

# PARK PLACE COMMUNITY DEVELOPMENT DISTRICT

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September 17, 2008 Minutes of Meeting

## *Minutes of the Regular Meeting*

The regular meeting of the Board of Supervisors for Park Place Community Development District was held on Wednesday, September 17, 2008 at 4:00 p.m. at The Lake House, located at 11740 Casa Lago Lane, Tampa, Florida 33626.

### **1. CALL TO ORDER/ROLL CALL**

Mr. Altman called the regular meeting of the Board of Supervisors of the Park Place Community Development District to order on Wednesday, September 17, 2008 at 4:00 p.m.

Board Members Present and Constituting a Quorum:

Anne Marie Lenton	Chairman
Darren Booth	Vice Chairman
Alex Petrilak	Supervisor
Michael Rosen	Supervisor ( <i>joined meeting in progress</i> )

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Jeri Connor	Assistant District Manager, District Management Services, LLC
Susan Johnson Velez	District Counsel, Fowler White Boggs Banker, P.A. ( <i>via speakerphone</i> )

Audience Members Present:

Kyle VandenBrink	Representative, OLM, Inc.
Residents	

### **2. OLD BUSINESS**

- A. Consideration of Resolution 2008-24, Adjusting Terms of Office for Board of Supervisors (Tab 3)

Mr. Altman stated that based on the direction and advice of District Counsel at the meeting on September 19, 2007 the Board adopted Resolution 2008-07 which extended the terms of each member of the Board of Supervisors whose seat will be filled in a qualified elector election by a period of one year for the purpose of holding a qualified elector election in conjunction with General Election conducted by the Hillsborough County Supervisor of Elections. He stated that the resolution stated "The last Landowner Election for Seat 3 will occur in November 2007. The term for the Board member elected during the Landowner election will be extended from November 2011 to November 2012, resulting in the end of the Supervisor term to coincide with the General Election to be conducted by the Hillsborough County Supervisor of Elections, and held in 2012."

*(Mr. Rosen joined the meeting in progress.)*

Mr. Altman stated that after reviewing the seats with the Supervisor of Elections in preparation for the elections this year the Senior Deputy of Elections Operations has advised the following: "Based on the date of the initial appointment of board members of May 31, 2001, the size of the District and the number of registered voters, we believe that elections should be conducted during the November 4, 2008 General Election. There are three seats that will be up for election. Since this is the first election of Board members by other than landowners, two of the three seats will be filled by election of the qualified voters of the District, each for a four year term. The seat to be elected by landowners will be designated Seat 1. The seats to be elected to four year terms by the qualified voters of the District will be designated as Seats 2 and 3. All three terms will begin on November 18, 2008." Mr. Altman stated that as a result they have revised the original resolution to reflect the terms of Seat 2 – Anne Marie Lenton and Seat 3 – Darren Booth extended to November 2008, Seat 4 – Jeff Huenink and Seat 5 – Alex Petrilak extended to November 2010, and Seat 1 – Michael Rosen extended to November 2008. General discussion ensued.

MOTION TO:	Approve Resolution 2008-24, Adjusting Terms of Office for Board of Supervisors.
MADE BY:	Supervisor Petrilak
SECONDED BY:	Supervisor Booth
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

### 3. BUSINESS ITEMS

#### A. Consideration of Landscape and Irrigation Maintenance Proposals (Tab 5)

Mr. Altman stated that they advertised a Request for Proposals (RFP) for landscape and irrigation maintenance proposals. He stated that the proposals received in response to the RFP were sent to the Supervisors for review prior to the meeting. Mr. Altman stated that he received a request from Mr. Rosen to have a representative from OLM, Inc. He stated that Kyle VandenBrink of OLM, Inc. was in attendance at the meeting. Mr. Altman stated that OLM, Inc. is a company that evaluates and inspects landscaping on a monthly basis and provides a report to the Board. He stated that their service and contract includes a provision for a penalty or a reduction of bonus if the landscaper does not score high enough. Mr. Altman stated that the bid documents were handled in a manner that anticipated that kind of performance assessment could be made.

Mr. Altman stated that in reviewing the bids received the Board will be looking for the lowest most responsibility bidder. He stated that the Board will need to look at the lowest bidder, determine if they are responsible, and eliminate them from the process if they are not responsible. Ms. Johnson Velez stated that when the Board is doing their initial evaluation they should rank the bidders according to how they responded to the proposal. She stated that once the Board ranks the proposals they would then authorize the District Manager to negotiate the price with the first ranked proposer.

Mr. Altman reviewed the importance of selecting the lowest responsible bidder. He stated that the Board may anticipate a bid protest if they do not select the lowest responsible bidder and reviewed the bid protest process. Ms. Johnson Velez stated that it could be that if the Board can not come to terms on the price with the first ranked proposer. She stated that they would then begin negotiations with the second ranked proposer. Mr. Altman reviewed the negotiation process and Chapter 190.033 in regards to the requirement that bids be levied for contracts that exceed a specific dollar amount and the selection process for the Board.

Mr. Rosen asked why would they not reject all of the bids received based on the information from the management company on behalf of the CDD and hire a professional firm to manage the landscapers for the CDD. He stated that they could take this information, include all of the same existing vendors in their initial review and have OLM, Inc. manage the RFP process. Mr. Altman stated that rather than run a new advertisement and go through the bidding process again, the Board can defer a decision, engage OLM, Inc. to evaluate the bids, and give the District their professional evaluation. He stated that the low bid is \$157,000, the high bid is \$198,000, the budget of two combined of \$252,000 so they will be within the budget and that allows them enough money to hire OLM, Inc. Mr. Altman stated that there are two parts of service that OLM, Inc. provides. He stated that they can hire OLM, Inc. to take over the process on a monthly basis going forward at approximately \$1,200 per month. Mr. Altman stated that they can also run the bid process and provide the Board with their professional opinion. He stated that OLM, Inc. will not provide a recommendation because they are a third party which means the Board will still decide which vendor to select.

Mr. Altman stated that for the bid process OLM, Inc. has two fee options. Mr. VandenBrink stated that one is a one time fee that they charge to come in and perform the public bid process. He stated that the other option is a no risk process where they bid the work out and there are no savings the District doesn't have to pay OLM, Inc. anything. Mr. VandenBrink stated that if there are savings that OLM, Inc. obtains for the District, OLM, Inc. would receive 75% of the savings for the first year and the District would receive 25% of the savings. He stated that the second and third year of the contract the District would receive 100% of the savings.

Mr. Altman stated that the Board could engage OLM, Inc. at an amount not-to-exceed \$15,000 to handle the bid process and on a monthly basis to provide assurances that the landscapers are performing to standard.

*(Ms. Johnson Velez left the meeting in progress.)*

<b>MOTION TO:</b>	Continue the consideration of the bids until the next meeting unless a decision can be made after the presentation by OLM, Inc.
<b>MADE BY:</b>	Supervisor Petrilak
<b>SECONDED BY:</b>	Supervisor Lenton
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 3/1 – Motion passed (Supervisor Booth opposed)

Mr. VandenBrink gave a presentation on the history and services that OLM, Inc. can provide to the District. General discussion ensued. Mr. Altman stated that if the Board selects a landscape vendor today Mr. VandenBrink requested that they give a one year contract to the vendor. He stated that part of his request is based on the fact that the District has effectively borrowed or taken from them what they consider to be proprietary documentation. Mr. Altman stated that the other option is that they terminate the bids, they rebid the services, and then they are looking at a \$15,000 to \$40,000 cost for OLM, Inc. to handle the process. He stated that if the Board chooses to utilize the services of OLM, Inc. they can elect to put in a provision that they want a 30 day termination clause and DMS will handle negotiating the terms of the agreement.

Discussion ensued regarding the bids received in response to the RFP. Mr. Altman stated that none of the bidders should be rejected for lack of reasonableness or responsiveness and consequently under the Florida Statutes the Board should award the contract to the lowest reasonable and responsible bidder.

<b>MOTION TO:</b>	Engage OLM, Inc. for an annual landscape oversight contract as discussed with a 30 day termination with cause clause and rank Stewart & Associates Property Services, Inc. as the lowest responsible and reasonable bid (subject to negotiations and review by District Counsel) for an initial one year contract with the option to renew for two additional years.
<b>MADE BY:</b>	Supervisor Lenton
<b>SECONDED BY:</b>	Supervisor Booth
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

*(The Board took a brief recess.)*

**4. BUSINESS ADMINISTRATION**

**A. Consideration of Minutes of Board of Supervisors Meeting on August 20, 2008 (Tab 1)**

<b>MOTION TO:</b>	Approve the minutes of the Board of Supervisors meeting on August 20, 2008.
<b>MADE BY:</b>	Supervisor Rosen
<b>SECONDED BY:</b>	Supervisor Petrilak
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

**B. Consideration of Operation and Maintenance Expenditures September 2008 (Tab 2)**

<b>MOTION TO:</b>	Approve the Operation and Maintenance Expenditures for September (\$33,707.71).
<b>MADE BY:</b>	Supervisor Booth
<b>SECONDED BY:</b>	Supervisor Rosen
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

Discussion ensued regarding the need for a plan to solve the ongoing issues with sand in the water fountain. It was determined that the water fountain may need to be relocated or water could be provided by a vending machine.

Mr. Booth requested that DMS spend their time in the next 30 days on all of the minor issues and repairs that need to be done. He stated that they should make a task list of items that need to be completed in next 180 days. Discussion ensued regarding the process for residents to request specific issues or repairs to be done.

Ms. Lenton stated that due to the fact that Mr. Huenink has not attended most of the meetings this year the District should request his resignation or that he start attending the meeting. Mr. Altman stated that they could prepare a letter from the Chairman requesting his resignation or his intent to attend the meetings. It was stated that they can not make Mr. Huenink resign from the Board.

<b>MOTION TO:</b>	Authorize DMS to draft a letter to Mr. Huenink on behalf of the Chairman requesting his resignation or his intent to attend all meetings going forward.
<b>MADE BY:</b>	Supervisor Lenton
<b>SECONDED BY:</b>	Supervisor Booth
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

## 5. OLD BUSINESS CONTINUED

### A. Discussion Regarding Landscape Projects and Priorities (Tab 4)

Ms. Connor stated that a previous meeting the Board approved the replacement of sod around the large lake inside of Mandolin Estate. She stated that she met with the HOA President and another member of the community on site and it was decided to postpone the installation of sod around the pod to see if the greenery stays through the winter. Ms. Connor stated that they will keep the funds available for the sod replacement if it becomes necessary. She stated that during the site visit it was suggested that the two existing crape myrtles at the entrance to Mandolin Reserve be replaced with two Washingtonian palms at a cost of \$1,035. Ms. Connor stated that they also received a proposal to replace a Washingtonian palm on the berm just past the Estates entrance at a cost of \$450.

<b>MOTION TO:</b>	Approve the proposals from Cornerstone Tree Farm to replace the crape myrtles with Washingtonian palms for \$1,035 and replace the Washingtonian palm for \$450.
<b>MADE BY:</b>	Supervisor
<b>SECONDED BY:</b>	Supervisor
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

Ms. Connor stated a summary of all the landscaping work that has been approved by the Board to be done was included in the meeting book. She stated that at the landscape committee meeting earlier this week the residents that attended from the Townhomes of Highland Park requested that the sod not be replaced around the lake in front of Bournemouth and Cotswold and that the money be spent on other landscape improvements in their section of the community. Ms. Connor stated that the proposal to replace the sod was approved by the Board but no funds have been disbursed by the District or the contractor therefore the contract could be cancelled. She reviewed the landscape improvements items that have been completed to date.

<b>MOTION TO:</b>	Authorize \$5,208 to be utilized for landscape improvements in Townhomes of Highland Park section of community.
<b>MADE BY:</b>	Supervisor Rosen
<b>SECONDED BY:</b>	Supervisor Lenton
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

## 6. BUSINESS ITEMS CONTINUED

### A. Consideration of Highland Park Playground Shade Structure Request (Tab 6)

This item was tabled for consideration until the next meeting.

### B. Review of Fiscal Year 2007 Financial Audit and Annual Financial Report

<b>MOTION TO:</b>	Accept the Fiscal Year 2007 Financial Audit Report.
<b>MADE BY:</b>	Supervisor Booth
<b>SECONDED BY:</b>	Supervisor Petrilak
<b>DISCUSSION:</b>	None further
<b>RESULT:</b>	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

### C. General Matters of the District

No further matters were presented.

## 7. STAFF REPORTS

### A. District Counsel

Not present.

### B. District Engineer

Not present.

### C. District Manager

1. Financial Statements- Month Ended July 31, 2008 (Tab 7)
2. Adopted Fiscal Year 2009 Operating Budget (Tab 8)
3. Operations Report for September 2008 (Tab 9)

## 8. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

General audience comments were entertained but no Board action was taken.

9. ADJOURNMENT

MOTION TO:	Adjourn the Park Place Community Development District Board of Supervisors meeting.
MADE BY:	Supervisor Petrillak
SECONDED BY:	Supervisor Lenton
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

*\*These minutes were done in summary format.*

*\*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on October 15, 2008

*Anne Marie Lenton*  
Signature

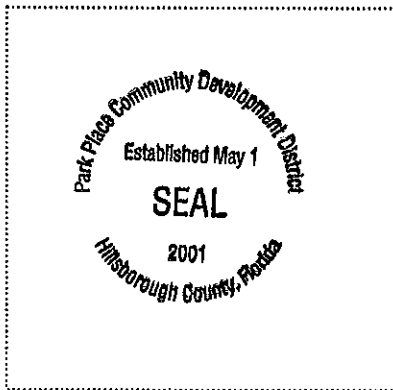
ANNE-MARIE LENTON  
Printed Name

Title:  
 Chairman  
 Vice Chairman

*Peter A. Altman*  
Signature

PETER A. ALTMAN  
Printed Name

Title:  
 Secretary  
 Assistant Secretary



Recorded by Records Administrator  
*Carolyn S.*  
Signature  
11-17-08  
Date