

**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, March 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
Bob Farrell	General Manager

8 Residents

The following is a summary of the minutes and actions taken at the March 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 all Supervisors were in attendance with the exception of Mr. Eckhardt.

B. Approval of Agenda

Mr. Tanenbaum requested deleting Item 6Bi. – *Clubhouse and Bar Code ID Verification* from the agenda.

Mr. Thomson suggested moving agenda items 2 and 3 after item 6 and adding *Telephone Bills to Old Business as Item 5D*. The consensus of the Board was to approve the agenda as amended.

FOURTH ORDER OF BUSINESS

Reports

A. Chairman's Report

Mr. Tanenbaum reported we are now under water restrictions; included in the restrictions are the round-about fountain in terms of hours of operation. The current, suggested fountain hours are Monday thru Friday 5:30 a.m. to 7:30 a.m. and 6 P.M. to 8 P.M in the evening and Saturday and Sunday from 10 a.m. to 2 P.M. It was also reported by Mr. Tanenbaum the hours of operation of the main fountain must be posted. A new sign will be posted indicating the fountain hours and will be posted in the clubhouse and posted in the Newsletter.

An article from the Tampa Bay Times regarding the \$75,000 settlement for a tree limb falling on a pedestrian on city property was circulated to the Board for informational purposes.

Regarding the Zumba issue emails, blue tape creating an aisle for people to walk to and from the office through class will be installed; this will resolve safety concerns. The Board agreed with this solution.

It was also noted that the District's Attorney will be asked to develop a draft of a parking policy. The following starting points were discussed:

- No parking on CDD streets between 2 a.m. and 6 a.m.; enforced/monitored by USSA patrols.
- One warning with a sticker on the windshield would be posted.
- USSA would have the authority to make the call for towing.

The Board would like to see the parking policy/rules of other CDD's.

B. District Engineer's Report

The report from the District Engineer forwarded to Mr. Ricciardi and Mr. Farrell was distributed to the Board. The report indicated Ms. Stewart will get a quote for the inspection/monitoring/certification of the work to be done on the clubhouse dormers. Mr. Tanenbaum suggested the proposal from Site Masters of Florida, LLC for Crosswalk Thermostriping, included with the emailed report, be further discussed under New Business. The Engineer's Report also included a response to the inquiry from the Board regarding determining if the school bus stop on Arbor Wind Drive could be relocated to the Community Center. Mr. Tanenbaum noted unless there is something the Board can do in connection with moving bus stops, it is not worth having the District Engineer spending more time examining

that option. Mr. Thomson suggested conveying the message to people parking in the no parking area that they should bring the issue to the School Board.

For the record, agenda item 4Bi and 4Bii were included in the above transcript under the District Engineer's Report. A copy of the emailed Engineer's Report will be attached hereto for the record.

C. District Counsel's Report

There not being any, the next item followed.

D. District Manager's Report

- The OLM landscape inspection was done on March 5th with a passing score or 90%.
- If people are paying a fee to Tampa Bay Aquatics, which is deemed a service, they cannot collect sales tax on the District's behalf. If we want to ensure that non-residents pay the fee plus their portion of sales tax, we need to have that remitted from Tampa Bay Aquatics as one fee and then we will pay the appropriate sales tax. The contract should be revised.

A discussion on the Affordable Care Act ensued. Mr. Ricciardi noted we are advising our clients to increase their health care line item in the budget by 20%. Board consensus was to wait before asking District Counsel to advise on this issue.

E. Special Reports

i. Clubhouse

This item was not discussed.

ii. Website Upgrade

Mr. Tanenbaum asked the Board if they are still interested in considering this project. The consensus of the Board was to defer action on this until costs have been identified and further explored. This item will be deleted from future agenda's as a recurring special report.

Mr. Tanenbaum reported for the record he passed out a new, revised, draft manual Policy for Standard Operating Procedures. Changes were made and incorporated in the new draft. The draft passed out now goes with the one that was passed out last month.

F. General Manager's Report

i. Vendor/Concessionaire Contract Review/Amendments/Approval

#99062 – Contracts – Starka Fitness, Body by Davida and Vanguard and the final contract with Alan Williams were discussed and recommended for approval.

#819 – Painting and Repair in clubhouse, administration and snack area. Karins Engineering will provide a contract for supervising/inspecting this project.

#954/953 – Lakes and Pond Banks Inspections – It was requested to transfer \$50,000 from Assigned Reserves to the current Lakes and Pond Banks budget.

#1001 – A recommendation was received from a former non-resident member for a Board policy decision on non resident tennis membership. The General Manager is not recommending approval of this recommendation.

#1002 – Notary services – This service has become very time consuming and requires witnesses. This service has advanced well beyond what the intent was.

Supervisor’s Requests - #1012 – Update on the pump station was passed out at the meeting. The pump station is currently down; the pond level is too low to pump from. ITS has suggested \$75,000 for new filtration and pump equipment. Additional quotes will be obtained.

The Cross Creek frontage berm was discussed. A proposal was received for Board consideration to plant twenty, 30 gallon Viburnum bushes (5 ft tall by 4 ft wide) with watering included at a cost of \$4,000.

#908 – Display signs inventory within the community.

ii. Expenditure Requests/Policy Matters

This was not discussed.

iii. Questions/Consideration of Recommendations

Regarding the General Manager’s Report, Item 99062, Mr. Thomson reported at the workshop meeting he brought up the issue of extending the length of concessionaire contracts to a minimum of two years; Starka Fitness, Body by Davida and Vanguard and not to have auto-renewal contracts.

On MOTION by Mr. Thomson with all in favor the Vanguard contract will be written in the standard format, without an auto-renewal provision, for a two year period.

On MOTION by Mr. Thomson with all in favor the concessionaire agreement with Starka Fitness with a revised end date of March 31, 2015 was approved.

On MOTION by Mr. Thomson with all in favor the concessionaire agreement with Body by Davida, changing the end date from April 30, 2014 to April 30, 2015 was approved.

Regarding the contract with Alan Williams (tennis), Mr. Thomson asked for clarification of how the fee of \$400 (with sales tax) was arrived at and how do the number of tournaments impact the CDD. Mr. Farrell explained to Mr. Thomson's satisfaction. Mr. Thomson noted Alan Williams is permitted free advertising in the Arbor Greene Gazette, why? Mr. Farrell explained that has always been done since Alan Williams was an employee of the District going way back. Mr. Thomson expressed his opinion that no concessionaire should get free advertising. Mr. Tanenbaum expressed his opinion that this contract is not ready for approval. Mr. Farrell noted this contract is intended for input from the Board, to be presented to Mr. Williams after the April Board meeting. Mr. Tanenbaum gave the following input for the Alan Williams contract: Under Use of Premises, why are the last two sentences there? Mr. Farrell clarified that people taking tennis lessons can only use the tennis courts and locker rooms. In the past, the allowable use areas have not been specified, which caused a problem. Mr. Tanenbaum recommended clarification be noted that Alan Williams only gets two courts for instructional use. The revised contract will be brought back to the Board in April.

Mr. Thomson MOVED to amend the contract with Alan Williams to state "advertising in the Newsletter will be at the established advertisement rates"

On VOICE VOTE with Mr. Thomson voting Aye and Mr. Tanenbaum, Mr. Candella and Ms. Nelson voting Nay the motion to amend the Alan Williams tennis contract as stated in the above motion died.

This item, Alan Williams tennis contract, will be included in the next workshop agenda.
Item #819 – Clubhouse Painting will be an action item for the April meeting.
Item #954 – Pond Bank – Mr. Farrell explained he is requesting to use the funds in Assigned Reserves for this project.

On MOTION by Mr. Thomson with all in favor moving \$50,000 from Assigned Reserves Lakes to R&M Lakes line item, under the category of Flood Control/Stormwater Mgmt. was approved.

Item #1001 – Letter regarding tennis court use by non-residents. Mr. Thomson asked for clarification of the letter and Mr. Farrell explained. This issue will be further discussed at the next workshop meeting.

Item #1002 – Notary services – Mr. Thomson suggested providing only simple notary services, 1 to 2 page documents.

Mr. Thomson MOVED to limit the notary services offered by the clubhouse staff to documents with one to three pages.

After a lengthy discussion on this issue, the above motion was withdrawn by Mr. Thomson.

On MOTION by Mr. Thomson with all in favor establishing an Arbor Greene CDD policy for future notary services, said services are limited to signature verification only and expressly excluded are trust and will documents, real estate transaction documents, probate and any documents that require witnesses, effective May 1, 2013, was approved.

Item #905 – Cross Creek Beautification Project – Greenview and Mr. Farrell inspected and proposed to, on the resident side of the berm, plant twenty 30 gallon Viburnum plants (5 feet tall and 4 feet wide) and water them through June at a cost of not to exceed \$4,000. Mr. Farrell explained the \$8,500 item is on the opposite side of the berm, but included quite a bit of irrigation.

On MOTION by Mr. Thomson with all in favor the proposal from Greenview in the amount of not to exceed \$4,000 to install twenty, 30 gallon Viburnum plants was approved.

Item #908 – Sign Report – Mr. Thomson noted he appreciated Bob & Gary’s work on this inventory. He asked if the Neighborhood Watch signs could be consolidated. Mr. Paul Bouchet will be asked about these signs. Mr. Tanenbaum brought up crooked street signs. Mr. Thomson asked “how did Devonshire approve no towing signs?” Mr. Ricciardi will check the minutes. It was requested to add *Signage Inventory*” to the June workshop agenda. Mr. Tanenbaum also wants to keep this item on the regular meeting agenda from month to month under Old Business. Ms. Nelson expressed her favorable opinion of the Neighborhood Watch Exit sign.

Ms. Nelson expressed her opinion to go back to the old system of having Mr. Farrell do his report and then taking action. Mr. Tanenbaum expressed his opinion, which was contrary to Ms. Nelson’s opinion. Mr. Thomson agreed with Mr. Tanenbaum on the current General Manager’s report format. Mr. Tanenbaum indicated he is open to further discussion in this matter.

FIFTH ORDER OF BUSINESS

Old Business

A. Pool Gazebo/Grills

This item will be addressed under Supervisor’s Requests.

B. Monument Repair Work

#978 - Mr. Farrell reported the quote pricing was reduced, the work has now been done and all monuments will be repaired and painted. Vendor will give before and after pictures. This item will be removed from future agendas as it has been resolved without further Board action.

C. Newsletter Personnel

The preparation of the Newsletter is being outsourced to *Creative Blue Ocean*. Mr. Farrell will do cost comparison for outsourcing us. This will be part of the budget process and be taken off the agenda as a recurring item.

D. Telephone Bills

Mr. Thomson previously sent an email to Mr. Farrell with questions on this issue and Claudia answered them. He noted he is trying to see if the telephone service costs can be reduced. Mr. Thomson had additional questions after receiving the response from Claudia.

- Can the rollover number for club and administration be eliminated at an estimated cost savings of \$45? Mr. Thomson will follow up with Mr. Farrell to get more information and address this issue again at the April workshop.

SIXTH ORDER OF BUSINESS

New Business and Supervisor Requests

A. Public Comments and Requests

Ms. Lisa Acierno of Parkview requested to use the Arbor Greene center for a charity event: *Girls Gone Miles* to raise money for breast cancer research. The proposal was provided to Mr. Farrell for presentation to the Board. The request is for use of the clubhouse and pool for the event on a Saturday, in May, June or July 2013. The event includes a cash alcohol bar and dinner. Mr. Farrell will meet with Ms. Acierno for review of the clubhouse and pool schedule, and Mr. Ricciardi will obtain more information on whether the cash bar for alcohol is allowed or can a flat ticket charge include alcohol. Mr. Tanenbaum wants to ensure this event does not impact the graduation party schedule. The consensus of the Board was to support this event.

Ms. Pam Sundown of Parkview addressed the paint color change. Mr. Tanenbaum pointed out this is an HOA issue and they have a meeting tomorrow.

Ms. Dorothy Baron of Devonshire addressed the Devonshire berm issue. Mr. Tanenbaum assured Ms. Baron that the Board is aware of the issue and they are sensitive to the resident concerns. Ms. Baron also asked if the white vinyl fence in front of Cory Lake could be extended. Mr. Tanenbaum expressed his opinion that the fence looks terrible.

The record will reflect Mr. Eckhardt joined the meeting.

Ms. Cheryl Anderson of Devonshire inquired about the Viburnum that will be planted.

Ms. Julia Rogers of Devonshire expressed her appreciation of the Board's response to the berm issue however, she does not feel secure and it is very noisy.

Ms. Teresa Carlton asked where are the plants being installed and Mr. Tanenbaum responded on the Devonshire side of the berm. She reported when the clean out was done, they did not trim the Arbor Greene Oak tree which is infringing on Devonshire Oak trees.

Mr. Stuart Marofsky of Devonshire, President of the HOA, recommended informing residents before doing things such as clearing common property in resident's yards; there should have been a plan to replace when it was cut. The District was thanked for planting three Oaks.

B. Supervisor Requests and Motions

Mr. Tanenbaum re-addressed the pool gazebo/grills issue. He recommended adding more tables/umbrellas near the snack bar (2 tables and umbrellas) and a grill adjacent to the

snack bar area. Mr. Eckhardt agreed and noted he previously recommended the same thing. It was recommended to Mr. Farrell to only move forward with obtaining two tables with accompanying umbrellas for now.

Mr. Thomson re-addressed his proposal to require two year contracts with Greenview, OLM and Severn Trent Services with no auto-renewal. The consensus of the Board was to move forward with the proposal.

Mr. Thomson also addressed the possibility of purchasing items such as trees and mulch from vendors without paying sales tax. This was briefly discussed and Mr. Farrell will follow up with Greenview.

The record will reflect Ms. Nelson left the meeting.

Regarding Thermostriping, Mr. Thomson indicated his preference is to proceed with triangles at no cost to finish it off. There will be no further action at this time on the Thermostriping.

The following were moved to end of minutes per Board approval.

SECOND ORDER OF BUSINESS

Review and Approval of the Minutes of the February 21, 2013 Workshop Meeting and the February 25, 2013 Regular Board Meeting

The record will reflect Mr. Thomson left the meeting.

Each Board member received a copy of the minutes of the workshop and regular Board meetings and any additions, corrections or deletions were requested.

Changes to the workshop minutes were requested and so noted and will become part of the final workshop minutes.

On MOTION by Mr. Candella with all in favor the minutes of the February 21, 2013 workshop meeting and the February 25, 2013 regular Board meeting were approved as amended.

THIRD ORDER OF BUSINESS

Review and Approval of the February 2013 Financial Statements

Mr. Ricciardi responded to and explained the Board’s previous question regarding the large negative percentage listed on page 7 of the financials. Also, in terms of the investment of the additional cash, normally a cash flow analysis is done of expenditures versus what we think you will need over a few months period and put the rest in either a money market or a CD. This

can be done, but will have to wait until the April meeting or if the Board is comfortable, a motion could be made allowing Severn Trent to do a cash flow analysis and invest what funds are available either in CD's or money markets. Right now there is approximately \$800,000 plus between CD's and money markets in addition to that. One, 18 month CD will come due soon and at the April meeting, when it comes due, it will be brought to the Board to consider reinvesting; it matures April 8, 2013.

On MOTION by Mr. Eckhardt with all in favor authorization for Severn Trent to do a cash flow analysis and invest available funds in a combination of money market and CD's as appropriate was approved.

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

- The financial statements were reviewed.
- We are where we need to be in terms of our expenditures.
- Revenue is now at 91.53% of budget.

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

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

Mr. Ricciardi reported the assessment collection is trending almost the same as last year.

C. Announcements

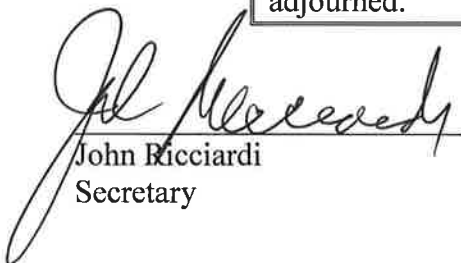
There not being any, the next item followed.

SEVENTH ORDER OF BUSINESS


Adjournment

There being no further business,

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



John Ricciardi
Secretary



Adam S. Tanenbaum
Chairman