

**MINUTES OF MEETING
OAKSTEAD COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Oakstead Community Development District was held on Tuesday, November 20, 2007 at 6:30 p.m. in the Oakstead Clubhouse, 3038 Oakstead Boulevard, Land O'Lakes, Florida.

Present and constituting a quorum were:

| | |
|-----------------|---------------------|
| John Witmer | Chairman |
| Barbara Feldman | Vice Chairman |
| Diane Davis | Assistant Secretary |
| Joe Cascio | Assistant Secretary |
| Larry Cyment | Assistant Secretary |

Also present were:

| | |
|-------------------|-------------------|
| Andrew Mendenhall | District Manager |
| Tonja Stewart | District Engineer |
| Mario Grasso | Field Manager |
| Nancy Intini | Park Director |
| Several Residents | |

The following is a summary of the discussions and actions taken at the November 20, 2007 Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Witmer called the meeting to order and Mr. Mendenhall called the roll.

There was a request to move the Engineer's Report to the front of the agenda due to the nature of topics to be discussed.

On MOTION by Mr. Witmer seconded by Ms. Feldman with all in favor reorganizing the agenda to have the Engineer's Report as the next item of business was approved.

SIXTH ORDER OF BUSINESS

Engineer's Report

Ms. Stewart reported the following:

- BioMass Tech worked on the erosion issues by making the appropriate corrections. An additional inspection was scheduled as the work had not been satisfactory to date and

there were still outstanding items needing clarification. Effort will continue in locating other contractors to do the work.

- Residents reported there were still problems with the Weymouth manhole but Mr. Grasso did not see a leak. The Utilities department may need to be contacted instead of Road and Bridge.
- There are two phases of Oakstead which were not transferred with SWFWMD to Operations and Maintenance; Phase 2 and Phase 5. Documents of the as-builts from Heidt & Associates will allow for submittal of the Phase 5 permit.
- At DEVCO's request, Heidt & Associates submitted a proposal to do the necessary Phase 2 and Phase 5 work to bring things into compliance with current standards at an hourly fee not to exceed \$3,500. It was recommended both permits be transferred to Oakstead because the District is currently operating and maintaining them but it was not clear who would pay the cost.

Discussion and clarification on the issue developed which included:

- DEVCO will probably not accept responsibility for any maintenance as their position was, at the time they submitted the as-builts, everything was in good, satisfactory condition. They believe it is the District's responsibility to make the repairs because SWFWMD took so long.
- It was believed it would be the District's responsibility in Parcel 5 because they chose not to execute the transfer to operations approximately two years ago.
- There were 19 items listed from SWFWMD which needed correction at that time and the sitting Board did not find it wise to let the developer 'off the hook'. When a transfer is submitted, it starts the inspection process but does not obligate the District to anything. The 19 items are now believed to be related to other portions of the project.
- Because the District owns the two parcels and is operating and maintaining them, the issue needs to be resolved. It may cost very little money to rectify Parcel 5 and may not be worth arguing about who should do it. Parcel 2 may need a compromise between the District and DEVCO.

On MOTION by Mr. Cyment seconded by Mr. Witmer with all in favor the proposal from Heidt & Associates for work to be done on Parcel 2 and Parcel 5 in an amount not to exceed \$3,500 was approved.

On MOTION by Mr. Cyment seconded by Ms. Feldman with all in favor the Chairman was authorized to execute the SWFWMD transfer to operations form for Parcel 5 and the Engineer was authorized to draft a letter to DEVCO notifying them the District is only responsible for the items they feel responsible for and their associated costs.

It was suggested and validated an open task list be made part of future agenda packages to ensure projects or items of interest move forward. Mr. Mendenhall will prepare the document.

- Documentation of an executed Statement of Compliance for The Army Corps of Engineers was submitted. The District has a mitigation area within CDD property and all areas referenced in the document are within the District. In addition, the District is currently paying Ecological Consultants to maintain and report on the areas. They were asked to provide a formal report on the current status of the mitigation areas to be combined with a report from WilsonMiller on how much time remains in terms of monitoring and maintaining the areas prior to transferring permit certification from the developer to the District. A walkthrough of the wetland impact areas will be documented.

SECOND ORDER OF BUSINESS

Consent Agenda

A. Approval of the Minutes of the October 16, 2007 Meeting

B. Approval of the Financial Statements through October 31, 2007

Mr. Mendenhall stated each Board member received a copy of the minutes and requested any additions, corrections or deletions.

On MOTION by Mr. Cyment seconded by Ms. Feldman with all in favor the consent agenda was approved.

THIRD ORDER OF BUSINESS

Approval of the Audit of Fiscal Year 2006

Mr. Mendenhall distributed the audit electronically for review prior to the meeting. He indicated it was a positive audit and referenced its Management Report for key items of interest.

It was noted if more time for review was needed, the item could be tabled until the December meeting.

On MOTION by Mr. Cascio seconded by Mr. Cyment with all in favor approval of the audit of fiscal year 2006 was tabled until the next regular meeting.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider Adoption of General Rules of Procedure and Resolution 2008-1

Mr. Mendenhall advised this was a procedural step as the District already has rules and the item was tabled from previous meetings.

The topic of competitive bidding from a CDD perspective was explained by Mr. Mendenhall in regard to dollar thresholds and state statutes determining how a choice is made i.e. landscaping work over \$150,000 must be bid with the lowest reasonable and responsive company selected.

On MOTION by Mr. Cyment seconded by Ms. Davis with all in favor the public hearing to consider adoption of the general rules of procedure and Resolution 2008-1 was opened.

Members of the audience indicated they had not seen the rules. They are to be posted on the website for public viewing prior to taking their questions and/or comments.

On MOTION by Mr. Cyment seconded by Ms. Davis with all in favor the previous motion to open the public hearing was rescinded.

As the December meeting was scheduled for 2:30 p.m., anyone who had a question but could not attend was directed to send it to Mr. Mendenhall via email.

FIFTH ORDER OF BUSINESS

Attorney's Report

Mr. Mendenhall reported the following:

- Mr. Robin's firm contacted the School Board twice in the past week regarding the passive park agreement but no response was received.

Discussion ensued on a small portion of CDD property near the school and the commercial property across from Weymouth.

SEVENTH ORDER OF BUSINESS

Manager's Report – Workshop Action Items

There being no report, the next item followed.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Field Manager

Mr. Grasso reported the following in addition to his weekly reports:

- The invoice for the water technique in Weymouth was received and given to Mr. Mendenhall for payment from the reserves.
- There were still problems on the roadways and a call for service was placed.
- Due to seemingly excessive costs, direction was needed on repairing the park bench in front of Marchmont.

Ideas were expressed, other than using the \$650 kit to repair the rear slats, from replacing bench slats with laminated lumber to removing the particular bench.

On MOTION by Mr. Cymment seconded by Mr. Cascio with all in favor an expenditure not to exceed \$300 to repair the Marchmont park bench or remove it within 30 days was approved.

- New erosion developed in Pond 54 in Tanglewylde, part of Adopt-A-Pond, and a request was made to repair it the same way as Pond 57. Ms. Stewart was advised and will review the situation. Photos were distributed for review.

Discussion continued on various erosion matters including problems with the contractor.

- The Hillington jet-rooting was done and worked out for \$660, which will be paid from Miscellaneous Services. A rotating schedule is in process for cleaning out other drains and the underground structures in the wildlife corridor will be added as suggested.

Supervisor comments were heard regarding concerns on lighting at the front entrance and landscaping on adjacent property.

B. Park Director

Ms. Intini reported the following in addition to her weekly reports:

- The security guidelines were distributed electronically by Mr. Mendenhall after the last workshop.

On MOTION by Ms. Feldman seconded by Mr. Cascio with all in favor the security guidelines were approved.

- Two quotes on restriping and sealing the parking lot were received but a third company could not be found to make an additional proposal. The project would extend the life of the lot and should be done after the landscaping project.
- Installation of the awning for the playground is waiting on a survey from Heidt & Associates. Ms. Stewart was consulted before she left the meeting and she will contact Heidt & Associates for the survey. Mr. Mendenhall will follow up on obtaining the current survey work.

C. Clubhouse Committee

There not being any, the next item followed.

D. Finance Committee

Mr. Witmer reported the following:

- Monica tendered her resignation as chairperson of the finance committee so the committee is inactive at the present time.

E. Landscape Committee

Mr. Mendenhall advised he sent an email reviewing a number of items Mr. Cooper saw in his walk-through and many of them coincide with concerns expressed by residents and the Board. Mr. Heath reported and or initiated discussion on the following:

- The landscaper agreed to do an additional two courses on the front wall with no additional charge.
- Renderings can be expensive and would not necessarily be an exact picture of how things would look; would depend on the artist and would still be open to interpretation.
- An extension of the wall with a tiered effect down the sidewalk would be a worthwhile investment and enhance the visual appearance of the monuments.
- Mr. Cooper's interpretation of what was to happen at the wall/monument did not necessarily come to fruition because of unforeseen underground utilities and grading issues.
- A sketch of proposed changes could be done at an hourly rate and be received in approximately three weeks or more.

- The architect did not plan for any of the plant beds on the west side of Oakstead Boulevard from Manassas to Lake Patience because the material at the time was adequate and sufficient.
- All plans and materials, based on months of communications, were approved by the Board prior to implementation.
- The retaining wall was built at ground level by interpretation of the subcontractor. A few courses were left out because they could not be installed due to the underground utilities. They will be placed in another area at no charge.

Mr. Cascio recommended the contractor complete the build out based on the original plan and by adding additional courses. Upon completion, the Board could receive comments and, if further enhancements are needed, elect to extend the wall at that time, which may require moving a few plantings but it should not be a major cost.

Mr. Heath agreed.

Mr. Cyment motioned to have sketches prepared for no more than \$2,500 and in no more than two weeks for the proposed changes to the front of the clubhouse, the center island and at the monuments. Due to lack of a second, the motion failed.

Mr. Heath reviewed the walk-through areas of concern as follows:

- Mulch quantities – closed issued. The contract was to mulch all the new plantings. Mr. Mendenhall was directed to inform the landscapers to now mulch everything as an area is completed.
- Mid December was the estimated projection completion date.
- Additional courses will be added to the retaining wall.
- Two palms as designed in the pool area will no longer be placed there. Because they were ordered and cannot be canceled, Greenbriar suggested they be placed at each side of the clubhouse entrance where the cedar trees were removed. Mr. Cooper concurred.

Mr. Witmer suggested continuing the landscape discussion to a later date at which time photographs of the areas being discussed could be utilized to aid in visualizing the outcome.

The Board was reminded the DRB needs to be involved in any major architectural or landscaping changes as the CDD does not have 100% freedom to do whatever it wants. Per the documents, the plans must be approved.

- The five Oak trees behind the entrance wall on the east side need to be removed to make room for the Magnolias and could be transplanted to the center island for \$350 per tree.
- The median at the Marchmont entrance needs remedial action. The suggestion was to add a variety to keep the continuity throughout.
- The center island at Lake Patience and Oakstead Boulevard needs an additional 40 plants some of which are replacements for those that died.
- All issues needing Board action will be compiled into one Change Order for consideration at the continued meeting.
- High voltage lighting proposals should be obtained from experts in the field as recommended by manufacturers and contractors.

On MOTION by Mr. Cascio seconded by Ms. Feldman with all in favor the meeting was continued to Thursday, November 29, 2007 at 6:00 p.m. in the Oakstead Clubhouse to discuss the landscape agenda items.

F. Newsletter Committee

Ms. Bilello reported the following:

- The December newsletter was delivered.
- The approximate deadline for January's edition was December 3rd.

NINTH ORDER OF BUSINESS

Supervisor's Reports, Requests and Comments

Mr. Cyment offered the following comments:

- There was an HOA meeting to approve the budget, which went from \$37 to \$75. Some residents felt they were being double taxed and the documents were explained so the budget was passed. The purpose of the increase was to raise funds to legally pursue, through mediation or the courts, those people who fail to adhere to covenants and standards.

Mr. Cascio offered the following comments:

- The letter in the St. Petersburg Times regarding the wildlife corridor conveyed the perception of a lack of activity on the District's part. However, certain people were notified concluding Mr. Grasso's efforts with SWFWMD to try and get a determination of the District's obligations. It is a serious item which still needs discussion and a resolution with minimal impact on residents while still meeting the requirements of the law. It should also be an agenda item at the December meeting.

Discussion developed regarding past meetings and Mr. Thurston distributed copies of the court order for the wildlife corridor. A Supervisor witnessed three houses where improvements were made into the conservation area and indicated there were several more where fences were installed in the wrong area. Whether this was an HOA or CDD matter was a point of conversation.

Ms. Feldman offered the following comments:

- PACA will be meeting on the 2nd floor at the Wesley Chapel Toyota beginning November 8, 2007. Mr. Mike Wells, Pasco County Property Appraiser, spoke at the November meeting on the proposed tax exemptions. It was suggested he make presentations at each community to explain what will happen and how it will work if the exemptions are passed on January 29th. Mr. Mendenhall will contact Mr. Wells and ask that he attend the January Board meeting.

TENTH ORDER OF BUSINESS

Audience Comments

Ms. Bilello commented on the urgency of addressing the wildlife corridor issue.

Mr. Thurston commented he would like to see action on the wildlife corridor so it will not be considered abandoned at a certain point in time. In addition, he commented on the tan fence as it is the only tan fence in all of Oakstead and there was a substantial price increase to change from white to tan.

Further discussion ensued on the wildlife corridor, property lines and possible encroachment by homeowners.


Mr. Paradiso commented on people driving over the new grass and suggested doing something about it or it will continue to occur.

Discussion developed on the school's principal, enrollment numbers and parking for special events.

NINTH ORDER OF BUSINESS

Adjournment/Continuation

There being no further business, the meeting was continued as motioned earlier.



Andrew Mendenhall
Secretary



John Witmer
Chairman

MINUTES OF MEETING
OAKSTEAD COMMUNITY DEVELOPMENT DISTRICT

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Present and constituting a quorum were:

John Witmer Chairman Barbara Feldman Vice Chairman Diane Davis Assistant Secretary Joe Cascio Assistant Secretary Larry Cyment Assistant Secretary

Also present were:

Andrew Mendenhall District Manager Tony Stewart District Engineer Mario Grasso Field Manager Nancy Intini Park Director Several Residents

The following is a summary of the discussions and actions taken at the November 20, 2007 Board of Supervisors meeting.

FIRST ORDER OF BUSINESS Call to Order and Roll Call Mr. Witmer called the meeting to order and Mr. Mendenhall called the roll.

There was a request to move the Engineer's Report to the front of the agenda due to the nature of topics to be discussed.

On MOTION by Mr. **Witmer seconded** by Ms. **Feldman with all in favor reorganizing the agenda to have the Engineer's Report as the next item of business was approved.**

SIXTH ORDER OF BUSINESS

Ms. Stewart reported the following:

Engineer's Report

- BioMass Tech worked on the erosion issues by making the appropriate corrections. An additional inspection was scheduled as the work had not been satisfactory to date and

November 20, 2007 Oakstead CDD

there were still outstanding items needing clarification. Effort will continue in locating other contractors to do the work.

- Residents reported there were still problems with the Weymouth manhole but Mr. Grasso did not see a leak. The Utilities department may need to be contacted instead of Road and Bridge.
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Discussion and clarification on the issue developed which included:

- o DEVCO will probably not accept responsibility for any maintenance as their position was, at the time they submitted the as-builts, everything was in good, satisfactory condition. They believe it is the District's responsibility to make the repairs because SWFWMD took so long.
- o It was believed it would be the District's responsibility in Parcel 5 because they chose not to execute the transfer to operations approximately two years ago.
- o There were 19 items listed from SWFWMD which needed correction at that time and the sitting Board did not find it wise to let the developer 'off the hook'. When a transfer is submitted, it starts the inspection process but does not obligate the District to anything. The 19 items are now believed to be related to other portions of the project.
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November 20, 2007

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Oakstead CDD

It was suggested and validated an open task list be made part of future agenda packages to ensure projects or items of interest move forward. Mr. Mendenhall will prepare the document.

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SECOND ORDER OF BUSINESS Consent Agenda A. Approval of the Minutes of the October 16, 2007 Meeting

B. Approval of the Financial Statements through October 31, 2007

Mr. Mendenhall stated each Board member received a copy of the minutes and requested any additions, corrections or deletions.

On MOTION by Mr. Cyment seconded by Ms. Feldman with all in favor the consent agenda was approved.

THIRD ORDER OF BUSINESS Approval of the Audit of Fiscal Year 2006 Mr. Mendenhall distributed the audit electronically for review prior to the meeting. He

indicated it was a positive audit and referenced its Management Report for key items of interest.

November 20, 2007
Oakstead CDD

It was noted if more time for review was needed, the item could be tabled until the December meeting.

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FOURTH ORDER OF BUSINESS

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Mr. Mendenhall advised this was a procedural step as the District already has rules and the item was tabled from previous meetings.

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As the December meeting was scheduled for 2:30 p.m., anyone who had a question but could not attend was directed to send it to Mr. Mendenhall via email.

FIFTH ORDER OF BUSINESS Attorney's Report Mr. Mendenhall reported the following:

- Mr. Robin's firm contacted the School Board twice in the past week regarding the passive park agreement but no response was received.

November 20, 2007 Oakstead CDD

Discussion **ensued on a small portion** of CDD property near the school and the **commercial** property across from Weymouth.

SEVENTH ORDER OF BUSINESS Manager's Report - Workshop Action Items

There being no report, the next item followed.

EIGHTH ORDER OF BUSINESS Staff Reports A. Field Manager

Mr. Grasso reported the following in addition to his weekly reports:

- The invoice for the water technique in Weymouth was received and given to Mr. Mendenhall for payment from the reserves.
- There were still problems on the roadways and a call for service was placed.
- Due to seemingly excessive **costs**, direction was needed on repairing the park bench in front of Marchmont.

Ideas were expressed, other than using the \$650 kit to repair the rear slats, from replacing bench slats with laminated lumber to removing the particular bench.

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B. Park Director

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November 20, 2007

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Oakstead CDD

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NINTH ORDER OF BUSINESS Supervisor's Reports, Requests and Comments

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Andrew Mendenhall

Secretary Chairman