

**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, May 21, 2012 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 Brickley	Chairman
Adam Tanenbaum	Assistant Secretary
Toby Thomson	Assistant Secretary
T. Dorsey Yawn	Assistant Secretary
Christine Nelson	Vice Chairperson

Also present were:

John Ricciardi	District Manager
Bob Farrell	General Manager

Audience Members

*The following is a summary of the minutes and actions taken at the May 21, 2012 Arbor Greene Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the April 23, 2012 Regular Board Meeting**

Each Board member received a copy of the minutes of the April 23, 2012 meeting and any additions, corrections or deletions were requested.

Two corrections to page 4 of the minutes were requested and will be made part of the final record.

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with all in favor the minutes of the April 23, 2012 meeting were approved as amended.

**THIRD ORDER OF BUSINESS**

**Approval of the April, 2012 Financial Statements**

Mr. Brickley reported on the May 17, 2012 Workshop meeting noting the following:

- Revenue is at 94.8% of budget.
- Expenses are at 52.8%.
- The assessment income is at 95.8% of budget.
- We reviewed the fiscal year 2011 audit from Grau & Associates.
- We discussed alternatives to TPD patrols and gate maintenance expenses at Estuary/Enclave for this fiscal year and potential expenses for the next fiscal year. The gates are 15 years old and they are breaking.
- We discussed fees from tennis and swimming and for use of the community center.

The financial statements for the period ending April 30, 2012 were recommended for approval.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the financial statements were approved.

**FOURTH ORDER OF BUSINESS**

**District Manager's Report**

**C. Consideration of Acceptance of the Fiscal Year 2011 Financial Audit from Grau & Associates**

Mr. Ricciardi highlighted the audit as follows:

- The audit was submitted by Grau & Associates.
- Page 2, under Financial Highlights, the three bullet points at the top of the page were referred to.
- The next pages in the audit highlight the various components of the budget, expenditures, revenue and so on.

- At the end of the report are letters to the Board from the auditor. Page 22, under Internal Control Over Financial Reporting, the third paragraph indicates “we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above”. Under Compliance and Other Matters, the last sentence indicates “The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards”. Both statements are positive findings for internal control and compliance.
- Pages 24 and 25 reports to management there were no findings in current and prior years and items 1 through 9 are the adherence to Florida State Statute required to be followed for things such as investments, public funds, contracts and all of those findings were positive.
- Item #8 on page 25 is a positive finding as the District is not in the state of financial emergency.

Mr. Ricciardi offered to take questions on the audit from the Board and noted he would forward the questions to the auditor since their representative was not in attendance at this meeting.

Mr. Tanenbaum asked a question regarding page 2, Financial Highlights, bullets two and three and Mr. Ricciardi explained referring to Exhibit “A” of the proposed fiscal year 2013 budget.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor the Financial Report for Fiscal Year ended September 30, 2011 was accepted.

**B. Report on the Number of Registered Voters in the District – 2,270**

Mr. Ricciardi reported as per the letter from the Supervisor of Elections office there are 2,270 registered voters in the District and eligible to vote in the November election.

The audience was reminded that the term of office for seats 3, 4 and 5 will be expiring in November. The qualifying period with the Supervisor of Elections office is

from noon on June 4, 2012 through noon on June 8, 2012. The Supervisor of Elections should be contacted if anyone is interested in qualifying for the expiring seats.

**A. Distribution of the Proposed Fiscal Year 2013 Budget and Consideration of Resolution 2012-3 Approving the Budget and Setting the Public Hearing**  
Mr. Ricciardi and Mr. Brickley introduced the budget to the audience.

It was explained the Board has been working on this budget for some time starting back in March. The budget approved by the Board tonight will indicate the assessment high-water mark; the assessments cannot go higher after this budget is approved however, the assessments can be lowered.

The Gate Reserves Analysis 5/21/2012 provided to the Board was explained by Mr. Farrell and discussed by the Board.

Mr. Farrell suggested adding some extra money to the fund balance for the gates; everything except Devonshire.

Mr. Yawn clarified if the gate adjustments, as indicated in the Analysis, are accepted this will modify the schedules currently indicated in the proposed budget.

Mr. Yawn MOVED to approve and Ms. Nelson seconded amending the proposed fiscal year 2013 budget in accordance with the recommendation made on the Gate Reserve Analysis dated 5/21/2012.

Further discussion on the gate assessments ensued.

Mr. Yawn commented that the residents within the gated communities have the responsibility to pay for the maintenance of their gates. The Board has taken on the role of managing that for them. Residents have not expressed that they have been dissatisfied with the way the Board has been doing it. They have become dissatisfied when a gate gets damaged and it does not close or open, then they want it serviced immediately because they paid for additional security.

The analysis is a reasonable estimate of the best that can be done on what it will take to make sure residents who live in the gated communities get a service they expect to get and are paying to get. It may not balance to the penny, but in our best judgment this is what needs to be done.

Ms. Nelson commented that as a resident of one of the gated communities she concurs and understands she pays more for the gates and wants them working.

Mr. Brickley clarified we are talking about the line on the Gate Reserves Analysis that reads *Recommended Adjustments (9<sup>th</sup> line from the top) Devonshire 0, Estuary \$3,368, Enclave \$6,581, Parkview \$8,947 and Retreat \$1,304.*

Mr. Ricciardi added on page 18 of the proposed fiscal year 2013 budget, under General 003-Estuary Fund, under Special Assmnts-Tax Collector, under the last column Annual Budget FY 2013 in place of \$2,663, the dollar amount will be changed to read \$6,031; the Special Assmnts-Discounts will change slightly. The Enclave, Parkview and Retreat Funds will also change according.

Mr. Boucher added this year alone we have taken more email and phone calls in response to the two gates at Parkview over the last four years and he supports the Boards decision.

Mr. Tanenbaum MOVED to amend the proposed adjustments for Parkview and the Enclave by 50%; with no second, the motion failed.

On VOICE vote with Mr. Yawn, Mr. Brickley, Ms. Nelson and Mr. Thomson voting AYE and Mr. Tanenbaum voting Nay the motion to amend the proposed fiscal year 2013 budget in accordance with the recommendation made on the Gate Reserve Analysis dated 5/21/2012 was approved.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor Resolution 2012-3 approving the budget for fiscal year 2013 and setting the public hearing date for August 20, 2012, at 6:30 P.M. at the Gathering Room of the Arbor Greene Community Center was adopted.

Mr. Ricciardi reported on the following follow up items:

- Investments
- The OLM inspection report will go into the District records.
- We received a letter from SWFWMD regarding a non-compliance violation. Additional follow up information will be provided at the next meeting.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

The Mom’s club is proposing a Kid’s Summer Enrichment Club for the children of Arbor Greene to meet at the clubhouse as indicated in the General Manager’s Report, under item 584.

A lengthy discussion, including a question and answer segment, regarding this request ensued.

The Board recommended approval of the group meeting informally and after a period of evaluation any issues arising from the meetings will be reviewed by the Board for readjustment.

Mr. Nathan Clawson reported on a dangerous issue at the large pool, where it was fixed, the area is very slick and many children have slipped and hit their heads.

Mr. Farrell will check on the slipping issue.

Mr. Boucher, of the Neighborhood Watch, reported there has been an increase in burglaries in the New Tampa area.

He would like to visit homes in the community to tell residents there is a volunteer group.

Concerns with the procedure for guests entering the gates after 10 P.M. were expressed by Mr. Boucher. The Board was asked to readdress the gate procedure. It was recommended that if a resident expects a guest after 10 P.M. the resident should be responsible for providing their phone number to the gate attendant.

A lengthy discussion on gate security procedures ensued.

The Board will reconsider this issue at a later date.

**FIFTH ORDER OF BUSINESS**

**Attorney’s Report**

There not being any, the next item followed.

**SIXTH ORDER OF BUSINESS**

**District Engineer’s Report**

There not being any report, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**General Manager’s Report**

Items included in the General Manager’s Report were explained by Mr. Farrell as follows:

- Concession Agreement – Airite Air Conditioning, Inc.

Mr. Tanenbaum asked what would be the cost for just coming out for service on a semi-annual basis?

Mr. Farrell noted he did not know but he could find out. He added this contract was brought before the Board as the previous maintenance agreement expired and approving a new contract was held off to see who would be awarded the purchase agreement for the new units; that company was Airite. Contracting with Airite to service what they sold the District as well as the other equipment was recommended as it would be an advantage to have all the equipment serviced by the same technician.

Mr. Thomson asked with the previous service agreement with Southern, before the old unit failed, did you find the preventative contract helped, did they ever identify things to you or Gary as needing to be repaired or replaced?

Mr. Farrell noted he found it helpful in that you get fewer breakdowns and for these kinds of equipment and the environment they operate in, preventative maintenance programs allow us to conduct business on an ongoing basis without routine breakdowns. The previous preventative maintenance kept the equipment running, almost flawlessly, for 10 to 15 years.

Ms. Nelson asked if something might need repair or be replaced, will there be a discount because there is a maintenance contract on the equipment?

Mr. Farrell will inquire about Ms. Nelson's question.

It was recommended to table a decision on the Airite Air Conditioning, Inc. concession agreement until answers to the Boards questions can be obtained.

- Wharton High School - There has been no return call from a representative of the school regarding correspondence to them on the pool use contract.
- Zumba on Wheels Contract – Approval of the contract was recommended by the General Manager.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the Zumba on Wheels Concession Agreement for the period 8/1/12 thru July 31, 2013 was approved.

- #481 - Trees and speed limits – Kathy Beck of the City of Tampa Planning Division has offered to visit the District with associates to review the tree situation. Mr. Farrell will follow up with Ms. Beck on this issue.

A service agreement for the new air conditioning units will be discussed at a future meeting.

- #585 – The Estuary gate operator, on the other side, has died. It is recommended replacing it as per the proposal from Royce Integrated Solutions, which was included in the General Manager’s Report package.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor authorizing a loan from the General Fund to the Estuary Fund to pay for replacing the Estuary Gate operator at a cost of not to exceed \$4,000 as per the proposal from Royce Integrated Solutions was approved.

The borrowed funds from the General Fund will be repaid from the 2013 assessments.

A discussion regarding a resident who dug channels in a pond bank ensued. Mr. Farrell will have the damage repaired.

- #544 – TPD Analysis – the Board discussed a security contract at the last workshop meeting – US Security Associate Contract.  
The Board was asked if they want to go out for bid on a security contract.

On MOTION by Mr. Thomson seconded by Mr. Tanenbaum with all in favor going out for a RFP for a security contract was approved.

Mr. Ricciardi will work with Mr. Farrell on the scope of service.

- #580 – The Tampa Bay Aquatics past swim schedule was provided by Mr. Farrell at the request of Ms. Nelson. The schedule was included in the General Manager’s Report.
- Sidewalk Cleaning – Mr. Farrell was asked to get an estimate on sidewalk cleaning. The charge would be 22 cents per square foot and if we were to clean the sidewalks on Arbor Greene Drive from the Enclave gate to Cross Creek, the charge would be approximately \$3,000. It is probably not the best time to do this due to the water restrictions.



Mr. Ricciardi reported on a follow up item; retirement accounts for Mr. Farrell and Gary. Switching the accounts from the current bank, Wachovia, to Wells Fargo Financial Services is recommended as it will be a much more efficient operation. Mr. Farrell and Gary are both comfortable with the switch of service as explained to them. However, there is a one-time transfer fee for Gary of \$95; thereafter there is an annual fee. One of the advantages of the change would be the direct deposit ability. The Board suggested getting more information on other financial institutions where there would be less fees or none.

It was noted more information will be obtained and Mr. Baldwin, who will fill-in for Mr. Ricciardi at the next Board meeting should have additional information.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Tanenbaum asked when are the bonds expiring and Mr. Brickley responded 2019.

Mr. Tanenbaum inquired about obtaining a loan at a lower rate to pay off the bond and if possible, is it financially viable?

Mr. Ricciardi noted the Underwriter would have to provide the answers.

It was also noted by Mr. Ricciardi that right now the District's debt service payments are pledged assessments, pledged against the District's assessments. The only security the District has are the pledged assessments.


Mr. Thomson raised an issue of too many signs on the community roads. (i.e. speed limit signs).

**TENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
R. John Ricciardi  
Secretary

  
John Brickley  
Chairman