

PARK PLACE COMMUNITY DEVELOPMENT DISTRICT

October 21, 2009 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, October 21, 2009 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, October 21, 2009 at 4:00 p.m.

Board Members Present and Constituting a Quorum:

Linda Meyn	Chairman
Michael Rosen	Vice Chairman (<i>joined meeting in progress</i>)
Erica Lavina	Supervisor
Alex Petrilak	Supervisor
Darren Booth	Supervisor

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Tony Canorro	Assistant District Manager, District Management Services, LLC
John Vericker	District Counsel, Straley & Robin PA
Tonja Stewart	District Engineer, WilsonMiller, Inc.

Audience Members Present:

Residents

Audience Members Present Via Speakerphone:

Residents

1. CALL TO ORDER

Mr. Altman called the meeting to order and read roll call.

2. STAFF REPORTS

A. District Engineer

1. Presentation of Proposed Revision to District Encroachment Boundaries (Tab 1)

Mr. Altman stated that the Board's direction at the last meeting was to hold off on managing the actual individual requests for encroachment and have the District Engineer prepare a response to the District's need of the easements that are adjacent to the lakes, specifically in the Windsor/Mandolin community. Ms. Stewart stated that the documents were provided to the Board in their meeting book. She stated that the task at hand was to evaluate each storm water pond and come up with a reasonable distance for an allowed encroachment that would still allow the District to properly maintain the pond and structure. Ms. Stewart stated that she also reviewed the applications so that she can see who made encroachments, were those encroachments considered reasonable, and took that into consideration when she established the distance. She stated that the distance listed on the documents is based on the resident's rear property line. Ms. Stewart stated that there were several properties that she did not feel they should allow any encroachments. Mr. Canorro summarized the properties that have requested to have encroachments approved.

(Mr. Rosen joined the meeting in progress.)

Ms. Stewart that they should not allow any encroachments on easements in between homes. Mr. Canorro stated that they are looking at each pond drainage structure globally right now rather than on individual encroachments. He reviewed a map showing the different encroachment requests they have currently received (attached as Exhibit A). Discussion ensued regarding the landscape maintenance of the District property around the storm water ponds and easements.

Mr. Altman stated that it would be appropriate for the Board to have time to review the different options in order to make a decision on the encroachment requests. He stated that after all of the thorough review of the potential issues involved, the Board takes the position that it goes back to the property line and takes a more stringent approach, they may want to consider the refunding of the deposits. It was stated that they also need to take into consideration the amount of funds that the District has expended in District Engineer and District Counsel fees in the study and research of these encroachments. She stated that they need to consider those fees before agreeing to refund the application fees. Mr. Booth asked if they could change the landscape maintenance scope so that they are only mowing to the encroachment line. Mr. Altman stated that they are currently only mowing to the top of the banks so if they change the scope they will increase the amount or move it to a line that is very close to the existing line. Mr. Canorro stated that he is going to make it uniform because they can't expect the actual person who mows the lawn to understand the different boundaries for each property. He stated that he will need to make a map showing exactly where they need to mow. Ms. Stewart stated that she does recommend that they add maintenance of the structure to the landscape maintenance contract as the structure is the most important part of the pond. Ms. Stewart was asked if she detected anything in her analysis anything that would be an additional issue as to why an encroachment should or should not be granted now or in the future. Ms. Stewart stated that she had not. It was asked if any residents have complained about their visual site line being cut off. It was stated that there has been at least one specific complaint. Mr. Vericker stated that while Ms. Stewart indicated that it does not appear from a day to day perspective it would cause any major problems, if the Board looks at the encroachment agreement in place, it recognizes that it still might one day need to be removed. He stated that even though they are giving the licenses, it doesn't mean it will be in perpetuity that they wouldn't need it because they can revoke them if they need to. Mr. Vericker stated that there are instances where pond banks may need to be reconstructed. He stated that the licenses are revocable in case of changed circumstances. Ms. Stewart stated that they could hold a workshop to educate the residents on storm water ponds. Mr. Canorro stated that they may look to do some aquatic plantings in some ponds to prevent erosion and to beautify the look of some of the ponds. General discussion ensued. Mr. Altman stated that no matter what decision the Board makes, they are going to be cases that they are going to have possible legal costs to bring things into compliance.

Mr. Altman reminded that the Board that they were going to go through a number of individual hearings for their encroachment requests. He stated that the Board has been given some additional information today and will need time to review the material. Mr. Altman stated that they will need to find a consistent path to take on the consideration of the requests.

Audience comments were entertained. It was stated that the Board has to be careful to be consistent, follow the same guidelines for everyone, and be fair or they will have legal issues that will cost all of the residents money in legal fees. Discussion ensued regarding the existing encroachments by the residents that approval was not given for. A request was made that prior to a decision is made, that the Board considers the formal complaint that was filed against one of the fences.

Mr. Altman stated that they can schedule the individual hearings for the next meeting and prior to the meeting, the Board will thoroughly review the requests.

MOTION TO:	Continue the encroachment meeting discussion, hold the individual hearings at the next regularly scheduled meeting, and decisions will be made on all requests.
MADE BY:	Supervisor Meyn
SECONDED BY:	Supervisor Petrilak
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

A request was made to change the meeting time to a later time in order for more residents to be able to attend. It was stated that the Board just approved a resolution at the last meeting to set the meeting dates and times for the next year. Mr. Altman stated that they could address the encroachment hearings at 5:00 p.m. after all regular business has been handled. Discussion ensued regarding communication of the meeting dates and times.

MOTION TO:	Start the encroachment hearings on November 18, 2009 at 5:00 p.m. (after all normal business has been handled).
MADE BY:	Supervisor Rosen
SECONDED BY:	Supervisor Meyn
DISCUSSION:	Discussion ensued regarding allowing each resident with an encroachment request will have five minutes to address the Board then any resident who is in support or opposed to the request will have five minutes. Ms. Stewart stated that she will arrive at the meeting at 5:00 p.m.
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

(Ms. Stewart and Mr. Vericker left the meeting in progress.)

3. BUSINESS ADMINISTRATION

A. Consideration of the Minutes of the Board of Supervisors Meeting on September 16, 2009 (Tab 2)

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting on September 16, 2009.
MADE BY:	Supervisor Rosen
SECONDED BY:	Supervisor Meyn
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

B. Consideration of Operation & Maintenance Expenditures, October, 2009 (Tab 3)

Items of discussion included:

- Duplicate copies of invoices included in the book
- Need clarification of why Windsor/Mandolin is \$7,640 and Highland Park is \$4,076 for liability insurance from Brown & Brown
- Request to bid out insurance services
- Request for history of insurance premiums for last several years
- Clarification of high cost of pressure washing service provided
- Lack of identifying marks on the pressure washing company truck
- Should the responsible vendor pay the invoice from Cornerstone for the trouble shooting on the landscape lighting that the irrigation timer was rewired
- Whether approval was given to expend the rest of the landscape improvements

MOTION TO:	Approve the Operation & Maintenance Expenditures October, 2009.
MADE BY:	Supervisor Meyn
SECONDED BY:	Supervisor Rosen
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

4. BUSINESS ITEMS

A. Review of Fiscal Year 2010 District Properties (Tab 4)

Mr. Altman and Mr. Canorro briefly reviewed the issues that have been identified throughout the different areas of the District. General discussion ensued. A request was made to separate the issues into each community, an estimated cost of repair, and whether it's been budgeted for and present the information at the next meeting.

B. Discussion of Landscape Maintenance Performance and Services (Tab 4)

Mr. Canorro stated that there has been discontent with the level of success with the service provided by Stewart Associates in the Mandolin/Windsor area. He stated that they've brought the same carry over items to their intentions for months as well as new items. Mr. Canorro stated their scores have been low, barely passing. Mr. Rosen requested that they do a Request for Proposals for landscape services as well as terminate the services of OLM. It was stated that the landscape services in the Highland Park area have been good.

A resident stated that there is a conservation area to the left of a specific home that has a tree that has fallen into the open area owned by the CDD. She stated that for the past two weeks the landscapers have been just mowing around the tree. She stated that there is a dead palm for several years on a berm on Citrus Park Boulevard. She stated that several months ago, Stewart Associates topped off the palms so there are no dead fronds. She asked if that will regenerate the palms or if they are dead and need to be removed. She stated that if the palms are dead, they need to be removed and replaced.

Mr. Rosen stated that outside of the coach homes, there is a tree that is hanging over the wall which is a hazard to the wall. Mr. Canorro stated that he is aware of that issue and is working on getting a proposal to handle the matter.

Ms. Meyn stated that at the last meeting, Kyle with OLM stated that he would go out and do weekly inspections and provide written reports. She stated that she has only received one report for a period of four weeks.

MOTION TO:	Discontinue the services of OLM.
MADE BY:	Supervisor Booth
SECONDED BY:	Supervisor Meyn
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

MOTION TO:	Authorize DMS to do a Request for Proposals for landscape services for the entire District.
MADE BY:	Supervisor Booth
SECONDED BY:	Supervisor Meyn
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

Mr. Canorro stated that he has a draft scope of services that he would like to review with a representative of Highland Park and Mandolin/Windsor. He stated that he would email the scope to the Board members for their review. Discussion ensued regarding Mr. Canorro taking a more active role in the oversight of the landscape services and possibly compensating DMS for the savings. Mr. Canorro stated that he is in the District once a week doing inspections.

C. Discussion of Highland Park Bus Stop Drainage (Tab 5)

This item was tabled until the next meeting.

D. Consideration of Resolution 2010-01, Re-Designating of Registered Agent and Registered Office

Mr. Altman stated that Erin Larrinaga of Fowler White Boggs & Banker, P.A. was previously listed as the Registered Agent and Registered Office. He asked for a motion to approve a form of a resolution to re-designate Brian Lamb as the registered agent and 2002 North Lois Avenue, Suite 507, Tampa, FL 33607. Mr. Altman stated that DMS will file the appropriate paperwork to make the change.

MOTION TO:	Approval of Resolution 2010-01, Re-Designating the Registered Agent as Brian Lamb and the Registered Office as 2002 North Lois Avenue, Suite 507, Tampa, FL 33607 (in substantial form).
MADE BY:	Supervisor Petrilak
SECONDED BY:	Supervisor Meyn
DISCUSSION:	No further discussion
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

E. General Matters of the District

Discussion ensued regarding the transition of Heidt & Associates, Inc. to Heidt Design, LLC and the records that were kept at Heidt & Associates, Inc. Mr. Altman stated that Tim Plate with Heidt Design, LLC has agreed to not do any work or discard any of the Districts records unless the bills have been paid. He stated that the final bills have been paid but they have not paid and are not planning on paying based on the Board's direction for the work they are charging for the map. Mr. Altman stated that he will continue to communicate with the new firm.

5. STAFF REPORTS

A. District Manager

1. Financial Statement, Period Ending August 31, 2009 (Tab 6)
2. Operations Report (Tab 7)

6. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

A. Communications

There were no communications.

7. ADJOURNMENT

MOTION TO:	Adjourn the Board of Supervisors Regular Meeting of the Park Place CDD.
MADE BY:	Supervisor Meyn
SECONDED BY:	Supervisor Rosen
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - 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 Nov. 19, 2009.

Linda Meyn
Signature

LINDA MEYN
Printed Name

Title:

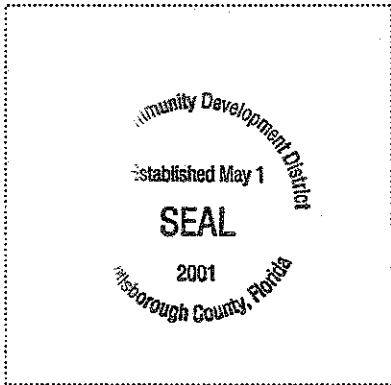
- Chairman
- Vice Chairman

Peter Altman
Signature

Peter Altman
Printed Name

Title:

- Secretary
- Assistant Secretary



Recorded by Records Administrator

Kim M. Morley
Signature

6/22/2010
Date