

## MINUTES OF MEETING

### ***RIVERBEND WEST COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS' MEETING***

*Tuesday, March 13, 2018 at 6:02 p.m.*

*Southshore Regional Library*

*15816 Beth Shields Way,*

*Ruskin, Florida 33573*

Board Members present at roll call:

Brady Lefere	Board Member
Ben Gainer	Board Member
Kevin Kaspar	Board Member
Vance Edwards	Board Member

Also Present:

John Vericker	Straley & Robin, P.A.
Jane Gaarlandt	Fishkind & Associates, Inc.
William Viasalyers	Fishkind & Associates, Inc.

### **FIRST ORDER OF BUSINESS**

### **Call to Order and Roll Call**

The meeting was called to order. The Board Members and staff in attendance are as outlined above.

### **SECOND ORDER OF BUSINESS**

### **Public Comments**

There were no members of the public present.

### **THIRD ORDER OF BUSINESS**

### **Consideration of the Minutes of the January 9, 2018 Board of Supervisors' Meeting**

The Board reviewed the minutes of the January 9, 2018 Board of Supervisors' Meeting. Mr. Edwards provided edits.

ON MOTION by Mr. Lefere, seconded by Mr. Kaspar, with all in favor, the Board approved the Minutes of the January 9, 2018 Board of Supervisors' Meeting, as Amended.

**FIFTH ORDER OF BUSINESS**

**Consideration of Yellowstone Enhancement Proposals**

- a) Cedar Replacement**
- b) Tree Cleanup**

Ms. Gaarlandt noted that there are two different proposals, one for cedar replacement and the other for tree cleanup. Mr. Lefere explained that the proposal for tree replacement in the amount of \$23,100.00 deals with the many trees surrounding the community that did not make it after the hurricane. He noted that \$23,100.00 is an extreme amount of money and he doesn't see that much of a difference. Mr. Edwards said that the 2015 planting plan calls for Oaks along 7<sup>th</sup> street but nothing was ever planted there and he wasn't sure if that is where these trees were going. He noted that he sees maybe 1/2 dozen spots where you can tell trees are missing, but not \$23,000.00 worth of landscape work. Mr. Edwards said that one resident asked about the tree replacement for the four trees that were lost in the hurricane on 21<sup>st</sup> street. Mr. Viasalyers noted that Yellowstone was solicited to get the proposal for that work and came back to the District with this proposal, Mr. Edwards said that Yellowstone did not give the District a proposal for what was requested. Mr. Viasalyers will get a quote for the four trees that Mr. Edwards is referring to. Mr. Edwards asked Mr. Viasalyers to give him a week before he solicits that quote so he can get with the homeowner and drive out there with him to see exactly which trees he is questioning.

The second proposal is in the amount of \$3,500.00 for tree cleanup. Mr. Lefere said that this is more urgent because there are trees growing over the fence and the fear is that it will eventually take down the fence and cause issues and recommended that the Board move forward with this due to some safety concerns. Mr. Edwards agreed and said that this is the area he was talking about where there has not been a lot of landscaping done. He noted that there is a bush that is so high it is crawling over the fence. Mr. Lefere noted that this is much more within the District's budget and asked if he should contact J&J for a lower bid. Mr. Lefere suggested a motion to approve the quote for a not-to-exceed amount \$3,500.00 and solicit another bid from a District vendor to see if they can get it cheaper.

ON MOTION by Mr. Lefere, seconded by Mr. Edwards, with all in favor, the Board approved the Tree Clean up for a not-to-exceed amount of \$3,500.00 and directed Staff to solicit another bid.

Mr. Edwards noted that they are starting to build the houses where that fence is and thinks that the District needs to make it a priority to clean it up because there will be perspective homeowners moving in there.

## SIXTH ORDER OF BUSINESS

### Consideration of Request for Installation of Lights at the Dog Park

Ms. Gaarlandt noted that this came up as a security issue to get some lights installed at the dog park. Mr. Edwards asked if the Board needs to accept or reject the cedar replacement bid. Ms. Gaarlandt responded that it was not necessary. Mr. Edwards noted that the lighting at the dog park is a request that the District received from several of the residents. He noted that because it is a public park it is open from Dusk to Dawn and most of the year it will be dark by the time residents get home and will be walking their dogs. He noted that there have been instances in the neighborhood of theft and believe that the perpetrators have come from the dog park where it is very dark and he therefore thinks that some light will be a good thing. Mr. Lefere asked if solar lights would be effective at all and Mr. Viasalyers responded that he read some reviews and they were positive, but he is also waiting to hear back from TECO to see what their point of view is in regard to installing street lights there. Mr. Lefere said that the District has electric nearby and suggested looking at up-lights or landscape lights. Mr. Viasalyers asked if there was an electric meter or if it would tap into TECO's light. Mr. Gainer responded that it would tap into TECO's. Mr. Edwards said that in the dog park there is shadowing light and reflection from the streetlights, but when you go inside it is not bright enough to see to clean up after your dog. He noted that a light flickering on is a big deterrent to crime. Mr. Lefere asked about the solar powered lights. Ms. Gaarlandt responded that TECO lights are more expensive than the solar lights, however, the posts for the solar lights are not that high and they will only light up a limited area whereas the TECO lights on taller posts illuminates a larger area. Mr. Edwards commented that he worries that too much light might disturb the neighbors on either side of the dog park. A Board Member noted that if the lights are placed strategically then it would be fine. The Board Members agreed that the best route to go would be with TECO. Mr. Viasalyers noted that TECO has been requested to survey the area. The Board discussed and agreed to look into solar lights if TECO was unable to install lights in the area. Mr. Edwards suggested that the District wait and see what TECO comes back with so that the District has something to compare the solar lights with and then, if the Board decides to go with solar lights, staff can do more research. Mr. Lefere suggested designating Mr. Edwards to handle that and if TECO does not work then Mr. Edwards as the designated Board member will move forward with the solar lights. Ms. Gaarlandt suggested the Board approve a not-to-exceed amount for TECO. A discussion took place, Mr. Edwards believe that 6 lights are needed, the cost is estimated at \$600 plus labor and post installation.

ON MOTION by Mr. Lefere, seconded by Mr. Gainer, with all in favor, the Board approved a not-to-exceed amount of \$600.00 for lights at the dog park.

## **SEVENTH ORDER OF BUSINESS**

## **Ratification of Payment Authorizations FY18-01 - 10**

Ms. Gaarlandt stated that before the Board reviews the new payment authorizations she has a follow-up from the previous meeting regarding a question about the lighting poles on one of the payment authorizations. Ms. Gaarlandt checked with the District Accountant to make sure that it was not anything connected to the construction and was told that this is how the bills are laid out, they list the numbers of fixtures and poles that are being charged and it was confirmed for District usage.

The Board reviewed Payment Authorizations Nos. FY18-01 - 10. These have previously been approved and paid. Mr. Edwards asked if the aquatic company is supposed to be taking care of the fire ants that are around the ponds. Ms. Gaarlandt responded that they are not, Aquatic System takes care of the ponds only. Mr. Edwards said that he spoke to someone from Yellowstone who told him that they have a preventative treatment that was applied when he was there 2-weeks ago but it did not help. Mr. Edwards noted that he and other residents are allergic to the fire ants. Another Supervisor asked if Yellowstone could apply Top Choice that close to the pond. Mr. Viasalyers responded that he thinks that there is a minimum distance for the run down. Mr. Edwards suggested keeping it on the flat part only and not the curb. Ms. Gaarlandt noted that the Top Choice cannot be applied until the rainy season as it needs very wet ground in order to be effective and suggested that it might work in the month of April or later. Mr. Viasalyers will talk to Aquatic Systems and find out about the required the minimum distance the ponds. Mr. Edwards said that there was an incident on the HOA side with fire ants.

On MOTION by Mr. Lefere, seconded by Mr. Edwards, with all in favor, the Board ratified Payment Authorizations Nos. FY18-01 – 10.

## **EIGHTH ORDER OF BUSINESS**

## **Review of Monthly Financials**

The Board reviewed the monthly financial statements. No Board action required. Mr. Lefere noted that the District has spent \$17,253.00 on the actual year-to-date Landscape Improvements which is \$12,000.00 over budget. Ms. Gaarlandt responded that it was due to the mulch application at the very beginning of the fiscal year. Mr. Lefere asked if the District includes that in the landscape Material line item and Ms. Gaarlandt answered that the mulching is typically not part of the general landscape maintenance contract. Mr. Lefere suggested breaking that out for next year's budget to get a better idea of the cost. Mr. Edwards said that he doesn't remember seeing anything in the HOA budget regarding application of mulch, however, he knows that they re-mulched around the Amenity Center which would be an HOA expense. Mr. Lefere said that he thinks that the HOA might include that in the general contract but he would have to double check. Mr. Edwards said

that he wants to make sure the HOA is paying what they should be paying vs. the District. Ms. Gaarlandt will check with the District Accountant to see if the invoice was to be split with the HOA and, if that was the case, to confirm that it was done. A discussion took place about the budget and Ms. Gaarlandt mentioned that at the last budget discussion there was a carry-over that was not reflected in the budget when it was originally adopted so she thinks that the District will be ok for this year's budget will double check to see if there are any additional expenses expected to come in. Mr. Edwards asked if all the assessments have been collected and Ms. Gaarlandt said that she will check with the District Accountant. There were no other questions about the budget.

## **NINTH ORDER OF BUSINESS**

### **Staff Reports**

**District Counsel –** Mr. Vericker reminded the Board members not to forget their financial filings and exit paperwork because the State will impose automatic fines and suggested that they always keep a copy and mail it certified when sending it in. He noted that anything they write is a public record and could potentially appear in the paper and think about that closely. He informed them not to use their cell phones to text official business. He asked if the Board has set up independent email addresses as opposed to using their own so that they do not mix their private emails with public ones. Some of the Supervisors have not set up a District only email address yet. Mr. Vericker explained the Sunshine Law to the Board Members and noted that there are very few emergencies that cannot wait a few weeks and if a Supervisor wanted to bring something before the Board a request would be made to put it on the agenda for next month which will give the public the opportunity to look at the agenda and decide if they want to come. Mr. Edwards noted that the biggest problem that the Board Members have is that if they are talking to each other about e.g. their motorcycles, they will have residents approaching them asking them about the CDD and the Board Members will have to stop the conversation, because they are not allowed to discuss District business outside of a publicly noticed meeting. Mr. Vericker requested that the Board Members explain that to other residents in a courteous manner and noted that he has people that are both on the CDD and HOA Boards, and sometimes the HOA will start talking about District business and it is not a CDD meeting and asked that the Boards keep the HOA related items at the HOA meeting and the CDD related items at the CDD meeting. Mr. Edwards asked if he should refer a resident's request to the District Manager or if he should talk care of it. Mr. Vericker responded that the best practice is to provide the District manager's information to the resident so that there is a single point of contact. Mr. Edwards said that he got a Facebook message over the weekend from a resident saying that

the dog park is out of bags and asked how he should respond. Mr. Vericker said that he can thank them for their message and explain that he can pass it along and then also provide the District Manager's contact information and ask the resident to contact the District Manager directly because he does not want the Board Members to become 24/7 employees. Ms. Gaarlandt noted that now that she knows there are issues with bags at the dog park she will get with the vendor and make sure that the supply is checked and extra bags are left. Mr. Edwards said that the HOA is in the process of putting a locking cabinet in the Amenity Center and if the District can get extra bags for an emergency they can be kept there in case the bags run out over the weekend. Ms. Gaarlandt mentioned that there was request from a resident at the last meeting to have a box in the dog park for dog toys and noted that Mr. Viasalyers had installed such a box in the dog park.

**District Engineer** – Not Present

**District Manager** – No Report

## **TENTH ORDER OF BUSINESS**

### **Supervisor Requests and Audience Comments**

Mr. Lefere mentioned that he spoke to Ms. Gaarlandt before the meeting. He stated that his request in no way reflects the performance of Fishkind, but now that the District is moving toward a resident-controlled Board he thinks that it would be a good idea for the CDD Board to take a look at locally based Management companies that have offices within the Tampa area. He noted that since there will be residents on the Board soon the District might need that local presence. Mr. Lefere asked if he was going about this request the right way. Mr. Vericker suggested that Mr. Lefere put in a request to add this to the agenda next month and that Mr. Lefere or himself could reach out to see if anybody would like to send in a proposal. Mr. Vericker asked Mr. Lefere if he wants representatives to come to the meeting or if he wants to look at the packages first. Mr. Lefere said that he does not think the District needs to send out local ads but thinks that the District could informally invite 3-4 companies and he wants Fishkind to be a part of that if they are willing. Mr. Vericker suggested that it be added to next months agenda for review of any submittals and Mr. Vericker will reach out to potential District Management companies. Mr. Lefere asked for input from other Board Members. Mr. Edwards said that he does not disagree and noted that to most of the residents in the community CDDs are brand new to them. He thinks that the District needs to do their due diligence and look even if they decide to stay with the current District Manager. Mr. Lefere noted that Fishkind is based out of Orlando and before Mr. Maclaren left there were thoughts of Fishkind & Associates potentially locating somewhere in the Tampa region. Mr. Edwards asked Ms. Gaarlandt if she is coming all the way from Orlando for these meetings and she answered yes, but that this is not the furthest

that they travel, they also have meetings all over Florida from up in the Panhandle and down to Miami Dade and indicated that traveling is not a discouragement for them. Ms. Gaarlandt noted that the next meeting is April 10, 2018. Mr. Vericker will contact the three management companies that have offices in the Tampa Bay area to see if they want to send someone to introduce themselves at the next meeting and the Board can go from there. This will be placed on the agenda for the next meeting.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There were no other questions or comments. Ms. Gaarlandt requested a motion to adjourn.

ON MOTION by Mr. Lefere, seconded by Mr. Edwards, with all in favor, the Board adjourned the March 13, 2018 Board of Supervisors Meeting for the Riverbend West Community Development District.

  
Secretary / Assistant Secretary

  
Chair / Vice-Chair