

**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, June 16, 2009 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 (Via Phone)	Assistant Secretary
Lawrence Cyment	Assistant Secretary

Also present were:

Andrew Mendenhall	District Manager
John Vericker	District Counsel
Tonja Stewart	District Engineer
Nancy Intini	Park Director

*The following is a summary of the discussions and actions taken at the June 16, 2009 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 (14) and  
Comments**

Mr. Mendenhall invited comments from the audience on any agenda items. He also explained there will be another audience comment segment where audience comments will be heard.

It was reported that 14 proxies were received regarding the Adopt-A-Pond issue and Ms. Frohnhoefer and Ms. Jane Brandt will speak on behalf of the group.

Mr. Paradiso noted the DRB met regarding the application for the Adopt-A-Pond. Approval letters should be going out and copies were forwarded to the District Manager's office,

the clubhouse and Ms. Frohnhoefer. The restriction explained in the letter is that the wildlife sign requested by Ms. Frohnhoefer should be affixed to the current Adopt-A-Pond sign.

Mr. Mendenhall explained the background of the Adopt-A-Pond sign issue.

Mr. Cascio noted that guidelines for the Adopt-A-Pond issue have not yet been worked out and suggested that the subject be further discussed at a workshop meeting before reaching a conclusion.

Ms. Frohnhoefer requested to address the numerous unfounded allegations that have been made against her good character. She noted the following:

- The allegations have not been based on any truth whatsoever.
- The guidelines of SWFWMD have always been followed as published in the Stormwater Ponds Citizens Guide to their Purpose and Management.
- A petition signed by 75 Tanglewylde residents was read into the record.

*A copy of the petition read by Ms. Frohnhoefer at the meeting is attached hereto and made part of the public record.*

Ms. Frohnhoefer also read from a scripted document explaining her views of the background and anticipated actions for moving forward with the program. She noted an email, which included her views as stated above was sent to the CDD, the Oakstead HOA, the Tanglewylde HOA, Mr. Grasso, Greenbriar, Tanglewylde's Lawn Service, Raymow, and to American Ecosystems and she never received any feedback from anyone.

Mr. Cascio asked in the cases where a professional water management company is retained for pond management and volunteers from the Adopt-A-Pond program are participating in pond care and support, does the Adopt-A-Pond program take precedent over the professional recommendations of the water management company? Does Adopt-A-Pond assume the same responsibilities and liabilities as the professional water management company?

Ms. Brandt explained the program is an educational program and they are working with maintenance contractors and individual homeowners to limit the nutrients.

Ms. Stewart reminded the Board that an addendum was created to try to better educate the lake management companies and landscape companies toward this particular type of program.

Ms. Davis expressed her views on the Adopt-A-Pond program and its representatives working together with the CDD in the best interest of the ponds and the community. In the past

the program representatives have taken it upon themselves to stop things from happening. The program representatives should join forces with the CDD and not work against each other.

Ms. Brandt explained guidelines of the program state that there should be a working relationship between all parties concerned. The partnership comes in where the program works with the contract management company to spot treat target species and Torpedo Grass is one of them.

Ms. Feldman asked of the residents who volunteered and signed the petition and were going to be actively working with the program, how many of them are actually actively working with the program?

Ms. Frohnhoefer responded 3 or 4.

Ms. Feldman asked originally were there 17 and then 75?

Ms. Frohnhoefer responded there were 65 people who signed in support of the program; they did not say they would be volunteers.

Ms. Feldman asked how many volunteered to work with you and Ms. Frohnhoefer responded 4 or 5; they support us but they do not come out to volunteer.

Mr. Cascio interjected by noting having one volunteer is important to the community and nice improvements have been made to the pond. The existing problem is the interaction between the program representatives and the water management company. The water management company works for the District, therefore the District must be consulted before interfering in delaying or hindering work.

The discussion concluded with a Board decision to develop guidelines to be used by the Adopt-A-Pond program volunteers and representatives with the proposed guidelines to be reviewed and discussed further by the Board.

On MOTION by Mr. Cascio seconded by Mr. Paradiso with all in favor the previous action taken by the Board to remove an Adopt-A-Pond sign was rescinded.

Mr. Cascio noted before the next meeting the Board will have developed the guidelines and an agenda item will be noted for the potential reinstatement of Ms. Frohnhoefer as the Adopt-A-Pond Chairman throughout the term of the pilot program.

Ms. Frohnhoefer noted she does not think the Board has the authority to dictate who can be the team leader of a volunteer group anymore than they can dictate who can be the team leader of a boy scout or girl scout troupe; she asked for a legal opinion on that.

Mr. Cascio explained if you want to say it in other words, the Adopt-A-Pond Program is suspended until the Board develops their guidelines, as the volunteers are working on and in CDD property and there are liabilities and conflicts that would like to be avoided in the future.

Ms. Davis asked Ms. Brandt to confirm for the future that a sign must exist on Adopt-A-Ponds.

Ms. Brandt explained the sign is optional and it is up to the group and the community. The purpose of the sign is for people to recognize that there is something different about that pond and it also recognizes the Adopt-A-Pond group.

Mr. Paradiso suggested that one Board member represent the Adopt-A-Pond Program similar to the way other committees are represented by one Board member for a go-to person.

Ms. Frohnhoefer noted that Board member/go-to person was to be Mr. Cyment and Mr. Grasso.

On MOTION by Mr. Cascio seconded by Ms. Feldman with Mr. Cascio, Ms. Feldman, Ms. Davis and Mr. Paradiso voting Aye and Mr. Cyment voting Nay suspending the Adopt-A-Pond Program for one month while guidelines are being worked out was approved.

Mr. Mendenhall introduced Chris from Environmental Stoneworks who previously submitted information to Mr. Grasso for stone work for front entranceways. Chris offered to answer any questions from the Board.

Mr. Cyment and Mr. Cascio asked questions regarding the stone product.

On MOTION by Mr. Cascio seconded by Mr. Cyment with all in favor the proposal submitted to Mr. Grasso by Chris of Environmental Stoneworks for providing and installing stonework for front entranceways in the amount of not to exceed \$27,000 was approved.

**THIRD ORDER OF BUSINESS**

**Consent Agenda**

**A. Approval of the Minutes of the April 28, 2009 Reconvened Meeting and the May 19, 2009 Regular Meeting**

**B. Approval of the Financial Statements through May 31, 2009**

Each Board member received a copy of the April 28, 2009 and the May 19, 2009 meetings and was asked for any additions, corrections or deletions.

Ms. Feldman noted corrections to page 11 and 12 of the May 19<sup>th</sup> minutes placing the name Sam Liberatore of GB Collins in place of Mr. Seufert in the last sentence on page 11 and on the 11<sup>th</sup> line from the top of page 12.

Mr. Cyment requested that the Board provide input and editing to the minutes of the April 28<sup>th</sup> minutes. A copy of the recording was offered to Mr. Cyment and the Board, but he noted he will use the already transcribed minutes for editing.

Mr. Paradiso noted a correction to page 4 of the April 28<sup>th</sup> minutes; changing the word “lining” to “lighting”.

The following comments and inquiries were made regarding the financial statements:

- Deposit to DPI Sign Group – Will we ever see the remaining balance of the money owed to the District and if not, pressure needs to be applied to get a refund.

Mr. Mendenhall will follow up on this item.

- Status requested with Dave’s Home Helper on the landscape damage.

Mr. Mendenhall will ask for an update from Mr. Grasso on the landscape item.

- Status requested on the Restricted Funds in the SBA Account.

Mr. Mendenhall explained as soon as those funds become available they will be withdrawn and moved out.

On MOTION by Mr. Cyment seconded by Ms. Feldman with all in favor the minutes of the May 19, 2009 meeting were approved as amended.

On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor the financial statements through May 31, 2009 were approved.

Mr. Mendenhall noted he will look for changes and updates to the minutes of the reconvened April 28<sup>th</sup> meeting from the Board. The updated minutes will be presented for Board consideration at the next meeting.

**FOURTH ORDER OF BUSINESS**

**Attorney's Report**

Mr. Vericker reported his office will be working on getting a contract form for the clubhouse construction.

He also reported on a letter received from Pasco County regarding a right-of-way purchase on Lake Patience Road. The letter was included in the agenda package for this meeting. Since the County letter introduced the concept of them purchasing a piece of District property, he asked an eminent domain attorney known to him to submit his qualifications to the Board. If there is another eminent domain attorney known to the Board, they can be used for this purpose.

Mr. Vericker handed out the letter submitted by the eminent domain attorney, Stephen J. Stanley. He suggested the Board invite the attorney to call in to the next meeting to explain how the process works.

Mr. Vericker also reported that Mr. Robin is not satisfied that the roads have been accepted for maintenance. He feels the requested slope easement should be withheld until a formal board resolution from the County accepting the maintenance of the roads is received.

Ms. Stewart reported the road acceptance discussed at the last meeting turned out to be the County only accepting a piece of the roads; Oakstead Boulevard. Mr. Robin is insisting that a clear, concise acknowledgement is received from Pasco County on their acceptance of the roads for maintenance.

Mr. Paradiso commented that we have been hearing about this for more than two years and we should start putting pressure on them.

Ms. Stewart reported other communities in Pasco County are going through the same thing.

Mr. Cyment asked for information on what the Board can expect from DEVCO with regard to the notice of levy on Parcel 5.

Mr. Mendenhall responded we have not received payment of the levy on Parcel 5 yet.

Mr. Vericker noted if there is an item that needs to be collected by the Tax Collector, it needs to be put on the TRIM and it will follow the same process as anyone else who pays an assessment.

Mr. Vericker requested direction from the Board on how to proceed with the eminent domain attorney, but the subject was dropped when Ms. Intini asked a question about the Garcia, Seufert contract.

A discussion regarding Garcia, Seufert contracts ensued. The discussion concluded with Mr. Cascio noting there are two contracts; a contract for architectural design and a separate contract for construction. Garcia, Seufert is still waiting for a contract in order for him to complete his design work. The Board was under the impression that this contract had been provided to them so they could complete their design work.

The other contract, which is being reviewed by Mr. Robin, is a contract for the actual construction phase, which will be managed by Mr. Mendenhall.

Mr. Mendenhall suggested the following overall timeline for this issue:

- The Board will direct staff to go out for an RFP at the next regular meeting, which gives one month for Mr. Robin to look at that contract for Board review prior to the meeting. The form of the contract should be approved at the next meeting.

The Garcia, Seufert contract will be signed off on as soon as possible and staff will work with them to get the specifications. The RFP and the specifications will be presented to the Board at the next meeting and will be ready to advertise and go out to bid. A contract will be piggy-backed on at the end that the contractor will sign and there will be contractors invited to bid as well as advertising in the newspaper for bids.

## **FIFTH ORDER OF BUSINESS**

### **Engineer's Report**

#### **Ponds**

Ms. Stewart discussed the aquatic planting program. She noted we developed some guidelines in terms of standards that we can send to the Chairman. The key to it is to put the lake management company on notice that they are expected to perform in a certain manner that is appropriate for their industry, to not spray everything on the pond slopes. An environmental

company has assisted in getting better criteria in terms of being educated on what the appropriate chemicals are.

Mr. Cyment asked shouldn't OLM be very up to date about this subject?

Ms. Stewart noted OLM is responsible for the landscape and not the lakes.

Mr. Cyment noted landscape includes the lakes. If we asked them what they know about this we would find they know quite a bit. They may be able to, without any additional cost to us, provide services that would be similar in terms of following up on the vendor.

Mr. Cascio noted he will send a note to Mr. Grasso asking him to make that inquiry of OLM or he will contact OLM directly.

#### **Erosion**

Ms. Stewart discussed hydro seeding and a lengthy discussion ensued regarding replacing grass around the ponds on property owned by the CDD versus property owned by residents.

Ms. Stewart went through the whole scenario regarding pond 54 and 55B erosion issues.

#### **Reserves**

Mr. Mendenhall noted right now the reserves are adequately prepared and this has been confirmed by Ms. Stewart. The goal of the District is to prepare a scheduling of what is needed for certain roads at certain points.

Ms. Stewart explained the roads are designed for a 20 year life so we plan for anywhere between 15 and 18 years. The older roads will be done first and over a period of 5 to 6 years several roads will be done per year. Based on 3% growth per year you would have adequate funds between that 15 and 20 years to be able to re-pave all the roads.

Mr. Mendenhall noted there are two important points; one is when you talk about a hole opening up in the road, there is probably not a reserve study which is looking on the reliability and customary life of a road that is going to predict that. If something like that were to happen, you would be in a situation to do a special assessment; the District has the power to do that.

Another important thing is you have to strike a balance where everyone living here now is paying on a bond that was opened years ago, if you also have these landowners reserving over what they need, you are actually asking them to pay for the original assets and pay for the replacement of those original assets when they might not be living here 10 or 15 years from now. You are mixing an emergency situation with expected life spans.

Mr. Cyment noted if you are there for 15 years, then you should be paying for the replacement as if you were there for 15 years. That is why you have a number that you can adequately assess each year.

Mr. Cascio stated and asked Ms. Stewart we set aside \$100,000 per year in reserve funds for long term infrastructure support, looking at the total assets of the District, roads, clubhouse, irrigation systems, that would typically require maintenance or refurbishment, is that number correct?

Mr. Mendenhall stated there is \$256,000 in reserves, which is designated as reserves and is not earmarked for any item in particular.

*The record will reflect Mr. Paradiso disconnected from the meeting.*

A lengthy discussion on reserves continued and was concluded by Mr. Cascio noting that he will begin to draft a spread sheet on the District's assets for review and input by Ms. Stewart to be used for the purpose of further investigating the issue of reserve funds.

Mr. Cyment asked what would it cost to cut down all of the growth at the school site.

Ms. Stewart responded about \$500 to \$1,100 depending on the final acreage and the height of the grass.

## **SIXTH ORDER OF BUSINESS**

### **Managers Report**

#### **A. Questions and Comments on the Proposed Fiscal Year 2010 Budget**

Mr. Mendenhall noted the budget was discussed at the workshop. He noted for fiscal year 2010 it will go down from the first draft, compared with budget year 2009 it will probably not go down but we are not at the final stages yet, it can still be modified and adjusted.

The changes to be ratified are as follows:

- Under Revenues – Interest investments are reduced from \$5,000 to \$4,000.
- For Administrative Expenditures – Payroll Board of Supervisors is going from \$18,000 to \$24,000.
- For Professional Services – Engineering – this is going down from \$30,000 to \$25,000.
- For Professional Services – Trustee- this is going down from \$7,700 to \$5,000.
- For Insurance – General Liability – this is going up from \$7,500 to \$8,500.

- Legal Advertising – is going from \$3,100 to \$1,500.
- Electricity – Street Lighting – going from \$96,000 to \$105,000.
- The description will be changed from Communication, Telephone and Field to Gate Phones or something that would better define that as the expenses related to the gate phones.
- Utility Reclaimed Water – is going from \$27,000 to \$25,000.
- Contracts – Landscape Consultant – going from \$19,000 to \$18,500.
- Utility Water and Sewer – is going from \$7,100 to \$13,000.
- Insurance General Liability – going from \$16,000 to \$11,000
- R&M Entry Feature – from \$8,000 to \$13,000.
- R&M Fountain – from \$3,000 to \$2,000.
- Miscellaneous Property Tax – from \$2,798 to \$1,600.
- Capital Reserves – from \$162,320 to \$100,000.
- Parks & Recreation – General Payrolled Salary – from \$98,296 to \$106,000.

On MOTION by Mr. Cyment seconded by Ms. Davis with all in favor the items listed above, as discussed at the June 9, 2009 workshop regarding the proposed fiscal year 2010 budget were ratified.

**B. Discussion of Letter from Pasco County Right-of-Way Agent Regarding Lake Patience Road.**

This item was discussed earlier in the meeting.

**C. Discussion of the Adopt-A-Pond Sign Issue**

This item was discussed earlier in the meeting.

**D. Rotation of Board Committee Sponsors for the Landscape, Newsletter/Website, Clubhouse and Field, Finance/Personnel Committees as of July, 2009**

Mr. Mendenhall explained this is a reminder that the Board is at the point where committee sponsors can be rotated.

Ms. Davis submitted her name for the Clubhouse Committee sponsor.

On MOTION by Ms. Davis seconded by Mr. Cascio with all in favor the nomination made by Ms. Davis, nominating herself as Clubhouse Committee Sponsor with no other nominations being heard, was approved.

On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor the nomination made by Mr. Cyment, nominating himself as Landscape Committee Sponsor with no other nominations being heard, was approved.

On MOTION by Mr. Cascio seconded by Ms. Davis with all in favor the nomination made by Mr. Cascio, nominating himself as Field Committee Sponsor, with no other nominations being heard, was approved.

On MOTION by Mr. Cyment seconded by Ms. Feldman with all in favor the nomination made by Mr. Cyment, nominating Mr. Paradiso as Newsletter/Website Committee Sponsor, with no other nominations being heard, was approved.

On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor the nomination made by Mr. Cyment, nominating Ms. Feldman as Finance/Personnel Committee Sponsor, with no other nominations being heard, was approved.

**SEVENTH ORDER OF BUSINESS      Staff Reports**

**A.      Field Manager**

Mr. Mendenhall announced that Mr. Grasso is on vacation this week and there is no separate report from him.

**B.      Park Director**

Ms. Intini briefly discussed the following:

- Proofs for the Signs
- Pool Engineering Invoice
- Clubhouse Expansion Plan
- Kiddy Pool

The record will reflect Mr. Cyment wanted the depth of the kiddy pool to be 3 feet.

On MOTION by Mr. Cascio seconded by Ms. Davis with Mr. Cascio, Ms. Davis and Ms. Feldman voting Aye and Mr. Cyment voting Nay, if the specs and material list is complete the project will be advertised and put out for bidding.

Ms. Intini also reported while checking all the awning structures, she noticed 2 sections of the main beam are bad and the others are solid. She is getting quotes on having them changed with structural plastic.

Mr. Cascio suggested consulting with the District Engineer on the beam replacement.

It was reported that some of the awnings are done and the rest should be done by next week. The benches and tennis court benches have arrived, benches for the front entrance have arrived, the garbage cans and the table and lounges are all here.

**C. Clubhouse Committee**

There not being any, the next item followed.

**D. Landscape Committee**

A forum will be held sometime this month.

**E. Newsletter Committee**

Mr. Cascio noted one of the articles intended for the newsletter is regarding looking for input from residents on their position on having security services supported by the District and another article on solicitation for committee members including chair people for various committees.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Reports, Requests and Comments**

Ms. Feldman reported residents have commended the Board on the work that was done on the bridge. The residents are enjoying it.

Ms. Intini reported there are currently approximately 200 people using the pool per day.

Ms. Davis agreed that the bridge looks beautiful. She suggested the Board consider doing the same thing with the next project, aquatic plants, especially since there is erosion at the very front of the bridge. This should be our next area of focus because it is used and we spent all that money for the beautification of the development and now it needs to be enhanced.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

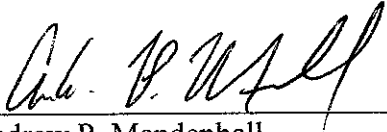
Ms. Intini reported on security incidences in the communities.

**TENTH ORDER OF BUSINESS**

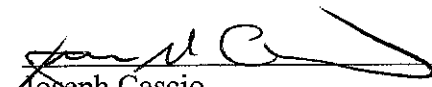
**Adjournment**

There being no further business,

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



Andrew P. Mendenhall  
Secretary

  
Joseph Cascio  
Chairman