailed directly to the Supervisor of Elections in the county in which you reside within 30 days of this meeting.

**THIRD ORDER OF BUSINESS**                      **Approval of the Minutes of the February 11, 2004 Meeting**

Ms. Nelson stated I am passing some scrivener's errors on pages 5, 10, and 19 to Mr. Daugirda that will be made part of the public record.

On MOTION by Mr. Meehan seconded by Ms. Nelson with all in favor the minutes of the February 11, 2004 meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**                      **Consideration of Resolution 2004-4 Amending the Debt Service Fund Budget for Fiscal Year 2003**

Mr. Daugirda stated this Resolution conforms the accounting for the Series 1996 and 1998 bonds to what is in the audit.

On MOTION by Mr. Meehan seconded by Ms. Nelson Resolution 2004-4 Amending the Debt Service Fund Budget for Fiscal Year 2003 was adopted.

Mr. Meehan stated the SunTrust issue was not upon us at the end of 2003 and did not appear in audit for 2003.

Mr. Daugirda stated that is correct.

**FIFTH ORDER OF BUSINESS**                      **Continuation of Discussion of Fencing Parkview Pond and Park and the Baseball Court**

Mr. Adams stated at the last meeting we discussed pricing for the pond/park fencing and several Board members wanted to visit the site.

Mr. Wood stated there was an e-mailed suggestion within the last 5 days to remove the retention pond. I would like to hear that suggestion officially ruled on.

Mr. Adams stated the current surface water management permit required us to construct the retention pond, which is a receiving area for the run-off in the park before the water enters via the weir structure into the preserve area. I will not say you *cannot* remove it but will be hurdles to clear and a price tag attached to such a proposal.

Mr. Meehan stated we can check with the District's engineer but I think Mr. Adam's assessment is correct. It is a 6-month process to get the SWFMD permit to remove the pond and that water still must be pre-treated before entering the preserve.

Mr. Adams stated there may be other technology available like some kind of filtering program to offset the requirement to keep the water in the retention pond. However, removing the pond is a lengthy and expensive process and there is no guarantee that when completed you will get what you are looking for.

Ms. Nelson stated the issue boils down to: Do you fence the pond, do you fence the park, or do you put in a landscape barrier to separate the two?

Mr. Meehan stated my preference is to fence the pond all the way around.

Mr. Adams stated that is the most cost-effective plan—separate the pond from the park. Fencing the park requires more linear footage of fencing and turns it into an eyesore. Landscaping with hedges just hides the pond and leaves the problem of children going behind the hedges and falling into the pond.

Ms. Nelson asked do you have pricing with you today?

Mr. Adams responded I have pricing for fencing the pond that is calculated by the linear foot.

Ms. Nelson stated I am concerned it will be unaesthetic to fence the pond instead of the park because the park butts right up to the main road.

Mr. Adams stated fencing the park will not stop children from getting into the pond. If you fence the pond itself, whether children are playing in the park or just passing by, you have addressed the safety hazard.

Mr. Meehan asked do you have such a situation elsewhere?

Mr. Adams responded no. I do not have a retention holding area like this of a pond within a park.

Mr. Meehan asked if you fence the park won't you eliminate the safety hazard issue?

Mr. Adams responded if you fence the pond, regardless of the children using the park or passing by, you have addressed the hazard. If you fence just the park, nothing keeps children from entering the pond. From the standpoint of linear footage and addressing the safety issue, fencing the pond is the best route to go.

A resident stated I live across from the park and fencing the park will relieve my concern about people speeding through that area. That "retention" pond is more of a swamp and mosquito-breeding ground than a pond. It looks very bad because the water level is low most of the time. From a safety standpoint, fencing the pond is okay but aesthetically, it will look very bad. Even if it is necessary to get a permit it is worth it to fill in the pond. If the pond is full it might hold 15,000 gallons of water. I do not see the real utility of that area's accepting a lot of surplus water. There is no filtering process going on in the pond. It is basically only rainwater that falls into this pond.

Mr. Adams stated ponds are established as a natural filtering system. This pond is considered a dry retention area and a pre-treatment area that receives runoff from the park area and to store a certain amount of the water, perhaps the first half inch before the water overflows the weir structure and empties into the preserve. It allows impurities from the surrounding road and turf area (nutrients, herbicides, pesticides) to be absorbed by plant material within the holding pond. As the water rises, just the upper layer of water skims over the top, leaving impurities to settle within the retention area.

A resident stated I see the purpose of the retention pond but with all the other ponds and drains in the community, will one little pond's removal make any difference?

Mr. Adams responded I do not disagree but I am not an engineer or the permitting agency. This kind of retention area is a requirement. You can modify the requirements but it will require time and expense. The Board must consider the cost of filling in the pond compared to the \$1,824 for a 4-ft. black chain link fence around the pond including an access gate to maintain the pond.

Mr. Meehan asked is the fence at the rear or front of the 30-ft. setback?

Mr. Adams responded the front. The control structure was constructed on the outside perimeter of the park and the 30-ft. setback runs from the control structure into the preserve.

A resident stated I live next to the retention ponds and just since September we have pulled two kids out of the pond plus numerous pieces of trash. A fence will look bad as well as tempt children to climb the fence.

Mr. Adams stated the initial intent of the fence was to keep toddlers safe. The pond only gets 2-3 feet of water, which is not dangerous to 9-10 year olds.

A resident stated children can get stuck in the mud and the pond is a major hazard for the area.

Mr. Meehan asked what would you do in lieu of the fence?

A resident responded I would like to see the pond filled.

Ms. Nelson asked what if we cannot fill it in?

A resident responded I would build a fence as well as place high shrubbery all around the pond. A 4-ft. fence and a 12-ft. shrubbery wall can act as double deterrent.

Mr. Meehan stated I am not the District engineer but I say the likelihood of filling in that pond is 1 in 100.

Mr. Wood stated I am concerned that you cannot see if a child is inside the pond if you hide the pond.

Mr. Adams stated this was the consideration with just doing a landscape buffer. If you put in landscaping and a fence you introduce a screen that prevents you from seeing if anyone is in trouble.

Mr. Wood stated I have no issue with an aesthetic looking low shrub but I am concerned about completely hiding the pond.

Mr. Adams asked what if shrubbery is maintained at the same 4-ft. height of the fence? The pond is at a low-lying area and viewers standing on top of the bank will have no trouble seeing over the top of the shrubs.

A resident stated I thought our HOA states we cannot fence ponds. If you fence this pond, won't that allow owners to fence their yards and obstruct other neighbors' views of the pond?

Mr. Adams responded this is a specific case and not a precedent-setter. This pond is acknowledged as a potential safety hazard because children are brought into the park to play near open water. The lakes behind people's homes serve the same purpose as this retention pond and fencing the lakes would hinder maintenance activities of the ponds. That is why we have the 20-ft. setback easement around all the ponds of the C.D.D.

A resident asked this is the only pond with a park next to it?

Mr. Adams responded yes, this is the only pond within the boundaries of a park that is a potential liability because you are encouraging young children to play in a park containing a water hazard.

A resident asked why would you fence the park to discourage children playing in the park from going into the pond. Shouldn't you fence the pond?

Mr. Adams responded that is true. Fencing the park does not keep children from bypassing the fenced-in park and going into the pond. It is in the same area where children tend to congregate.

A resident stated you are saying that you want to do this to keep children playing in the park from going into the pond. This means that if I have children playing in my backyard they might go into the pond behind my house. You are setting a precedent by saying that.

Mr. Daugirda asked does the Board wish to make further studies or direct staff to take some action on this issue?

Mr. Meehan responded there must be an alternative to filling in the pond. You must ask Mr. Dave Bartell about the issue and ask him to come to the next meeting to explain how the system works.

Mr. Daugirda stated this issue requires further research. The positions are clear and it is a matter of getting expert advice on it. We are continuing this item and will report on it at the next meeting's "Manager's Report" section.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer**

There being none, the next item followed.

**C. Manager – Financial Statements**

Mr. Daugirda stated three seats are up for election during the general elections to be held the first Tuesday in November, which is administered by the Hillsborough County Supervisor of Elections. The filing period runs from July 12 at noon to July 16 at noon. Election materials are available at the elections office but I have also asked for application packages to be mailed here to the Chairman and me.

In May we will submit to the Board a draft budget for Fiscal Year 2005 that runs from October 1, 2004 through September 30, 2005. I am keeping a list of discussion points in terms of funding. Mr. Williams indicated the maintenance firm recommended we purchase some fitness bicycles, so that will be a recommendation under his budget. We will specify other items such as the NPDES storm water runoff report and the Florida Quality and Development Transportation (FQDT) report. We will brainstorm, bring in your thoughts, make a list, and as we go through the budget we will balance and prioritize.

Mr. Meehan stated the FQDT report is due in May.

Mr. Daugirda stated correct. It is a mandatory report and we want to be sure we budget for it. The Board will work on the budget from May to July and into August, if needed, prioritizing expenditures and looking at what is appropriate.

We are completing repairs on Timberlane Point for some subsidence in the road. The City of Tampa Police secured the site immediately after being notified. After an initial review we entered a diagnostic phase and asked a commercial plumber to look at the road. He said it appeared to be a City problem. However, after conducting its own inspection the City stated it was not responsible. They did additional diagnostic testing of the water and sewer lines, filmed the sewer line, and tested the water for chlorine and pressure levels. The Director of Public Works told me that based on his analysis, this was not a City problem and that there was some other cause for the subsidence. I wrote the Director (with a copy to the Mayor) that if the C.D.D. must pay to repair the road and later discovers the subsidence was caused by the City, the District will look to the City for reimbursement.

Mr. Adams stated with the history on this property, staff felt it important to have an authority review and diagnose the cause of the problem rather than just fill in the hole. We have retained Mortenson Engineering to do the engineering and repair work and now that diagnostics are completed, repair work is in the pipeline. Mr. Rick Mortenson diagnosed the road problem and is coordinating with a qualified contractor licensed to inject a concrete mixture into the road hole and to seal it off. The repair is similar to repairs we made in the past for lakes with cracks in the structure of the rock formation. In a few days the contractor will start the sealing process and Larken will come out immediately afterward to fill the remainder of the hole, prepare the subgrade, and replace the asphalt. This problem should be resolved within the 3-4 days.

Mr. Daugirda stated in the initial diagnostic phase, I did not want to spend C.D.D. money on the subsidence; if it is the City's responsibility I wanted them to solve it. We conferred with the Board Chairman and Vice Chairman to authorize any emergency action. Mr. Meehan was at the site and should be commended for his efforts.

Ms. Nelson asked do we have a price tag on this yet?

Mr. Adams responded not at this point. We determined that the capital improvement item listed on your gatehouse budget was set aside for a surveillance

camera to aid us in the occasional instances where someone runs into a gate. We continually get invoices for buffing-out, repainting, or body repair for a gate incident that may or may not have been a mechanical issue. I have a quote from "Eye on Anything," a company I have used on other projects and which has state-of-the-art technology. They provide a per camera price which allows you to do set up surveillance in as many locations as you want. I recommend starting with the resident side of the main gate, which is where we get a lot of invoices for repair. Any guest coming through deals directly with the guard. We can also utilize wireless technology so if you decide to install more cameras at other locations you have the initial foundation already in place at the main gate. The camera has two lenses that allow a wide-angle view and telephoto view, a built-in heat sensor, a speaker for communication via a telephone line, and activity boxes that can be programmed into it. The SFWMD utilizes this technology as part of their homeland security efforts and have set such cameras up at all their pumping stations. You can tie the cameras into an auto dialer system to call a preprogrammed number if there is any activity. For \$3,200 it is a system you can build on going into the future.

Mr. Wood asked can a guard monitor what is going on outside the clubhouse?

Mr. Adams responded you can set cameras up so the main gatehouse guard monitors all camera locations throughout the community. I recommend the wireless system because most phone companies charge a commercial rate of \$100/month for just a dedicated line; usage is an added expense. Long term, wireless technology versus monthly phone bills pays for itself on the capital investment.

Mr. Wood asked will "Eye on Anything" allow us a trial period?

Mr. Adams responded yes. The owner came and took some demo shots and the image quality is second to none. I had trouble uploading and printing the pictures otherwise you would have had some examples with this proposal. I recommend placing one camera at the top of the light pole at the main gate.

Electricity is already there and you can have a wireless connection to the gatehouse. The funds are available if you want to proceed.

Ms. Nelson asked did you solicit any other bids?

Mr. Adams responded no. Other companies such as ADT can provide cameras but I am looking at this from a technology perspective. In terms of what I have looked at for some of my other clients, I look for the technology and not just placing a camera.

Ms. Nelson asked how do we store these images? Some cameras have continuous loops.

Mr. Adams responded the link system network storage center is placed in the gatehouse itself. Additionally, these cameras can store up to 2,500 images, which will probably get you three to four days. There are a number of different ports and connections available plus onboard storage capabilities.

Mr. Daugirda asked can you download the images to a hard drive or burn a particular image to a CD?

Mr. Adams responded certainly.

Mr. Daugirda asked is the price competitive with other security cameras you have investigated for other communities?

Mr. Adams responded yes it is competitive for the available technology.

Ms. Nelson asked is there a maintenance contract if anything goes wrong?

Mr. Adams responded there is a standard warranty and you can establish a maintenance contract.

Ms. Nelson asked do you know how much that will cost?

Mr. Adams responded no. If you want to proceed this year, you have the funding to cover the cost of equipment and warranty. I recommend installation at the resident side entry of the main gate where most of our problems occur.

Mr. Meehan stated we had two incidents in the last three years where it was one person's word against another. We can try one camera but I think we need to get more than one bid.

Mr. Daugirda stated I like the dual lenses in one camera.

Mr. Adams stated we can set it up for a wide-angle view until someone comes through and triggers the telephoto lens. We can do a variety of things with the two-lens setup.

Ms. Nelson stated I would like to see the pictures, even if they are from another location, and I am interested in the trial period.

Mr. Adams stated we have a number of the pictures he took during the demo period. I will bring in some samples.

A resident asked how much is it per camera?

Mr. Adams responded \$2,700 per camera. You do not need to buy additional storage as the camera links back to the gatehouse.

Mr. Daugirda stated staff will do further research, get the pictures to you, and bring this item back at the next meeting.

Mr. Adams stated we talked about wall and signage maintenance and the \$22,000 in the budget to address those items. I was not able to find why we ended up with the \$22,000 figure other than it was initially in your draft budget and identified specifically for you in a memorandum. We have started the repairs and painting process. We had a company painting around the community center and the bases of the monuments and have done the necessary replacement of lettering. We are getting proposals from sign companies to do the detailed painting on the lettering. We expect to utilize only \$10,000 of the \$22,000 line item. The Board can consider dedicating the remaining funds to other items such as street signage, traffic signage, the poles, refinishing the signage in the neighborhoods and on the boulevard, crosswalk signage, and replacement of nonconforming signs.

Ms. Nelson stated it has been brought to my attention that the newer signs do not match existing signs. The cost of the signs was high: I received a bid of \$18,000 to do the playground signs, the pedestrian crossing signs, and a combo sign.

Mr. Adams stated we will replace signs that do not conform and we take a look at the park signs. We set aside \$9,000 for 16 signs for 10 parks at \$565 each.

We received the insurance claim dollars for the pole that was hit. The check offsets all our costs including clean up, supplies, and installation of the new street

light pole. I was impressed with the quick turnaround—four days after I submitted the claim.

We are sprucing up the community center. Last month I identified this as an area to focus on with our landscaper and we are finalizing our plans. The flowers have been pulled and new plants will be installed later this week.

Ms. Nelson asked did we get pricing on the damage pavers at the entrance?

Mr. Adams responded we are obtaining quotes on that. We are looking at not only taking the low areas and raising the pavers, but also pressure cleaning and resealing.

Ms. Nelson stated we definitely must consider that during the budget process. Another thing is that I have gone through the gates and the guard did not ask for my name or address. We need to have a chat with the security company and I would like to be in attendance.

Mr. Adams stated we put the security company on a defective work notice the last time. Maybe it is time for us to consider moving on. The woman on duty during the day is moving on so we will lose that anchor in our existing force. The contract is up in June but we also have a termination clause. In this case, it is probably time for us to look at changing vendors. There are other quality companies and I will solicit some bids. You don't necessarily need to bid this. I can provide you with competitive rates from other communities we manage and you can decide how you wish to proceed at the next meeting.

Mr. Meehan asked what is the status of the Enclave parking issue?

Mr. Adams responded it is not a C.D.D. issue and it is up to the builder to address that.

**SEVENTH ORDER OF BUSINESS**

**Approval of Financial Statements,  
Electricity Consumption and  
Invoices**

Ms. Nelson stated the financials show that the part-time staff is \$4,000 over budget. Is that for anything specific? Are we hiring additional staff?

Mr. Williams responded we have one person per shift and before Mr. Adams arrived I turned in a list to Mr. Lamb that indicated what we needed. The only time we have multiple people is when we have a special event. We were also over budget last year.

Mr. Adams stated looking at all the expense items related to personnel you are in a net positive situation.

Mr. Williams stated when Scott was here he added a morning maintenance person who was never included in the budget.

Ms. Nelson stated we are \$2,000 on the positive side for cleaning. Did we change companies? Did we over budget?

Mr. Daugirda responded I am sure it is a timing issue.

Ms. Nelson stated the high school has a contract with us to use the pool. Do they share in the cost of heating the pool or is it a flat fee?

Mr. Williams responded it is a flat fee of \$2,000, which is the maximum they can spend.

Mr. Daugirda stated this is also a seasonal item so it may be on track at the end of the year.

Ms. Nelson stated we are \$1,700 over in printing. I am curious if something is out of the norm.

Mr. Williams stated we distribute the newsletter to more residents.

Ms. Nelson stated people are paying for advertising space so those costs will be offset. We should list that as a separate item so we can monitor it.

Mr. Daugirda stated we will give you an updated budget in connection with the draft budget to use as a tool going forward.

Ms. Nelson stated we bought new equipment. We have a budget of \$16,000. Did we pay for those yet?

Mr. Adams responded you have \$14,628.35 under Capital Improvements. Anything over \$750 is a capital expense.

Mr. Daugirda stated the purchase of an item is under Capital Improvements. Associated costs to maintain or repair the item fall under Equipment Repair.

Ms. Nelson stated the weights need to be replaced and we need to evaluate the fitness room.

Mr. Adams stated we will get prices for replacing the equipment for your review.

Ms. Nelson stated we are at a deficit of \$9,000 for street lighting maintenance and replacement. We spent \$14,000 to date.

Mr. Adams stated a large portion was related to cleaning the globes several months ago. It will be out of proportion until we get further into the year. The purpose of the new streetlights will be included. We had a lot of streetlight repairs that were expensive.

Mr. Meehan stated we spent \$2,000 on a VISA this month. Do we have backup for that expense?

Mr. Adams responded it is for on-site items where we do not have an account for purchases.

Mr. Williams stated one was for a new computer for the office.

Mr. Meehan stated we have spent \$12,000 on plants.

Mr. Adams stated we budgeted \$10,000 for plants and that is an insufficient amount. We will look into adjusting it this upcoming year. The \$12,000 was related to the replacement of the hedges.

Ms. Nelson asked how many times a month do we pay Verizon?

Mr. Adams responded once a month per account. The billings for the different type of accounts may come at different times of the month.

Ms. Nelson stated we paid Verizon \$600 on February 19 and \$1,000 on February 26.

Mr. Adams stated I will look into those for you.

On MOTION by Mr. Meehan seconded by Ms. Nelson with all in favor the financial statements were approved.
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**EIGHTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

Audience members brought up the following items:

- Cleaning of the main entrance sign.
- Trimming the foliage.
- Placement of the neighborhood watch signage.
- Lighting the exit lane of the main entrance or placing a “No Entry” sign.
- Maintenance of the ponds in Shadow Ranch.
- Stop sign on Arbor Greene Boulevard in Devonshire.
- Reserve fund or budget item for repairs. *Mr. Adams stated we have a budget item for repairs. No reserves have been set up to date.*
- Kids jumping off the gazebo in the Enclave into the water. *Mr. Adams stated an attendant can be called to discourage them and call Ms. Barbara Koscinski during the week.*
- The C.D.D. regulates the common areas and the HOA regulates the homeowners: Who regulates the builders? *Mr. Meehan stated the builders work in conjunction with the C.D.D. They deal with the HOA on private areas and with the C.D.D. on common areas.*
- The posting boards with the permit numbers. *Mr. Meehan stated the posting board permit is granted by the City. They may put the board up early for subcontractors to pick up plans.*
- Lennar was denied their attempt to put in a model home and parking lot on the 95/150 lot. The permit for the drive was denied, although the permit number for the drive is on the white post. The building permit is for a single-family residence that will be for sale, not for an office space or additional parking. *Mr. Meehan stated the CC&R development rights go through to the last lot sold that they will be able to maintain a model home throughout the community. If the builders are not allowed model homes the sales pace will slow down tremendously and keep the building phase going on longer than normal.*

- Adequate parking for the model homes and Lennar's inability to build additional parking due to the location. *Mr. Meehan stated any illegal parking should be cited by the City.*
- Disappointment with Lennar and what they have done for this C.D.D. in terms of compliance and violation of their permit.
- Policy enforcement of Open House signs. *Mr. Meehan stated HOAs are set up for the express purpose of what we are talking about—to fine and set policies. Mr. Adams stated I suggest dealing with the HOAs on the signage criteria and its conformity. I do not believe we have a policy regarding sign placement on our property. Staff can remove them during the week as we see them appear.*
- Holes and ruts on the right side of the road coming into the main entrance.

**NINTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Meehan seconded by Mr. Nelson with all in favor the meeting adjourned.

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John Daugirda  
Assistant Secretary

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Jeff Meehan  
Chairman

**Agenda for April 13, 2004 meeting**

**Under Manager's Report –**

**Discussion Items**

- **Fencing Parkview Pond and Park and the Baseball Court**
- **Security Camera System**
- **Replacement of Signage**
- **Replacement of Damaged Pavers at the Front Entrance**
- **Security Program**
- **Replacement of Fitness Equipment**
- **Status of Repairs for Timberlane Point**

**Accounting (advised)**

Board wants to see back-up for the VISA accounts in their package

**Chuck Adams (advised)**

Check into why we are paying Verizon on 2-19-04 \$600 and on 2-26-04 \$1,000.