

**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, October 24, 2011 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            |
| Christine Nelson | Vice Chairperson    |
| T. Dorsey Yawn   | Assistant Secretary |
| Adam Tanenbaum   | Assistant Secretary |
| Toby Thomson     | Assistant Secretary |

Also present were:

|                  |                      |
|------------------|----------------------|
| John Ricciardi   | District Manager     |
| Bob Farrell      | General Manager      |
| Tonja Stewart    | WilsonMiller Stantec |
| Audience Members |                      |

*The following is a summary of the minutes and actions taken at the October 24, 2011 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  
September 19, 2011 Regular Meeting**

Each Board member received a copy of the minutes of the September 19, 2011 meeting and any additions, corrections or deletions were requested.

There not being any,

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the minutes of the September 19, 2011 meeting were approved.

**THIRD ORDER OF BUSINESS**

**Approval of the September 30, 2011  
Financial Statements**

Mr. Brickley reported on the October 20, 2011 Workshop meeting noting the following:

- Revenue is at 101.37% of budget.
- Expenses are at 94.34% of budget.
- Assessment income for the year was at 100% of budget.
- We will start to see reserve items in approximately 12 different cost centers in the financial statements next month.
- The financial statements ending September 30, 2011 were recommended for approval.

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

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

**FOURTH ORDER OF BUSINESS**

**Auditor Selection Committee**

**A. Audit Ranking Recommendations**

Mr. Ricciardi reported four auditing firms submitted proposals. Each audit committee member provided their individual auditor ranking sheet. The rack-up indicated Grau & Associates was ranked #1, Keefe McCullough #2 and Berger, Toombs, Elam, Gains & Frank #3 and Shinn & Company #4.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor the audit committee recommendation to the CDD Board to retain the firm of Grau & Associates to perform the audit for fiscal year 2011 with the renewal option of performing the District's fiscal year 2012 and 2013 audits was accepted.

**FIFTH ORDER OF BUSINESS**

**District Manager's Report**

Follow up items:

- A document, Facts About GASB was distributed to the Board as a follow up to questions asked by Board members at the last meeting.
- As briefly discussed at a previous meeting, the increase in advertising costs was due to the ads placed for hiring of a new general manager.
- Information on salt water pool treatment was submitted to Mr. Farrell.
- Overnight parking issues previously discussed were forwarded to Mr. Robin for comments and the response was he does not think Tampa PD will issue tickets based on a No Parking sign posted at the front entrance.

*This item will be addressed in the General Manager's Report.*

- Insurance quotes were received and went up 9.66%; a \$3,533 increase. We had a budget of \$35,015 and we are still under budget by \$3,000.
- The memo regarding regulation of firearms and ammunition on CDD property was previously distributed to the Board. The memo explains a change in the Florida Statutes. It was noted there is a statement in the District's Rules and Policy manual about firearms. District Counsel suggested revising the policy to include a statement that the District complies with State Statute.

A discussion on the firearms memo and the CDD policy ensued.

Regarding the existing firearms CDD policy the following motion was made:

|   |
|---|
| <p>On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with Mr. Tanenbaum, Mr. Yawn, Ms. Nelson and Mr. Thomson voting Aye and Mr. Brickley voting Nay, striking Paragraph 5 of the existing Policy/Procedures Manual (P. 24 of 36 -- "not possess any type of firearms, fireworks or weapons on Arbor Greene CDD property" was approved.</p> |
|---|

**SIXTH ORDER OF BUSINESS**

**Attorney's Report**

There not being any, the next item followed.

**SEVENTH ORDER OF BUSINESS****Engineer's Report****A. ADA Update**

Mr. Ricciardi introduced Ms. Tonja Stewart, the new District Engineer from WilsonMiller Stantec.

Ms. Stewart indicated one of the main reasons for attending this meeting was to explain and give an update on the new ADA Regulations. A handout supplied by Ms. Stewart was distributed to the Board and discussed. The following was noted:

- Two pool lifts were recommended (at a minimum of one portable and one permanent); the cost of a permanent lift is \$4,990.
- Fitness Center – Each type of equipment must have access, 36” access route and 30”x 48” clear floor space abutting one piece of each equipment type for proper transfer to the equipment. The Arbor Greene exercise room would need to have two pieces of equipment removed. The weight room is still being analyzed.
- Playgrounds have very complicated rules.
  - The path to the playground must be accessible.
  - Surface material for access to the playground must be ADA compliant.
  - Mulch must be compliant:
    - Wheelchair maneuverable.
    - Depth must be compliant.
- Ground level to elevated elements. The current Arbor Greene playground transfer elements are not compliant. The Board will need to decide whether to remove the old equipment, rebuild it or replace it. It was suggested a decision be made by December. Ms. Stewart was requested to provide for the next meeting a more complete/specific report on what needs to be done. A photo of a pool lift from Peninsula Pool will be emailed to Mr. Farrell to distribute to the Board.

*The record will reflect Ms. Stewart left the meeting.*

**EIGHTH ORDER OF BUSINESS****General Manager's Report**

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

- Contracts – Concessionaire contract reviews were discussed.
  - Swim Kids – Infant swim instructions.

Continuing contract was recommended by Mr. Farrell.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the Aquatics Program License Agreement between the District and Emma Grynbal (Swim Kids) for the period November 1, 2011 and October 31, 2012 was approved.

- Royce – Gate Maintenance – No action required.
- Positive Pool Service – New Rate \$1,450. Mr. Farrell recommended approval and will forward the new contract to Mr. Ricciardi.

Discussion ensued regarding whether this contract is in line with the “contract management procedures” since it is over \$10,000 annually.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the new contract with Positive Pool Service with the new rate and dates, upon verification that it is in the same form as the previous contract (that was reviewed by Counsel) and with the understanding that this is a deviation from the existing contract management procedures was approved.

- Tennis Court Light Poles  
Poles are rusting and one pole needs immediate replacement as it is a safety hazard.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor replacement of a tennis court light pole, #4, at a cost of not to exceed \$5,000 was approved.

- Main Fountain Restoration  
Control cabinet and box are rusting. It can be replaced with aluminum or stainless steel. Stainless steel was recommended by Mr. Farrell.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor replacing the main fountain cabinet and box at a cost of not to exceed \$4,300 was approved.

- Ad Hoc Tennis Committee  
The committee recommendations, as noted in the General Manager’s Report were discussed and the following resulted:

#1

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with all in favor establishing two courts as “courts of opportunity” or “walk on courts” and usage time to be 90 minutes and the reservation system for these two courts to be blocked out accordingly was approved.

#2

Consensus of the Board was to post signs regarding the “courts of opportunity” as described above.

#3

Cancellation of reservations is a concern as courts are reserved and then no one shows up and courts are empty.

Proposed Procedure – Reservations can be cancelled through the system (by the person making the reservation) if made through the system up until midnight of the day before or by calling the clubhouse attendant.

Consensus of the Board, it is okay with educating tennis players of this procedure.

Mr. Tanenbaum suggested looking at some kind of penalty (i.e. cannot reserve courts for x amount of time) if people reserve and do not use courts.

#4

League Captains want to have control to schedule practice sessions. Mr. Farrell recommends staff retain scheduling control.

Consensus of the Board was for staff to retain control of practice scheduling.

#5

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor the policy for team practices will be limited to no more than two courts per team, not to exceed two simultaneous team practices during any available play time of each day. This applies to teams “in season” and other league teams will not book any practices, formal or informal, in “prime-time” was approved.

#6

Percent participants on teams by non-residents.

Mr. Farrell recommends 80% resident vs. non-resident.

On MOTION by Ms. Nelson seconded by Mr. Tanenbaum with Ms. Nelson, Mr. Tanenbaum and Mr. Yawn voting Aye and Mr. Brickley and Mr. Thomson voting Nay rescinding the previous motion dated July 25, 2011 to change resident participation to 80% as of January 1, 2012 and change to 70% resident participation vs. non-resident participation effective January 1, 2012 was approved.

#7

Non-Resident Memberships

Using non-residents very sparingly, only to bring a team to minimum requirements was discussed.

Maintain current designation/participation rules was discussed.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor increasing non-resident membership from 10 to 16 effective immediately was approved.

#8

Player Orientation

Increase information in the Newsletter to 1¼ page. Content to be approved by Arbor Greene staff.

Consensus of the Board was to approve.

#9

Tennis message board has already been moved.

#10

The use of the existing tennis suggestion box is approved.

#11

It is ok to invite Alan Williams (tennis instructor) to participate on the tennis committee.

A resident, Mr. Patrick Leduc of Parkview asked to address the Board.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor suspending the agenda to allow Mr. Leduc to address the Board was approved.

Mr. Leduc requested the Board consider the following:

- Having a park bench and picnic table installed in the park and a picnic table is preferred.
- Improve landscaping and replace mulch with sod.
- Installing a swing set.

Mr. Farrell pointed out in other park areas residents were asked to pay for the improvements.

Mr. Brickley indicated the Board will review the requests.

A discussion on item 338 of the General Manager's Report, website enhancement and tennis court parking enhancements was deferred to the November meeting.

**The General Manager's Report Continued**

- Item # 99016 – Sidewalk and Miami Curb Repairs

125 Locations and 147 Repairs

Mr. Farrell requested \$32,903 (including a contingency) for these repairs; there is only \$30,000 in the budget for this item.

Mr. Yawn suggested "grinding" the raised areas as a cheaper approach.

A lengthy discussion on the sidewalk grinding approach ensued.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor sidewalk and Miami curb repairs as recommended at a cost of not to exceed \$15,000 was approved.

The Board understands all sidewalk repairs cannot be accomplished at the not to exceed cost noted in the above motion. The sidewalk repair issues will be revisited upon further monitoring by Mr. Farrell after initial repairs have been made.

- Item #355 Short Term Disability Insurance for Mr. Gary Smith  
This insurance is no longer available for Mr. Gary Smith through the current insurance company. Moving to a new company is extremely costly since there is not a group rate.

Mr. Farrell suggested compensating Mr. Smith by paying a one time payment of \$1,860 (the current premium) or ½ of the premium, \$930, and dropping the Short Term Disability coverage.

On MOTION by Ms. Nelson seconded by Mr. Tanenbaum with all in favor authorizing a one-time payment to Mr. Gary Smith of \$1,860 and to not provide Short Term Disability Insurance moving forward was approved.

- Road Projects – The concrete ribbon headers will be looked at.



- No Parking sign at the front entrance is still being investigated however; Board consensus was not to pursue this matter.
- Mr. Thomson asked if Borrell has been on the property to repair street lights; three lights at Arbor Creek are out.  
Mr. Farrell will follow up on the street light repair.

**NINTH ORDER OF BUSINESS**

**Supervisors' Requests**

There not being any, the next item followed.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

There not being any, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

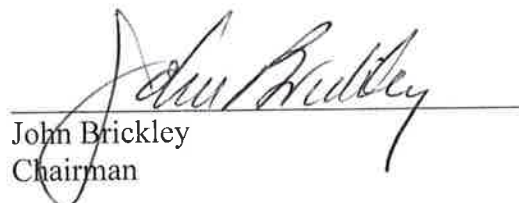
**Adjournment**

There being no further business,

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



R. John Ricciardi  
Secretary



John Brickley  
Chairman