

**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, April 20, 2016 at 6:30 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- via phone	Assistant Treasurer
Glen Aleo	Assistant Secretary
James Bovis	Assistant Secretary

Also present were:

Bob Nanni	District Manager
Kelly Fernandez	District Counsel
Sheila Diaz	Operations Manager
Deed Restriction Coordinator	
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. 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

There being none, the next item followed.

FIFTH ORDER OF BUSINESS

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

- The heavy equipment being used for the rock project caused damage to a property in Longleaf. When will sodding replacement begin?
 - The work should be completed before the start of the rainy season.

On MOTION by Ms. Sanchez seconded by Mr. Aleo to allow Ms. Glassman to participate in the meeting and vote telephonically.

On VOICE VOTE with Ms. Sanchez, Mr. Aleo, Mr. Bovis and Mr. Cline voting AYE to allow Ms. Glassman to participate in the meeting and vote telephonically. 4-0.

SIXTH ODER OF BUSINESS

Anand Vihar LLC Presentation

Mr. Eric Eisenberg provided information regarding Anand Vihar LLC, owners of the former troubled property Wellington at Meadow Pointe. They are working to resolve many of the unresolved problems. The original project was approved for 330 townhomes and condominiums. Anand Vihar LLC is looking to develop an upscale 55 plus community with a mixture of approximately 300 townhomes and condominiums along with a self-contained clubhouse and amenity center. New development activity is anticipated to begin June or July 2016 and is expected to take 3-4 years to complete. Discussion followed on the many issues with the County roadways.

SEVENTH ODER OF BUSINESS

Consent Agenda

- A. **Minutes**
March 2, 2016
March 16, 2016
- B. **Financials**
March 31, 2016
- C. **Deed Restrictions**

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 as presented. 5-0.

EIGHTH ORDER OF BUSINESS

Appeal for Deed Restrictions

Case #2015-128, Wrencrest, 30916 Burleigh Dr., Ms. Williamson

On MOTION by Ms. Sanchez seconded by Mr. Aleo to temporarily suspend the fine on case #2015-128 and allow Ms. Williamson until the May 18, 2016 CDD Board meeting to correct the problem. At that time the property and the fines will be reviewed.

Discussion followed.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Ms. Glassman, Mr. Aleo, and Mr. Cline voting AYE to temporarily suspend the fine on case #2015-128 and allow Ms. Williamson until the May 18, 2016 CDD Board meeting to correct the problem. At that time the property and the fines will be reviewed. 5-0

NINTH ORDER OF BUSINESS

Non-Staff Reports

A. Sheriff's Department

The Sheriff's Deputy provided an update on activities in the community. Traffic enforcement appears to be working.

Residents should not put outgoing mail in the mailbox with the red flag up. Mail has been missing from the box by the time the postal carrier can retrieve it; criminals are likely taking the mail looking for checks.

B. Resident's Counsel

Information was sent to 40 vendors regarding the Spring Fling; 9 vendors are paid and 5 addition are committed to payment by the end of the week. The cost for a booth is \$25; volunteers are needed and hours worked can be used for community service. Spring Fling is set for May 21, 2016 between 11:00 a.m. to 3:00 p.m.

TENTH ORDER OF BUSINESS

Reports

A. District Counsel

i. Guzman Property / Purchase – Resale

The last court appearance for the property owned by Mr. Guzman was in January 2016 and a settlement was entered into with him at that time. Signs requested by the CDD were posted and simple fencing was installed. The property was cleared, but payment from Mr. Guzman for the work performed has not been paid. A Power of Attorney was received from Mr. Guzman but the execution of the document was not complete. He has been unresponsive to making the payments he agreed to and in completing the required signatures on the Power of Attorney. District Counsel obtained a pretrial conference hearing on this matter on April 27, 2016. If Mr. Guzman is present we will try to reach final agreement; if agreement cannot be reached a trial date will be requested. If he is not present we will request a default judgement be entered against him and entered into the Public Records.

If the CDD voluntarily accepts deed to this property, the CDD would be taking it subject to a mortgage, and it would almost certainly not be able to be marketed for enough to sell it to

someone who would make a full payoff to the bank. Once the property is owned by the CDD the CDD could maintain it, keeping in mind that at any point in the future the bank could foreclose on the property.

On MOTION by Ms. Sanchez seconded by Mr. Aleo to authorize District Counsel to pursue with Mr. Guzman the possibility of a Quit Claim Deed to the CDD for the property at 1323 Baythorn and to ascertain who holds the mortgage(s) and the balance(s) due.

Ms. Fernandez will determine the tax liability associated with the property should the CDD consider accepting title.

MOTION TO AMEND the PREVIOUS MOTION by Ms. Sanchez seconded by Mr. Aleo to include District Counsel is to compile the CDD expenditures on this property in fines and legal costs, including attorney’s fees, and to determine recording fees and document stamps and any or all costs associated with the transfer of this property.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Ms. Glassman, Mr. Aleo, and Mr. Cline voting AYE to accept the amendment to the previous motion. 5-0

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Ms. Glassman, Mr. Aleo, and Mr. Cline voting AYE to authorize District Counsel to pursue with Mr. Guzman the possibility of a Quit Claim Deed to the CDD for the property at 1323 Baythorn and to ascertain who holds the mortgage(s) and the balance(s) due. District Counsel is to compile the CDD expenditures on this property in fines, legal costs including attorney’s fees, and to determine recording fees and document stamps and any or all costs associated with the transfer of this property. 5-0

ii. Recycling Money Uses

A paper recycling bin is located on CDD property and the money received from the recycling company is given to Sand Pine Elementary School. There is a question regarding the permitted uses for these funds which amounts to less than \$500 per year.

iii. Legislative Document Summary

Four Bills were passed by the Florida State Legislature and signed into law which are relevant to CDDs.

- HB479 addresses website changes.
- HB273 addressed required language to be added to contracts regarding Public Record Laws.
- HB971 is relevant to the formation and consolidation of CDDs.
- HB1004 is a Public Records exemption related to security system plans.

iv. Public Records Requests

The completion of a form to request Public Records is not required.

Mr. Cline reviewed the use of the small claims process in collection of unpaid fines. The process is beyond staffs’ scope of work and requires more time than first anticipated. This work should be turned over to District Counsel to handle. District Counsel would work to consolidate as many claims as possible into one package, bulk file, so they are more efficiently managed. The attorney’s costs would be the burden of the person taken to court.

Currently there are 7 DRV cases exceeding the threshold to trigger filing in Small Claims Court. Discussion followed on engaging District Counsel to handle the filing the cases in Small Claims Court.

Ms. Glassman disconnected from the meeting.

By consensus of the Board, District Counsel will file claims in Small Claims Court for DRV cases meeting the threshold previously set by the Board.

B. Architectural Review

Case #	Village	Street	Type of Request	Recommendation
2016-140	Glenham	30324 Ingalls Ct.	Paint House	Approval
2016-141	Morningside	29819 Morwen Pl.	Paint House	Approval
2016-142	Wrencrest	30629 Wrencrest Dr.	Paint House	Approval
2016-143	Deer Run	29509 Allegro Dr.	New Windows	ARC Review Needed
2016-144	Glenham	30310 Ingalls Ct.	New Fence	No Approval Needed

On MOTION by Mr. Bovis seconded by Mr. Aleo to accept the Architectural Review recommendations for case #2016-140 thru #2016-142 as stated.

There being no discussion,

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Mr. Aleo and Mr. Cline voting AYE the Architectural Review recommendations for case #2016-140 thru #2016-142 listed above were accepted as stated. 4-0

C. District Manager

i. Discussion on Draft Proposed FY 2017 Budget

Mr. Nanni informed the Board at the May 18, 2016 meeting they will be asked to adopt a Proposed Budget for FY 2017. The proposed budget sets the high water mark for assessments which is submitted to the County for the purpose of the determining the TRIM notices. At the same time you adopt the Proposed Budget you will also be asked to set the date for the Public Hearing to adopt the Final Budget. A minimum of 60 days is required between adoption of the Proposed Budget and the Public Hearing to Adopt the Final Budget.

Discussion followed on changing the date for adopting the Proposed Budget at the June 1, 2016 meeting rather than at the May 18, 2016 meeting to allow for additional planning and discussion.

The new development is purchasing 6 units and Estoppel Letters were requested from Bank of America. Confirmation the CDD received the tax money is needed before the letters will be signed.

D. Operations Manager

The ID card reader system is not functioning. Three proposals were received to upgrade the Access Control System: Automatic Gate Engineering (\$8,043.74); Metro Gates, Inc. (\$8,863.00); and Metro Services Group Inc., (\$14,900.00).

On MOTION by Ms. Sanchez seconded by Mr. Aleo to accept Estimate #3253 from Automatic Gate Engineering, LLC to upgrade the access control system in an amount NTE \$9,000.

Discussion followed. District Counsel is to review the contract to ensure the agreement contains language to comply with the new law pertaining to Public Records.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Mr. Aleo and Mr. Cline voting AYE the estimate #3253 from Automatic Gate Engineering, LLC to upgrade the access control system in an amount NTE \$9,000 was approved. 4-0

An analysis of fraudulent facility access was conducted which included unauthorized entry to the Fitness Center by an under-aged person; entry with another person's ID; entry with no ID card; and refusal of entry by staff. The response to staff performing this function was uncooperative, disrespectful and belligerent. An article will be placed in the newsletter addressing the need for residents to carry and present their ID for access to the Fitness Center, Pool and Courts.

On MOTION by Mr. Cline seconded by Ms. Sanchez to authorize Ms. Diaz to hire a part time employee or utilize current staff up to 40 hours to perform ID card checks.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Mr. Aleo and Mr. Cline voting AYE Ms. Diaz was authorized to hire a part time employee or utilize current staff up to 40 hours to perform ID card checks. 4-0

OLM was asked to recommend an alternative to putting concrete around the tress at the basketball courts. Rubber mulch or a poured in place rubber and polyurethane mix were suggested. The company Bliss Products was contacted and they informed us neither product is suitable for use on a basketball court. Discussion followed.

On MOTION by Ms. Sanchez seconded by Mr. Bovis to approve the use of concrete and pine needles around the palm trees at the basketball courts in an amount NTE \$5,000.

On VOICE VOTE with Mr. Bovis, Ms. Sanchez, Mr. Aleo and Mr. Cline voting AYE the use of concrete and pine needles around the palm trees at the basketball courts in an amount NTE \$5,000. was approved. 4-0

ELEVENTH ORDER OF BUSINESS

**Action Items for Board Approval-
Disapproval**

A. Article on Mansfield for Magazine

Pasco County has turned over review of the Mansfield Road extension to the Regional Planning Council. This item was tabled at this time.

B. LMP Proposal for Landscaping

On MOTION by Ms. Sanchez seconded by Mr. Aleo to approve the LMP Estimate #3297 in the amount of \$3,643 for the annual maintenance and spring annuals and to authorize Ms. Glassman to work with LMP on the design.

On VOICE VOTE with Mr. Bovis, Mr. Cline, Mr. Aleo, and Ms. Sanchez voting AYE to approve the LMP Estimate #3297 in the amount of \$3,643 for the annual maintenance and spring annuals and to authorize Ms. Glassman to work with LMP on the design. 5-0.

Mr. Cline stated Board approval will be needed to provide Mr. Woods, OLM the authority to negotiate the following:

- Increase the base score from 87% to 89% to attain a bonus.
- Achieve 3 consecutive months of 95% or above would result in a \$5,000 bonus for the quarter.
- Use a hand mower to cut within 3 feet of all pond banks – no heavy equipment on the pond banks.
- Insurance requirements – Worker’s Compensation; General Liability; and Automobile Insurance.
- No subcontracting without CDD approval.
- Proof of legal employment practices.

Any additional Board comments are to be submitted to Ms. Diaz who will get them to Mr. Woods for action.

TWELFTH ORDER OF BUSINESS

Supervisors’ Remarks

Mr. Bovis:

- Nothing additional at this time.

Mr. Aleo:

- Nothing additional at this time.

Ms. Sanchez:

- Nothing additional at this time.

Mr. Cline:

- Nothing additional at this time.

THIRTEENTH ORDER OF BUSINESS

Audience Comments (Limited to 3 Minutes)


- Resident comment on ID checking process.
- Inquiry about the status of the rock project.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Ms. Sanchez seconded by Mr. Bovis with all in favor the meeting was adjourned at 10:25 p.m. 5-0



Michael Cline
Chairman