

**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, February 16, 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.*

*The following is a summary of the discussions and actions taken at the February 16, 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 (5) and  
Comments**

Mr. Mendenhall noted there were 5 audience members in attendance.

**THIRD ORDER OF BUSINESS**

**Consent Agenda**

- A. Approval of the Minutes of the January 19, 2010 Regular Meeting**
- B. Approval of the Financial Statements through January 31, 2010**

Each Board member received a copy of the January 19, 2010 minutes and was asked for any additions, corrections or deletions.

Each Board member received a copy of the financial statements as of January 31, 2010 and was asked for any comments on the financials.

Mr. Paradiso MOVED to accept the consent agenda and Ms. Davis seconded the motion.

The consent agenda items were opened for discussion and Mr. Paradiso requested a change be made to the motion box on page six of the minutes. He indicated that the motion box on that page evidences that the motion to accept the proposal from Creative Landscape Lighting was approved.

*(Recording Secretary's note: The motion box on page 6 does not indicate that the proposal from Creative Landscape Lighting was approved. It merely evidences that a motion was made and seconded and no further action was taken by the Board to endorse approval of the proposal).*

Mr. Paradiso also asked about old invoices and asked for an update on the District's money market accounts.

Mr. Mendenhall explained the renewal process for the CD's.

Mr. Paradiso also questioned the PGIT item on page 22 of the financials and Mr. Mendenhall responded that he will check with the insurance people to see if they have the correct clerical breakdown for this District.

Ms. Intini requested a change to the January 16, 2010 minutes under the Park Director's report changing "two pool leaks" to "twenty two pool leaks".

On VOICE VOTE with all in favor the consent agenda was approved as amended.

**FIFTH ORDER OF BUSINESS**

**Engineer's Report**

Mr. Cascio commented on his personal reflections on the sidewalk repair issues. He noted the homeowner has to share some of the responsibility for damage done to CDD assets. Even though the District has a responsibility for the safety regarding the condition of its assets, and we should be conducting periodic inspections of our sidewalks and identifying

problem areas, once a problem is identified the homeowner should be notified either jointly by the HOA and CDD or individually. Once the homeowner is notified the CDD does not relieve themselves of the responsibility to effect repairs. However, we do give the resident an opportunity to make or commit to that repair. They can do that at their cost or if they would like the CDD to effect the repair we can do that and convey our costs that we incur for the repair. The CDD cannot afford nor should it be burdened with the cost of damage done to our assets where the initiating effect is something owned by the homeowner.

Mr. Paradiso expressed his opinion that the cost for sidewalk repairs should be paid by a 50/50 split. The only way to get a true result is if someone sues someone and a judge will decide if the District's due diligence was correct.

Ms. Feldman expressed her opinion that the District would be giving the homeowner too many options.

A lengthy discussion on whether the sidewalk repairs are the responsibility of the homeowner or the District ensued. The Board could not reach a consensus on the sidewalk repair issue.

It was noted that Mr. Grasso will attempt to repair the sidewalk areas previously discussed and it was reiterated that the Board approved designating \$5,000 for emergency hot spot sidewalk repairs; Mr. Grasso will oversee this project and will recommend to the Board whether to purchase a machine that will accomplish the repairs.

Ms. Stewart asked for permission to wait one month to try to look at the issue from a financial point of view and she will bring some kind of economic model to attempt to bring closure on the issue.

Mr. Cascio responded to Ms. Stewart to go ahead and do what she proposed, but he also noted the sidewalks that are in dire need of repair should be done now.

Mr. Grasso was asked to closely monitor the sidewalk repair work as it is being done.

**FOURTH ORDER OF BUSINESS**

**Attorney's Report**

**A. Update on Eminent Domain Case**

Mr. Robin noted he contacted Mr. Steve Stanley who is in trial this week and he reported he has not heard further from the County. He will contact the County and make an

active inquiry of them since several months have passed without any activity or interest from them. There should be something to report on that at the next meeting.

**B. Update on Overnight Parking Issue**

Mr. Robin made comments on the restrictive covenants issue and noted he contacted the Chairman during the course of the month and did not send a letter to DEVCO because it would not have accomplished anything, given the provisions of the document.

Mr. Robin also noted that Mr. Paradiso had an idea about getting a copy of the waiver petition the Groves had used. The Board would like to review the waiver petition. The manager of that District has been contacted and was asked to provide a copy of the waiver petition.

A brief discussion on the overnight parking issue ensued and concluded with Mr. Robin noting that in his opinion there is no need to make any changes to the current policy adopted by the Board. In the event a law suit were brought and the Board and the HOA go into a hearing arm in arm about the interpretation and application of the restrictions, that the Board's position is more than likely going to be upheld, but these things cannot be guaranteed.

**Engineer's Report (continued)**

Ms. Stewart reported she received a wetland mitigation monitoring letter from SWFWMD denying the request that the mitigation site be deemed successful. She explained the environmental consultants you have inherited tend to do their own thing; they do not report to you and there is not a system in place in terms of who receives the report and no one knows what is going on. If the mitigation site is not being deemed complete we need to find a way to fix it; we cannot keep going down the same path. It may require adding a larger size material or putting in a different type of material; it needs to be pursued.

She suggested that Mr. Grasso meet with Don, the District's consultant, to discuss how to fix the problem.

Ms. Stewart also reported on erosion repairs noting she found a product called Geo Filter Tubing. The online company is Anchormarineservices.com. The product is worthy of investigation and trial. The repairs are done from the water side, they take the dirt that is washed out, they put the tubing in and put this dirt in the tubing and it is supposed to have a

lifetime guarantee. The product is used in South Florida and is now moving up to this area and Ms. Stewart will research the product.

The ponds, water quality and EPA regulations were also discussed by Ms. Stewart. She reported Pasco County has an NPDES permit and will be looking to all of the CDD's and anything upstream of what they are responsible for being responsible for, complying with the water quality standards going in to their system. The Board needs to be aware of this. If we get all the ponds into compliance, maybe when they start looking they will find there is a contribution of improvement here and therefore they will not enforce an NPDES permit on all CDD's. Two CDD's have one already and we do not want to get into a situation of not complying with what was intended to be done and not meet the water quality standards and being inflicted with the federal government requiring that we get this permit; we do not want to be regulated in that manner.

*The record will reflect Mr. Robin and Ms. Stewart left the meeting.*

Mr. Mendenhall announced that there were guests in attendance who would like to address the Board at this time.

Mr. Dave Bechtel of Creative Landscape Lighting addressed the Board regarding the revised lighting proposal. He reported the final figure is \$32,594.

On MOTION by Ms. Feldman seconded by Mr. Paradiso with all in favor the proposal submitted by Mr. Dave Bechtel of Creative Landscape Lighting in the amount of \$32,594 was approved.

It was reported the landscape lighting project is expected to start during the week of February 26<sup>th</sup> and it is anticipated to take approximately 2 weeks to be completed.

Richard from Florida Gate Masters addressed the Board regarding a presentation on card readers. He reported the total proposed cost for the Door King card system is approximately \$10,000. Options were discussed.

Mr. Chuck Bellissimo from HPI addressed the Board regarding his presentation and proposal previously submitted to the Board at a workshop meeting. The proposal was for the access control for the building and the tennis courts. At the workshop three different proposals were submitted based on information obtained from Mr. Grasso. One of the

proposals was for a fingerprint reader, which could be used instead of going with cards. The proposal for the fingerprint reader is approximately \$4,000 less than the card reader systems and both systems are top of the line products. The Sagam fingerprint reader is the number 1 biometric fingerprint facial and retinal fingerprint company in the world and used by the Department of Justice and the FBI.

A discussion regarding the fingerprint reader ensued.

Mr. Cascio commented that the Board will continue to discuss this issue at future workshops and will work on making a determination on whether to move forward with the fingerprint reader. A demonstration can be arranged if the Board desires.

**SIXTH ORDER OF BUSINESS**

**Manager's Report**

**A. Update on the Pool Project**

Mr. Mendenhall reported the Health Department officially accepted the plans for the kiddy pool on February 11<sup>th</sup>.

**B. Update on Clubhouse Expansion**

Mr. Mendenhall handed out a list of the change orders received so far on the expansion project.

On MOTION by Mr. Paradiso seconded by Ms. Feldman with all in favor the change order for staining the meeting room doors at a cost of \$1,100 was approved.
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It was reported that Bonel is doing an excellent job, but we have not received any invoices from them yet.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Field Manager**

Mr. Grasso noted he will obtain quotes on replacements for the Brazilian pepper plant in the mitigation areas that are getting invasive.

Mr. Cascio suggested that Mr. Grasso pick an area where there is a high concentration of these plants and request a quote from Greenbriar.

**B. Park Director**

Ms. Intini briefly reported on the following:

- They finished up on the pool today; as of tonight we will start filling it.

- Between today and tomorrow they are supposed to be knocking down the wall between the gym and the gym will be closed until Monday.
- The Valentine's Day party was a success. The cost was \$94.55 for the event.

**C. Committee Reports**

There not being any reports, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Reports, Requests and Comments**

Mr. Paradiso noted there were some lights out in front of Tanglewylde.

He also noted we need to keep in mind for next month he asked Mr. Grasso to get in touch with Greenbriar regarding the tree trimming estimate. They need to be asked if they will hold to the price they gave in the fall.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

Mr. Murray noted regarding the card access issue he believes the biometric system is a better way to go.

Ms. Frohnhoefer noted it was her understanding that OLM was hired to help with the contracts for the bond monies and it was supposed to be offset by deducting from Greenbriar's pay if they did not meet certain standards; has that ever been done?

Ms. Frohnhoefer was asked to clarify her question and she stated OLM was hired to check on the job that Greenbriar was doing and the cost was supposed to be overset by deducting monies from Greenbriar's pay if they did not meet standards.

Mr. Cascio noted he recalled there was at least one incident where Greenbriar did not get a passing grade and monies were withheld.

Mr. Grasso confirmed that there was only one incident and they have been scoring from 89 to 92 on average.

A discussion on OLM's contract ensued.

A discussion on sign locations ensued.

Mr. Paradiso reported on a meeting with Cynde Mercer regarding the Oakstead website.

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Mr. David Doran commented on the website and expressed his opinion that the website is fine as it is and during these distressed economic times he does not believe that the residents would be interested in spending their money on website enhancement.

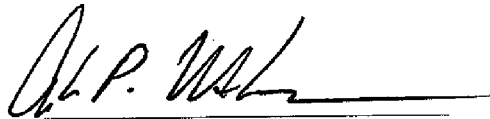
Mr. Paradiso requested adding "instructions on Twitter" to the next workshop agenda. It was noted that the March 9, 2010 workshop meeting is cancelled.

**TENTH ORDER OF BUSINESS**

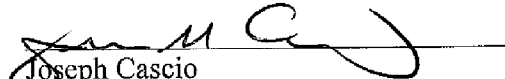
**Adjournment**

There being no further business,

On MOTION by Mr. Cascio seconded by Ms. Davis with all in favor the meeting was adjourned.



Andrew P. Mendenhall  
Secretary



Joseph Cascio  
Chairman