

**MINUTES OF MEETING
OAKSTEAD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Oakstead Community Development District was held on Tuesday, January 19, 2010 at 2:30 p.m. at the Oakstead Clubhouse, 3038 Oakstead Boulevard, Land O' Lakes, Florida.

Present and constituting a quorum were:

Joseph Cascio	Chairman
Barbara Feldman	Vice Chairperson
Diane Davis	Assistant Secretary
Sal Paradiso	Assistant Secretary

Also present were:

Andrew Mendenhall	District Manager
Tonja Stewart	District Engineer
Tracy Robin	District Attorney
Nancy Intini	Park Director
Mario Grasso	Field Manager

Mr. Mendenhall reported Mr. Cyment has passed along his regrets that he would not be able to attend today's meeting due to his work schedule and he asked the Board to reconsider the meeting time.

The following is a summary of the discussions and actions taken at the January 19, 2010, Oakstead Community Development District's Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

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

SECOND ORDER OF BUSINESS

**Audience Attendance Count (7) and
Comments**

Mr. Mendenhall noted there were 7 audience members in attendance at the meeting.

As Ms. Frohnhoefer filled in a Speaker Sign In form she was asked if she wished to speak at this time.

Ms. Frohnhoefer asked questions about pond 54; the sign is missing.

Mr. Cascio noted he was aware of the issue, inquired about the sign and indicated the District has no knowledge of its whereabouts. If another sign can be obtained to replace the former sign it can be placed at the same location.

Ms. Frohnhoefer also asked for an update on the carp that were to be placed in the pond and Mr. Grasso reported they have been ordered and will be placed when the water temperature is warmer.

There not being any other audience comments at this time, the next item followed.

THIRD ORDER OF BUSINESS

Consent Agenda

A. Approval of the Minutes of the December 15, 2009 Regular Meeting

Each Board member received a copy of the December 15, 2009 minutes and was asked for any additions, corrections or deletions.

On MOTION by Mr. Paradiso seconded by Ms. Feldman with all in favor the minutes of the December 15, 2009 meeting were approved.

B. Approval of the Financial Statements through December 31, 2009

Each Board member received a copy of the financial statements as of December 31, 2009 and was asked for any comments on the financials.

Mr. Paradiso MOVED to accept the December 31, 2009 financial statements and Ms. Feldman seconded the motion.

Mr. Paradiso inquired about the SBA accounts, the Undesignated Reserve item on the Balance Sheet and the Assessment Services item on the second page. Mr. Mendenhall responded to Mr. Paradiso's questions regarding the financial statements.

Mr. Paradiso indicated he wanted to make a note regarding the Field Section on page 3, at the top, keeping an eye on the R&M Entry Feature because we have already spent over 50% of the budget for the year as well as gate repairs which are creeping up.

He also discussed the Brighthouse contract and asked Mr. Mendenhall if there were any updates since he last talked to customer service at Brighthouse. Mr. Mendenhall responded the information he received does not indicate any detail about any discounts available to individual homes. We can ask Brighthouse for a copy of any contracts we had with them.

Mr. Paradiso also inquired about the DTI bankruptcy as indicated in the financials and asked if the remaining balance due to the District is money the District will no longer receive and Mr. Mendenhall responded he tried contacting the owner but he is not responding to inquiries.

Mr. Cascio made inaudible comments. It is surmised by this transcriptionist that the comments were related to using the \$75,000 carry over.

A discussion ensued regarding the \$75,000 carry over issue.

On VOICE VOTE with all in favor the previous motion to accept the December 31, 2009 financial statements passed.
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FOURTH ORDER OF BUSINESS

Attorney's Report

• **Update on Eminent Domain Case**

Mr. Robin noted there is nothing new to report on this matter. The County is still not ready to take that issue up.

Parking at the clubhouse was discussed. Mr. Robin referred to an opinion letter from the HOA's counsel regarding the overnight parking issue.

Mr. Paradiso updated Mr. Robin on the overnight parking issue at the clubhouse.

A lengthy discussion ensued regarding the parking issue.

Mr. Robin suggested writing another letter to DEVCO and have the HOA write a mirror image of the same letter. Together, the two requests transfer jointly to stand in the shoes of the declarant.

Mr. Cascio suggested writing one letter and have two co-signers.

The discussion concluded with Mr. Robin noting he will draft a joint letter or mirror image letter, send it to the HOA counsel for his comments and then forward it to Mr. Sifford. Board consensus was to authorize Mr. Robin to draft the letter and send it to Mr. Mendenhall to obtain the required signatures.

Mr. Grasso reported on an HOA issue involving a resident who installed a fence encroaching 17 feet into the conservation area.

Mr. Robin noted this is a District issue because the CDD owns the land and is responsible for permit compliance; a letter notifying the property owner that he is in violation and requiring him to remove the fence should be given to him by the CDD. If time passes

and he does not comply, a second notice should occur, which will include a 30 day notice to comply noting if the fence is not removed the District will remove it for him.

Verification that the fence in question is actually on conservation land will be obtained and the District Engineer and District Counsel will follow up with the fence issue.

FIFTH ORDER OF BUSINESS

Engineer's Report

• **Update on Sidewalks**

Ms. Stewart reported on the determination from the workshop meeting regarding how the Board wants to handle sidewalk maintenance, tree removal between the back of curb and the sidewalk that is on District property. The following was noted by Ms. Stewart on this issue:

- A meeting with Mr. Krauer occurred prior to the meeting. He is heading up a task to try to have some discussion with Pasco County staff in Development Review in regard to the fact that the District wants the ability to obtain a variance to remove trees on a lot by lot basis; allowing each resident if they want to retain the trees adjacent to their property they will be obligated to maintain the tree as well as the sidewalk.
If a homeowner, due to the impact of the tree on the sidewalk, wants to obtain the right to remove it we want to get a variance to allow them to remove it.
- The approach would be we have quite a few maintenance issues with the trees directly related to the sidewalks.
- An initial meeting with County staff to discuss the District's tree/sidewalk problems was recommended by Ms. Stewart. After feedback from the County another Board discussion should occur.
- Tree removal will probably not be taken on this year. The variance process through the Board of County Commissioners is at least a 4 to 6 month process.

Mr. Cascio noted he would like to review the process or what decisions or what we may think to have been our judgments on the subject of sidewalk repair replacement. The District had established the position some months ago regarding the subject where the

homeowners were going to be responsible for their trees and any damage those trees may have caused to the sidewalk.

A couple of residents have brought this up as a problem area, and our attorney brought it up as a liability issue. Mr. Cascio expressed his disagreement with Mr. Robin noting what is causing the problem is not a CDD asset. He asked the Board to reconsider whatever ruling or judgment they think might be in place. Mr. Mendenhall was asked to find out what the ruling or judgment that is currently in place is.

Mr. Cascio continued, the District can afford to repair sidewalks on an on-going basis but cannot afford to replace, remove or trim or re-prune trees on an on-going basis. That is the responsibility of the homeowner. The Board was asked to review what they may have done recently with regard to taking a position on sidewalk repair and tree removal.

Mr. Robin stated he stands by his previous statements and analysis to the Board. Under any reasonable interpretation of Florida Law, the sidewalk improvements which are physically located on District property are the property of the District. The law cited to the Board relating to the sidewalks is applicable to the District. If a tree is physically located on District property, it is a landscape asset of the District.

Ms. Stewart explained how the process works between a developer, permitting, street tree ordinances and the County. The street trees should be looked at as a value to the community and an asset to the CDD.

The sidewalk and tree discussion continued.

The discussion concluded with the following motion:

On MOTION by Mr. Cascio seconded by Ms. Davis with all in favor designating \$5,000 for emergency hot spot sidewalk repairs was approved.

Mr. Robin recommended that before and after photos be taken of any sidewalk areas that will be repaired. A continuing record should be kept on the sidewalk areas being repaired.

Ms. Stewart reported on the placement of an information sign at the end of Manassas on the west side of Tanglewylde. Relocating the sign to a better location for it to be readable

by residents who are coming in to the community, not going out of the community was discussed.

It was suggested by Mr. Cascio to revisit the issue of the placement of the information sign at another time.

Ms. Stewart noted Mr. Krauer asked her to look at a tree stump that is in pond 54. She suggested leaving it as it is; if we start to see some deterioration we will deal with it at that time.

A brief discussion on road-roughing ensued.

Mr. Jack Klein of A1 Access Control introduced himself and noted he was at the meeting to answer any questions the audience and Board had about the access control system for the community center.

Mr. Cascio asked a few questions and Mr. Klein responded to them.

Ms. Stewart continued her report and discussed the sign "Slow, Children At Play".

A discussion on the sign, the speed limit and verbiage relating to the sign ensued.

Ms. Stewart will make contact with a sign company to get pricing.

The record will reflect Mr. Robin left the meeting

Mr. David Bechtel of Creative Landscape Lighting presented a proposal for landscape lighting in the Oakstead villages.

<p>Ms. Davis MOVED to accept the proposal from Mr. Bechtel of Creative Landscape Lighting in the amount of \$34,876 and Mr. Paradiso seconded the motion.</p>

A discussion ensued regarding the landscape lighting issue and proposal.

Mr. Bechtel was asked by Ms. Davis to downsize the lights and bring the proposal back to the Board in two weeks.

Mr. Cascio urged each Board member to visit each community. This issue will be revisited at the next workshop meeting.

Mr. Casio noted he would like to work toward having workshop meetings every other month rather than having a routine expectation that issues can be discussed at monthly workshops.

Mr. Paradiso expressed his opinion that the Board should hold monthly workshops but should waive being compensated for the workshops.

Mr. Cascio noted at the end of this meeting we will decide if there are enough agenda items that warrant having a continuation or a workshop.

The record will reflect Ms. Stewart left the meeting.

SIXTH ORDER OF BUSINESS

Manager's Report

A. Update on the Pool Project

Mr. Mendenhall reported the contractor spoke with the Health Department and the contractor expects to have the permit in two to three weeks.

B. Update on Clubhouse Expansion

Mr. Mendenhall reported the project is moving along.

Referring to an email from Brian of Garcia Seufert, Mr. Mendenhall noted he is looking for the Board to approve an additional \$2,201, which included different items associated with permitting.

On MOTION by Mr. Cascio seconded by Mr. Paradiso with all in favor the payment of \$2,201 to Garcia Seufert for additional site permitting services for the clubhouse addition was approved.

It was also reported by Mr. Mendenhall that Mr. Cyment indicated to him that he is still awaiting a reply to his request for the Board to reconsider his request to return to the previous meeting time schedule and include more evening meetings. He also mentioned that Mr. Paradiso's idea about conducting a town hall meeting was a good idea and requested an update on this subject as it was taken up at a workshop meeting.

Mr. Mendenhall asked the Board if there was any change to the meeting schedule to report to Mr. Cyment and the following comments were made:

- Mr. Paradiso noted his schedule is flexible and the time of the meetings does not make a difference.
- Mr. Cascio noted he heard nothing from any residents, staff member or another Board member, except for Mr. Paradiso's disenfranchised comment, he has not heard any names or numbers associated with that. From observation we have as many residents at evening meetings as day time

meetings. In his opinion, the day time meetings seem to be more productive and he is in favor of leaving the meetings where they are; unless there is some other reason or the Board gets significant input that suggests other residents want to come to evening meetings.

- Ms. Feldman noted evening or afternoon meetings have attracted the same amount of residents attending. The only time the attendance differs is at budget meetings or public hearings.
- Ms. Davis noted she is in agreement with leaving the meeting schedule as it is. The 2:30 P.M. meeting leaves a wider span for people who can get off at 2, 3, 4 or 5 P.M., as the meetings usually continue until 5:30 to 6:00 P.M. Issues are emailed to Board members regarding issues and they are brought before the Board. The budget meetings have already been scheduled as evening meetings. She also noted the Board has accomplished a lot more at the afternoon meetings.

Mr. Cascio reported regarding Mr. Paradiso's suggestion of a town hall meeting, the Board supports the concept and Mr. Paradiso has been asked for a copy of the proposed agenda in order to be able to help or provide insight. Mr. Paradiso is committed to doing that and the Board is waiting for the pieces to fall into place.

A lengthy discussion ensued regarding the proposed town hall meeting. The discussion concluded with Mr. Paradiso stating he will put together a power point presentation on subjects he intends to report to residents and what the expected format will be. The drafted power point presentation will be forwarded to Mr. Mendenhall for review.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Field Manager

Mr. Grasso briefly reported on the following:

- The Ballastone fence proposal.

<p>On MOTION by Mr. Cascio seconded by Mr. Paradiso with all in favor the fence quote from Mozart's Artistic Design in the amount of \$2,128.25 for fencing at Ballastone, providing it is not an obstruction or intrusion to the wildlife area was approved.</p>

- Brazilian Pepper Trees – SWFWMD permission is not required to eliminate these trees.

B. Park Director

Ms. Intini briefly reported on the following:

- There were two major pool leaks.

C. Committee Reports

There not being any reports, the next item followed.

EIGHTH ORDER OF BUSINESS

Supervisors' Reports, Requests and Comments

Ms. Feldman requested that an update on the pool be included in the Newsletter.

NINTH ORDER OF BUSINESS

Audience Comments

Mr. Krauer expressed his opinion and the opinion of residents who have approached him on the difference between the treatment that Strathmore receives and the treatment the other villages in the community receive; landscape, landscape lighting, etc.

A discussion ensued regarding whether to continue this meeting or discuss specific items at the next workshop meeting.

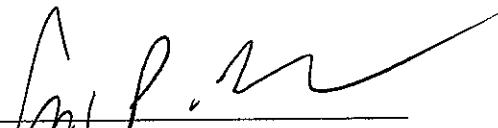
The consensus of the Board was not to continue this meeting and hold the February 9, 2010 workshop at which each Board member will be asked if they wish to be compensated for that workshop meeting.

TENTH ORDER OF BUSINESS

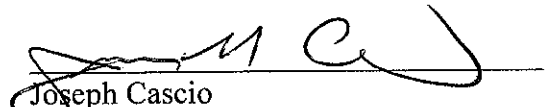
Adjournment

There being no further business,

On MOTION by Mr. Paradiso seconded by Ms. Feldman with all in favor the meeting was adjourned.



 Andrew F. Mendenhall
 Secretary



 Joseph Cascio
 Chairman