

**MINUTES OF MEETING
MEADOW POINTE II
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Meadow Pointe II Community Development District was held Wednesday, December 16, 2015 at 6:31 p.m. at the Meadow Pointe II Clubhouse; 30051 County Line Road; Wesley Chapel, Florida.

Present and constituting a quorum were:

Mike Cline	Chairman
Dana Sanchez	Vice Chairman
Renee Glassman	Assistant Treasurer
Glen Aleo	Assistant Secretary
James Bovis	Assistant Secretary

Also present were:

Bob Nanni	Severn Trent
Sheila Diaz	Operations Manager
Deed Restriction Coordinator	
Kelly Fernandez	District Counsel
Residents	

The following is a summary of the discussions and actions taken.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Cline called the meeting to order.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Cline called the roll with all members reporting present. A quorum was established.

THIRD ORDER OF BUSINESS

**Pledge of Allegiance/Moment of Silence
for our Fallen Service Members and First
Responders**

The Pledge of Allegiance was recited; a moment of silence was observed.

FOURTH ORDER OF BUSINESS

Additions or Corrections to the Agenda

Mr. Cline requested any additions or corrections to the Agenda. There being none, the next item followed.

FIFTH ORDER OF BUSINESS

**Audience Comments on Agenda Items
(Comments will be limited to three minutes)**

- Jerry Lynn, President of the Lettingwell HOA commented on receiving a 90% community response of not being in favor of leaving the gates open; he also inquired what was being done about existing trees causing sidewalk problems.

SIXTH ORDER OF BUSINESS

Consent Agenda

- A. Minutes**
November 4, 2015
November 18, 2015
- B. Financials**
November 30, 2015

On MOTION by Mr. Aleo seconded by Ms. Sanchez to approve the Consent Agenda.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Ms. Glassman, Mr. Aleo, and Mr. Cline voting AYE the Consent Agenda was approved. 5-0.

SEVENTH ORDER OF BUSINESS

Non Staff Reports

- A. Sheriff's Department**
There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Reports

- A. Architectural Review**
- | | | | | |
|----------|-----------|-----------------------|-------------|----------|
| 2015-102 | Deer Run | 29603 Forest Glen Dr. | New gutters | Approved |
| 2015-103 | Wrencrest | 30630 Nickerson Lp. | Paint house | Approved |

On MOTION by Ms. Glassman seconded by Mr. Bovis to accept the Architectural Review recommendations for case #2015-102 thru #2015-103 as submitted.

There being no discussion,

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Ms. Glassman, Mr. Aleo, and Mr. Cline voting AYE the Architectural Review recommendations for case #2015-102 thru #2015-103 listed above were accepted as modified. 5-0

SEVENTH ORDER OF BUSINESS

Non Staff Reports (continued)

- B. Resident's Council**
Fifty-seven letters were addressed to Santa, and he will be responding to all.

EIGHTH ORDER OF BUSINESS

Reports (continued)

- B. Attorney's Report**
 - i. Resolution 2016-1 – Establishing Standards for Tree Planting in the Area Between the Street and Sidewalk**
Ms. Fernandez reviewed changes and revisions to the original draft of Resolution 2016-1.

On MOTION by Ms. Sanchez seconded by Mr. Bovis to approve Resolution 2016 – Establishing Standards for Tree Planting in the Area Between the Street and Sidewalk.

Discussion followed.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Ms. Glassman, Mr. Aleo, and Mr. Cline voting AYE, Resolution 2016 – Establishing Standards for Tree Planting in the Area Between the Street and Sidewalk was approved. 5-0

ii. Public Financing Disclosure

The public financing disclosure document will be recorded in the public record, providing notice that Meadow Pointe II is a Community Development District with the power to levy assessments. The document also references budgeting information on expenditures.

iv. Status of Wellington Account

Recently a company acquired title to approximately 60 various lots in the District via a tax deed sale. Through this process, presumably the money paid goes to the County to pay past due taxes, which would include the CDD assessments included on the tax bill. This item will be researched to confirm all the monies due to the CDD were received. Discussion followed on outstanding lots and related delinquencies.

The company that acquired the property in Wellington is considering an age restricted community marketed to a specific group of people. Discussion followed on any possible implication for the District if that company’s actions do not comply with federal law.

v. Update on Deed Restrictions

The owner of the Veazey property is deceased and the property is currently owned by the estate. A foreclosure action was filed on March 26, 2013 and a hearing is scheduled for March 1, 2016 on a Motion for Default. A final judgement is possible by mid-year which would lead to a foreclosure sale.

Two properties are making payments, and they are more or less current.

A pre-trial conference is set for January 6, 2016 on the Guzman property. If there is no resolution, a trial would be scheduled unless they agree to a judgement. This would only be a monetary resolution, and it would not address the violations or condition of the property.

The Guzman’s could be asked to authorize the District to tow vehicles from their property. Discussion followed on placing a no trespassing sign on the property; mowing of the lawn, and placing a chain connected to a pole across the property to prevent vehicles from parking.

District Counsel is authorized to pursue direct negotiations with the Guzman's to reach a resolution to the problems facing the community regarding maintenance of the burned down property. Settlement of the Small Claims case can be used for leverage.

iii. Discussion on Latest Sidewalk Issue

A letter was received from Pasco County dated December 2, 2015 which acknowledges that if the County did accept a deed to the property, it is their property. Confirmation is needed regarding the location of the sidewalks and how many of them are contained within the deeds the County received. This pertains to the sidewalks on County Line Road, Beardsley, Mansfield, Morningside and Deerbourn.

If someone falls on a County owned sidewalk, and you have not done any work to the sidewalk, the liability falls on the County.

Operational Plan for Evaluating County Sidewalks

An operational plan to locate, identify, and document damages presenting a safety hazard to the public on county-owned sidewalks was presented and discussed.

On MOTION by Mr. Bovis seconded by Ms. Sanchez to approve and move forward as soon as possible with the Operational Plan to locate, identify, and document damages presenting a safety hazard to the public on Pasco County-owned sidewalks presented by the Operations Manager and Maintenance Supervisor.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Mr. Aleo, and Mr. Cline voting AYE, and Ms. Glassman voting NAY to approve and move forward as soon as possible with an Operational Plan to locate, identify, and document damages presenting a safety hazard to the public on Pasco County-owned sidewalks presented by the Operations Manager and Maintenance Supervisor. Motion Passes 4-1.

This Operational Plan is a high priority to be implemented as soon as possible, and the information gathered is to be coordinated with District Counsel.

C. District Manager

i. Limits of Liability Sovereign Immunity

The limits of liability for Sovereign Immunity for Local Governments and Special Districts increased from \$100,000 to \$200,000.

ii. Liability Insurance Policy Limits

The Meadow Pointe II CDD Insurance Liability is set at \$3,000,000.

iii. Process for Establishing Assessments for Morningside and Deer Run

There are two options in establishing assessments for Morningside and Deer Run. The first is a mid-year assessment which would not be with the Tax Collectors Office, and would be collected by Severn Trent. This would require advertising and holding a Public Hearing on the Special Assessment. The second option is to levy the assessment as part of the normal budget process.

A feasibility study of the proposed plan is needed for either option, then the information would be used as a basis for determining the amount of the assessment. If the option to assess is part of the normal budget process and is placed on the tax roll, an additional calculation would be needed to recover discounts offered for early payments and the tax collector's fee for the work they do.

If the assessment is issued mid-year, the leverage offered by the tax collector would be lost. However, the amount assessed would be decreased by eliminating the additional 6% cost associated with using the tax collector's office. Severn Trent would then be able to calculate the assessment at the net cost of the project.

Discussion followed on an implementation plan, should one be needed.

iv. Late Assessment Letter and Response from Residents

Severn Trent will bill and collect revenue for the District on 44 lots.

The District Engineer submitted two good Inspection and Operations and Maintenance Reports to SWFWMD. The next reports are not due until November 2020.

D. Operations Manager

i. Operational Plan for Evaluating County Sidewalks

This item was addressed above under Attorney's Report.

The District Engineer was asked to research ownership of a stretch of road in Deer Run. Based on his findings, it appears the County owns and maintains ALL of the roads in Deer Run.

Ms. Glassman reported contacting the County and she was informed that a portion of the road might not have been approved by the County when it was done by the Developer. When the Developer repaired it up to standard they may not have submitted the paperwork for acceptance. This may be why it is designated as private property.

NINTH ORDER OF BUSINESS

**Action Items for Board
Approval/Disapproval**

A. Consideration of Gates being Open During Certain Hours

On MOTION by Ms. Sanchez seconded by Mr. Aleo to discuss reconsidering the gates being open during certain hours.

Discussion followed on reconsidering bringing back discussion on leaving the gates open.

On VOICE VOTE with Ms. Sanchez, Ms. Glassman AYE, and Mr. Bovis, Mr. Aleo and Mr. Cline voting NAY to discuss reconsidering the gates being open during certain hours. Motion FAILED 2-3.

B. Decision regarding trees in Parking Lot

On MOTION by Ms. Glassman seconded by Mr. Aleo to remove trees from the parking lot.

Discussion followed on removing some trees from the parking lot which are causing problems. The County would need to be contacted, and the tree replacement count and location would need to be determined.

On MOTION by Ms. Sanchez seconded by Mr. Bovis to table the motion to remove trees from the parking lot to the January 6, 2016 meeting.

On VOICE VOTE with Ms. Glassman, Ms. Sanchez, Mr. Bovis, Mr. Cline voting AYE and Mr. Aleo voting NAY to table the motion to remove trees from the parking lot to the January 6, 2016 meeting. Motion is tabled 4-1.

C. Consider for Approval an Operational Plan for Evaluating Sidewalks
This items was addressed under Attorney’s Report.

TENTH ORDER OF BUSINESS

Supervisor’s Remarks

Mr. Aleo

- Reported on going with OLM on the LMP inspection. Concern was expressed with the OLM grading system.
 - Would like to consider an RFP for landscape consulting services.
- Inquired on the status of addressing pond erosion issues.
 - A report from the District Engineer is anticipated by January 2016.

Ms. Glassman

- Inquired on the status of the repairs for the tennis courts and pool deck.
- Addressed the OLM method for grading inspections and expressed confidence in the service provided.
- Inquired about additional Christmas lights.

Mr. Cline

- Recognized Mr. Smith from MPI, noting appreciation for his communications with MPII and for freely sharing information.
- Reflected on CDD accomplishments over the past year, and recognized the help and support from staff.

Mr. Bovis

- Expressed confidence in the service provided by OLM; consider providing feedback directly to OLM on their performance.

Ms. Sanchez

- Concur with reviewing OLM performance.

Mr. Cline reported on attending the PACA meeting and was disappointed with the focus on future development plans rather than on immediate concerns of the Districts.

The Sheriff’s Deputy provided a community update at this time.

ELEVENTH ORDER OF BUSINESS

Audience Comments (Limited to 3 Minutes)


- Urgency to identify which sidewalks belong to the CDD and which belong to the County rather than moving forward with sidewalk markings.
- Morningside and Deer Run are non-gated communities and any projects there would be for the benefit of the entire District and should be paid from General Funds.
- Interest in the plan for dealing with the existing trees and plantings.
- Comment on gates, OLM grading system, and pond erosion.
- Sidewalk lawsuit in MPI demonstrated the cost of no action even when you don’t own the sidewalks.
- The original request to leave gates open only applied to Wrencrest based on observation of the frequency of use and the impact on the condition of the gate.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Bovis seconded by Ms. Glassman with all in favor the meeting was adjourned at 9:18 p.m.



Michael Cline
Chairman