

**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, September 19, 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 (via telephone)	Assistant Secretary

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 September 19, 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 August 22, 2011 Regular Meeting

Each Board member received a copy of the minutes of the August 22, 2011 meeting and any additions, corrections or deletions were requested.

Corrections were requested and will become part of the final minutes for the record.

The record will reflect Mr. Tanenbaum joined the meeting.

Mr. Tanenbaum was asked if he had any corrections for the August 22, 2011 minutes and there were none.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the minutes of the August 22, 2011 meeting were approved as amended.

THIRD ORDER OF BUSINESS

**Approval of the August 31, 2011
Financial Statements**

Mr. Brickley reported on the September 15, 2011 Budget Workshop meeting noting the following:

- Revenue is at 100.9% of budget.
- Expenses are at 85.9% of budget.
- Assessment income is at 100% of budget. The budget is on track to finish with a surplus to be dependent based on the audit we receive in April or May.
- We reviewed the reserve issues in connection with how we wanted to add to the reserves we set up on a number of designated funds and add to them from the undesignated balance. We also looked into establishing the reserve issue for R&M Lake.
- The financial statements ending August 31, 2011 were recommended for approval.

Mr. Yawn MOVED to approve the financial statements and Mr. Tanenbaum seconded the motion.

Ms. Nelson questioned an item on the financial statements, on page 2, the Capital Outlay number (26,638) listed in the last column under August-11 Actual.

Mr. Farrell will research the item and report on it later in the meeting.

The approval of the financial statements item was tabled.

FOURTH ORDER OF BUSINESS

District Manager's Report

Follow up items:

- A copy of the letter from Mr. Robin to Carriage Homes will be emailed to the Board. The letter went through the whole history of the infrastructure development for the bonds. The letter concluded with Mr. Robin indicating the

District could not maintain privately owned roadways or other privately owned infrastructure. This letter was sent to Carriage Homes in the first week of September and no response was received to date.

- ADA – Ms. Stewart, District Engineer, will be attending the October meeting to report on the ADA regulations and make recommendations to the Board.

A. Arbitrage Rebate Report for the Period June 6, 2010 through June 5, 2011

Mr. Ricciardi explained the report indicates the District had negative arbitrage and does not have to refund anything to the IRS.

Mr. Tanenbaum questioned where the money would show up and Mr. Ricciardi explained.

B. Engagement Letter from Deloitte Tax LLP to Provide Arbitrage Services for Bond Year Ending June 5, 2012

Mr. Ricciardi explained the engagement letter from Deloitte Tax LLP indicates the fee to provide arbitrage services is \$750 and this fee has been calculated into the 2012 budget. Approval of the engagement letter was recommended.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor authorization was granted to the Chairman to sign the arbitrage rebate calculation engagement letter with Deloitte Tax LLP for arbitrage services for bond year ending June 5, 2012 in the amount of not to exceed \$750.
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C. Implementation of GASB 54

Mr. Ricciardi explained the new GASB 54 changes and explained the changes to be made to the appearance of the new Balance Sheet of the financial statements. Regarding the GASB 54 implementation two things will be needed to be done at this meeting; a motion to assign previously reserved funds and as part of the motion the Board needs to identify what funds they want to reserve out of the 2011 budget. At the budget workshop the Board discussed reserving some of the funds already identified in the budget as well as using additional Undesignated funds. These categories need to be identified and how much.

We also need a motion approving the District's policy; the auditors want to see the District has taken the step to come up with a fund balance policy. The District shall report governmental fund balances per GASB 54 definition on the balance sheet as

follows: Non-Spendable, Restricted, Committed, Assigned and Unassigned. The Board shall approve all commitments by formal resolution of the Board and a commitment can only be modified or removed by formal resolution.

Mr. Tanenbaum asked if this is a federal statute or regulation that specifically identifies community development districts as being a municipality government body.

Mr. Ricciardi noted CDD's were formed under Statute Chapter 190. We are a government entity; a government body and required to comply with government accounting standards. Auditors are looking for the government accounting standards to audit the District's books.

Mr. Yawn also questioned who the people are requiring the GASB 54 changes, where are they coming from and where are they getting their authority to set rules and regulations.

Mr. Ricciardi indicated he will ask Mr. Bloom, the Finance Manager of Severn Trent to answer the questions raised by Mr. Tanenbaum and Mr. Yawn.

Mr. Brickley stated we want to assign those reserve funds currently in the 2011 budget for continuation in 2012. We want to assign from the Undesignated Balance in the budget of 2011 to a number of reserve accounts as follows:

Reserve:

Reserve Irrigation System	\$ 3,416
Reserve Gates	2,000
Reserve Monuments/Signage	3,416
Reserve Swimming Pools	5,374
Reserve Fountain	1,958
Reserve Clubhouse	8,790
Reserve Fences	2,687
Reserve Playgrounds	8,790
Reserve Court Amenities	2,637
Total Amount	\$39,118 from the Undesignated Reserve
Assign from 2011 Budget R&M Lakes	
To Reserve: R&M Lakes	\$ 15,000

Mr. Ricciardi noted part of the motion would be to assign any funds previously reserved as designated; roadways and tennis court.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor to (1) assign funds currently in the 2011 budget designated as reserves, anything identified in the 2011 budget, (2) assign from 2011 undesignated the additional monies in those specified categories as listed above and (3) assign funds from R&M Lake, a General Fund line item expenditure to take \$15,000 of that and reserve it in to assignment as R&M Lakes and finally (4) to assign funds previously reserved prior to 2011 in the category that they were designated prior to 2011 was approved.

The record will reflect Mr. Thomson disconnected from the meeting.

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor the GASB 54 fund balance policy as presented and discussed was approved.

- D. Audit Committee Selection Process**
 - i. Appointment of Committee Members**
 - ii. Establishment of RFP Evaluation Criteria**
 - iii. Authorization to Proceed with RFP**

Mr. Ricciardi explained under Florida Statute the District is required to form an audit selection committee and go through an audit selection process when the current audit engagement expires.

The process was explained. It was recommended that the governing Board be the audit selection committee. The second step in the process is setting the criteria for the audit. A sample criteria sheet was included in the agenda package. Statute states that if compensation is one of the criteria, it should not be the sole or predominant factor. The third step is authorization of an RFP, which would be advertised in a local newspaper.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor authorization for the entire Arbor Greene Board of Supervisors to serve as the audit selection committee was approved.

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor the audit selection criteria as presented to the Board was approved.

Mr. Brickley MOVED to approve authorization to advertise an RFP (Request for Proposals) for auditing services and Mr. Yawn seconded the motion.

A discussion regarding the cost for advertising the audit RFP and cost of previous advertisings ensued. District Counsel will be asked the reason why the budget public hearing ads were required to include assessment charts and maps.

On VOICE Vote with all in favor the previous motion was approved.

**THIRD ORDER OF BUSINESS (continued) Approval of the August 31, 2011
Financial Statements**

Mr. Farrell noted after reviewing the financial statement question posed by Ms. Nelson regarding the Capital Outlay \$26,638 item he found the following; \$17,750 was for the tennis court resurfacing and this has been booked; the second part was for the main fountain pump install, \$8,887 for the pump and motor.

Mr. Brickley indicated the \$17,750 should be paid by the tennis court reserve fund.

Mr. Ricciardi explained a motion should be made to pay the \$17,750 out of the reserve fund and the accountant will re-class it.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor utilizing the assigned funds for tennis courts to pay the \$17,750 resurfacing costs and do the appropriate reclassification on the financial statements was approved.

Mr. Farrell added regarding the resurfacing item we were able to find a significantly less expensive vendor this year and all comments received to date have been favorable with the work that has been done.

Regarding the tabled financial statement item the following motion was approved:

On VOICE Vote with all in favor the financial statements ending August 31, 2011 were approved.

FIFTH ORDER OF BUSINESS

Attorney's Report

There not being any, the next item followed.

SIXTH ORDER OF BUSINESS

Engineer's Report

There not being any, the next item followed.

SEVENTH 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.
 - Lake Masters contract needs an indemnification clause.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor the Lake Masters contract was approved subject to the inclusion of the indemnification clause into the new contract.

- Plantz

On MOTION by Mr. Tanenbaum seconded by Mr. Brickley with all in favor the contract for maintenance of indoor plants by Plantz was approved.

- Trimmers Holiday

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor making the new Trimmers Holiday contract an exception to the established Arbor Greene contract procedures and authorizing the Chairman to sign the new contract in the amount of not to exceed \$10,500 was approved.

- Positive Pool
The contract is still under discussion. The request for Board approval was withdrawn at this time.
- Agreement with Wharton High School for Swim Team
The current contract expires in November or December and it will be treated as a new contract.
- Digital Rescue Contract for Website and LAN/Wireless
The contract with Aaron Granger cancelled and will be switching over to Digital Rescue. We are working with Digital Rescue to maintain the website and keep the LAN up and running the wireless for \$100 basic fee for servers, \$35 to do website when it is up and running, two initial set ups one for \$279 and the other will be a \$500 charge to redo the website as we move it over. The actual contract is \$135 per month.

This contract will be reviewed by Mr. Ricciardi.

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with all in favor the Digital Rescue contract for the website and LAN/Wireless service was approved subject to review by Mr. Ricciardi, District Manager.

- Main Fountain Restoration
If nothing is done at this time the downside is excessive vibration, which will damage the fountain equipment.
A proposal was received from TAW in the amount of \$5,500.
A lengthy discussion on whether to move forward with having TAW perform the work proposed at this time or waiting until the next inspection is done ensued.
Consensus of the Board was to wait until the next inspection and present the report to the Board upon completion of the inspection.
- Tennis Court Resurfacing – went well, within budget.
- Administrator Replacement – an advertisement for replacement of the position held by Barbara has been placed. Responses received and interviews are completed. An offer is anticipated to be made between September 16, 2011 and September 23, 2011. Ms. Claudia Mayo was selected and started today; training with Barbara; she

will work part-time until the end of the year. Ms. Mayo is a resident of Arbor Greene. Twelve residents applied for the position.

Mr. Ricciardi requested the new employee paperwork be sent to Ms. Pat Solar at Severn Trent.

Supervisor Requests

- The “all tennis” document is in progress.
- The Avalon utility box in the sidewalk – engineer response received. The recommendation is to leave the box where it is and close this case.

Board consensus was to accept the recommendation to leave the box where it is.

- Devonshire request to move stop sign – engineer recommends leaving the sign where it is. Mr. Thomson is uncomfortable with the engineer’s answer and wants a cost for putting up a separate sign and moving it. Mr. Farrell recommended the engineer’s recommendation be accepted.

Board consensus and resident input was to follow the engineer’s recommendation.

- Ad Hoc Tennis Committee – the recommendations made by the committee will be presented to the Board before the next Board meeting.
- Check feasibility/cost for *No Overnight Street Parking* sign. Proposed wording: *No Overnight Street Parking Community Wide*. The cost would be less than \$200.

Board consensus was to defer action for now. Mr. Ricciardi will discuss the sign with District Counsel.

- Website enhancements - \$35 per month, which is included in the Digital Rescue contract previously discussed. Mr. Thomson will bring this up at the October meeting.
- Fountain curb cut near Estuary/Enclave – why is it there. It was in the original design plans and it was added to in 2008-2009. Mr. Farrell will visit the site with Mr. Tanenbaum. All curb cuts are designed to get pedestrians across the street.
- Tennis court parking area enhancement project – Mr. Thomson will discuss this at the next meeting.

EIGHTH ORDER OF BUSINESS

Supervisors’ Requests

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Audience Comments

There not being any, the next item followed.

TENTH ORDER OF BUSINESS

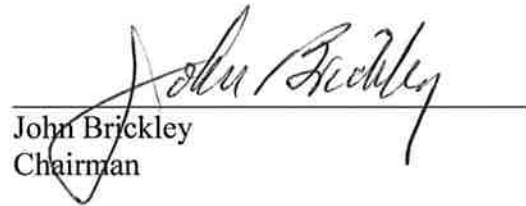
Adjournment

There being no further business,

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



R. John Ricciardi
Secretary



John Brickley
Chairman