

PARK PLACE COMMUNITY DEVELOPMENT DISTRICT

December 16, 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, December 16, 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, December 16, 2009 at 4:00 p.m.

Board Members Present and Constituting a Quorum:

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| Linda Meyn | Chairman |
| Michael Rosen | Vice Chairman |
| Erica Lavina | Supervisor |
| Alex Petrilak | Supervisor |
| Darren Booth | Supervisor |

Staff Members Present:

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| Peter Altman | District Manager, District Management Services, LLC |
| John Vericker | District Attorney, Straley & Robin |
| Tonja Stewart | District Engineer, Wilson Miller |

Audience Members Present:

One Resident

1. CALL TO ORDER

Mr. Altman called the meeting to order for the Park Place Community Development District.

2. STAFF REPORTS:

A. District Counsel

Mr. Vericker gave a status update on the encroachment agreements. Mr. Vericker stated the exhibits still need to be put together that display addresses and property description. Mr. Vericker also stated that the insurance policies that were requested are starting to come in. Mr. Altman and Mr. Cannorro will be responsible for getting the encroachment agreements signed by Ms. Meyn and the property owners.

The Board confirmed their desire to have the opportunity to review the encroachment agreement before it was distributed. Mr. Altman informed the committee that the forms have not been sent out as of yet. Mr. Vericker will be responsible for emailing a copy of the agreement that incorporates all the changes made to each of the Board members. Mr. Rosen stated he would like to expedite this situation and it will be up to the homeowners to facilitate the completion of the agreement.

Ms. Meyn questioned if the Kelly agreement was with conditions or not as it pertains to the \$2 million dollar general liability insurance coverage and ratification of five year agreement. It was determined that the Kelly encroachment agreement was accepted with the aforementioned requirements.

Mr. Rosen questioned if communication had been given to homeowners who were not approved. Mr. Altman reassured the Board that Mr. Cannorro has been in contact with the homeowners.

(Mr. Petrilak joined the meeting in progress).

3. BUSINESS ADMINISTRATION

A. Consideration of the Minutes of the Board of Supervisors Meeting on November 18, 2009 (Tab 1)

Mr. Altman noted that there were extensive changes that needed to be made to the November meeting minutes and requested that the Board members who noted changes to give them to Mr. Altman. Mr. Altman will be responsible for sending out a new draft of the amended minutes. Approval for the November meeting minutes were tabled until the next meeting.

B. Invoices

Mr. Altman noted there was a lot of redundancy in the copying of the Operations and Maintenance invoices. Mr. Altman informed the Board that DMS has come up with a plan to take the Commercial "mixed use" section's share of expenses and display the costs in a column next to Highland Park's share of costs in order to eliminate multiple copies of the same invoices from future meeting books.

There was a question regarding how the allocations for expenditures are determined. Mr. Altman informed the Board that DMS looks at all the items that are on the budget and if they are exclusive to only one section of the community, they are put in the appropriate category. If items benefit more than one section, then a ratio analysis is done to determine the best allocation method.

Further discussion ensued regarding the operations and expenditures. Comments were made questioning the lack of any invoices from Wilson Miller for engineering services Ms. Stewart advised she would review their billing and Mr. Altman indicated he would follow up to ensure that expenditures would be posted to the correct year.

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| MOTION TO: | Approve the Operation and Maintenance Expenditures |
| MADE BY: | Supervisor Rosen |
| SECONDED BY: | Supervisor Petrilak |
| DISCUSSION: | None further |
| RESULT: | Called to Vote: motion PASSED 5/0 - Motion passed unanimously |

4. BUSINESS ITEMS

A. Encroachment Update

(Tab 3)

Mr. Altman addressed the issue of the two failed motions regarding encroachment requests from Jay and Erica Lavina that occurred at the last meeting. An issue has arisen regarding the interpretation of Ms. Lavina obligation to refrain from voting on her own encroachment application. Mr. Vericker informed the Board that the Florida Statute provides an exception clause for a supervisor who holds a developer seat from the normal conflict of interest rules which apply to the electoral seats. Any challenge to the interpretation of Ms. Lavina's right to vote on this issue would be determined by the State Ethics Committee.

Mr. Vericker was asked to clarify how much time the Board has to transition from developer seat Board to a strictly residential Board? Mr. Altman informed the Board there is approximately 3 more years. Mr. Rosen asked Mr. Altman to email the Board with regards to what each one of the Board member seats

represent in regards to whether a seat is a developer or residential. Mr. Rosen additionally requested that the Board be informed as to what the expiration date is for each seat. Mr. Altman informed the board that his current records reflect Ms. Meyn and Mr. Booth both hold landowner seats which expire in 2010; Ms. Lavina's landowner seat expires 2012. Mr. Altman informed the Board there will not be another landowner election for this District and after the landowner seats all expire the Board would become strictly residential.

Further discussion ensued regarding Ms. Lavina's encroachment request and the Board was asked to revisit the failed motion.

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| MOTION TO: | Approve the encroachment request from Erica Lavina at 11628 Greensleeve Avenue subject to the homeowner obtaining sufficient insurance with \$2,000,000 liability and direct DMS and District Counsel to draft a five year license agreement and indemnification consist with prior encroachment approvals. |
| MADE BY: | Supervisor Rosen |
| SECONDED BY: | Supervisor Petilak |
| DISCUSSION: | Ms. Lavina has to fill out a conflict form. |
| RESULT: | Called to Vote: motion PASSED 3/2 (Supervisors Booth and Meyn Opposed) |

B. General Matters of the District

Discussion ensued regarding the previous landscaper, Stewart & Associates', lack of completion of their contracted services. There was also an issue regarding payment for Stewart & Associates' efforts made after no longer being under contract and being notified that payment would be withheld for noncompliance.

After further discussion it was concluded that the Board would release funds for payment for work completed with Highland Park area only and withhold payment for Mandolin & Windsor area.

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| MOTION TO: | Approve payment to Stewart & Associates for the completed work at Highland Park and to withhold payment for the uncompleted work at Mandolin/Windsor. |
| MADE BY: | Chairman Meyn |
| SECONDED BY: | Supervisor Booth |
| DISCUSSION: | Attorney Vericker to send a letter regarding the unacceptable work and withholding of final payment until the dispute is resolve. |
| RESULT: | Called to Vote: motion PASSED 5/0 |

Further discussion ensued regarding the landscaping services with Raymow. The following information is extracted from the Operations Report for December 2009 of maintenance issues that needed to be addressed as the result of the facilities tour conducted by Mr. Rosen and Mr. Canorro:

- A malfunctioning toilet in the Highland Park playground men's room
- Directed repair of the Mandolin Reserve foam border at a cost of \$540
- Directed the new landscape vendor to install the first of their two contracted mulch applications
- Directed Raymow to remove the large chunk of cement in a common area in Mandolin Estates
- Directed the pressure washing of the two docks in Highland Park
- Change the time on the Highland Park clock and replaced the damaged glass
- Continue to inspect all landscaping lighting for malfunctions
- Aquatics maintenance is ongoing

Mr. Booth addressed the issue of communication from the management company, vendors and the Board. Mr. Booth wanted to ensure that the management company is following up with the vendors to ensure that specified work outlined is being completed and relayed to the Board. Mr. Rosen interjected the purpose for going on the facilities tour with Mr. Canorro was to reinforce the communication between the management company, the vendors and the Board. Mr. Rosen stated he told Mr. Canorro, "The Board wants solutions to foreseeable problems and a long-term prognosis of foreseeable landscaping and/or maintenance issues before they become a problem". The Board reiterated to Mr. Altman that as a representative of the management company its expects that the aforementioned criteria be followed.

Further discussion ensued regarding the cleaning of the park bathrooms, maintenance issues and pavilion reservations. Mr. Altman will be responsible for finding the appropriate vendor responsible for cleaning the bathrooms and ensuring that is being done on a consistent basis and he will also be responsible for developing a process for the reservations of the pavilions.

5. STAFF REPORTS

A. District Engineer

Tonja Stewart, District Engineer, addressed the Review of FY 2010 District priorities maintenance list. Ms. Stewart wanted clarification if the list was in order of precedence. The following is the list of issues as identified by DMS and drafted in an October memorandum to the Board for Park Place Community Development District:

- Highland Park Alleyway Drainage
- Highland Park Sidewalk (underdrain repair)
- Highland Park Bus Stop Reconstruction
- Racetrack Road Landscaping
- Wetland Plantings
- District Asset Map
- Commercial Parcel maintenance
- Extension of Racetrack Road Sidewalk
- No parking/one-way signage
- Highland Park Playground refurbishing
- Mandolin/Windsor Lighting refurbishing
- Acquisition of Commercial Parcels for Amenity Expansion
- Continued Landscape Enhancement

Ms. Stewart gave a detailed verbal presentation regarding the distinctions of various types of drainage and made a recommendation to the Board of the most appropriate drainage solution required for Highland Park. Further discussion ensued regarding the prioritization of the aforementioned list. It was concluded that the list would be broken up Highland vs. Mandolin/Windsor, e-mailed to the Board for them to review and for staff to come up with a definitive prioritization of the list; which would be discussed at the next meeting. Ms. Stewart also informed the Board that they need to come up with a legitimate plan regarding the alleyway drainage and side walk underdrain repair and not just to “band aid” the project.

There was a question regarding repaving. Ms. Stewart will be responsible for estimating a cost for repaving. Ms. Stewart also stated she could probably have a district map in draft form for the next meeting. *(Ms. Stewart left the meeting in progress).*

C. Operations Report

There was an issue regarding the unsightly appearance of the fountain. Mr. Altman will be responsible for follow-up regarding the getting the fountain cleaned.

There was concern expressed regarding DMS following up regarding outstanding “action items and status reports”. Discussion ensued regarding numerous outstanding action items expressed from several of the Board members. It was reiterated from the Board, the action items and status reports in question are a matter of communication from the vendors to the management team and finally to the Board. Mr. Altman informed the Board that DMS welcomes all suggestions regarding ways to develop better communication regarding the status and completion of outstanding action items and that DMS will communicate more effectively in the future on the status of all action items and give a more complete status report to the Board in the future.

There was concern expressed regarding the dead palm tree at Mandolin/Windsor. The issues of weeds growing in the rose beds and issues outstanding in the common areas were also items of concern raised by the Board. Mr. Altman informed the Board that beginning the 14th of January Raymow is starting their inspections and walk-through and going forward, inspection reports will be included in all future meeting books. Mr. Altman reassured the Board that he will make every effort to ensure the completion of the aforementioned items and they will be on the agenda with a status report. Mr. Altman stated to the Board that Raymow will not receive their first check until the “dead palm tree” is removed. It was noted that the Homeowner’s Association did choose Raymow as their contractor as well. Mr. Canorro will be responsible for coordinating with Ms. Bolan regarding maintenance issues that need completion from Raymow. The Board noted that the contract with Raymow has a 30-day “out clause” and if they are not performing to expectation the Board would be seeking another contractor.

Ms. Bolan will email all the Board members regarding maintenance issues and cc Mr. Altman. Ms. Bolan also mentioned a new issue of “ant hills” in the common areas.

Ms. Bolan requested a list of names and addresses of the all homeowner’s granted for encroachment because their management company will be sending them a letter. Mr. Altman will email the list to Ms. Bolan.

The safety issue of the trampoline was also addressed. Mr. Altman stated he would get with Mr. Canorro to see that this issue is resolved.

7. ADJOURNMENT

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| MOTION TO: | Adjourn meeting. |
| MADE BY: | Chairman Meyn |
| SECONDED BY: | Supervisor Booth |
| 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 January 20, 2010.

Linda Meyn
Signature

LINDA MEYN
Printed Name

Title:

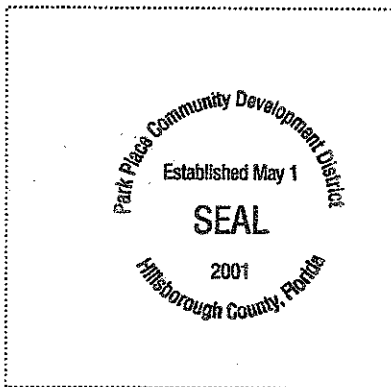
- Chairman
 Vice Chairman

Peter Altman
Signature

Peter Altman
Printed Name

Title:

- Secretary
 Assistant Secretary



Recorded by Records Administrator

Tom Maloney
Signature

6/22/10
Date