

**MEADOW POINTE II  
CLUBHOUSE**

30051 COUNTY LINE RD  
WESLEY CHAPEL, FL 33543  
813-991-5016

clubhouse@mpiicdd.org

www.meadowpointe2cdd.org

**Operations Manager:**  
Sheila Diaz

**Office Hours:**  
Daily 8am-9pm

**Fitness Center: M-F 7am-8:45pm, SS 8am-8:45pm**

**Pool: Daily 10am-20 minutes before dusk. (Wednesdays the pool opens at 12 noon.)**

**MPII CDD BOARD**

**Mike Cline, Chair:**  
mikecline@mpiicdd.org

**Dana Sanchez, V. Chair:**  
danasanchez@mpiicdd.org

**John Picarelli, Asst. Treasurer:** johnpicarelli@mpiicdd.org

**Glen Aleo, Asst. Sec.:**  
glen.aleo@mpiicdd.org

**Jim Bovis, Asst. Sec.:**  
jim.bovis@mpiicdd.org

**MPII RESIDENTS' COUNCIL**

**Main Contact: Diana Cline, Chair**  
eang211@verizon.net

The RC is a group of volunteers that work to make our community a better place to live.

Notary Services are now available through the Clubhouse. Call ahead for availability.

# MP II News

VOLUME 3, ISSUE 4

APRIL 1, 2018

## Public Transportation in MPII?

Pasco County Public Transportation (PCPT) offers inexpensive bus service within Pasco County. Currently however, none of the routes come through Meadow Pointe II. Our CDD Board of Supervisors is considering making a request that Pasco County increase its service area to include MPII. However, to determine if such a request makes sense, they would like to assess the interest level in using public transportation, if it were

available in our community.

We have created a very brief, two question survey. Most respondents will complete this in approximately one minute. Please follow this link: <https://www.surveymonkey.com/r/9PC97SD> and complete the survey. If you, or a neighbor that you know, is unable to complete the survey online, there are paper copies available at the Clubhouse for your convenience. This same survey is posted on our Facebook page

([www.facebook.com/MPIICDD](http://www.facebook.com/MPIICDD)). Each resident need only complete the survey once.

If everyone that reads this is able to spare the one to two minutes to provide us with this data, it will be tremendously helpful for us to determine whether or not to pursue this issue with Pasco County. The survey is very short, and we ask no personal information. Thank you to all residents who complete the survey.

## Sidewalk Repairs

On page 2 and 3, we are publishing an article written by Regina A. Kardash, Esq. B.C.S., an attorney working on behalf of Meadow Pointe II.

The purpose of this article is to clarify the process and the purpose of the potential changes with sidewalk

responsibility within the villages of Morningside and Deer Run, as well as on the main thoroughfares of County Line Road, Mansfield Boulevard, and Beardsley Drive. The bulk of this article primarily affects residents within those two villages.

Any MPII residents that

would like to get more information, follow the developments, or voice their opinions, are invited to attend CDD Board meetings. These are held on the 1st and 3rd Wednesdays of each month at the Clubhouse at 6:30 pm. The next one is Wednesday, April 4th.

# Sidewalk Repairs

by Regina A. Kardash, Esq. B.C.S.

The Meadow Pointe II Community Development District (“District”) office has been receiving complaints regarding sidewalks in Meadow Pointe II. Some complaints were about the sidewalks on main thoroughfares such as County Line Road and others were about sidewalks in the Morningside and Deer Run neighborhoods. The District forwarded those complaints to Pasco County and inquired about fixing the sidewalks. Unlike other neighborhoods within the District, the Morningside and Deer Run sidewalks do not belong to MP II Community Development District and neither do the sidewalks on County Line Road or other main roadways like Mansfield Blvd. The sidewalks on County Line Road, Beardsley and Mansfield were deeded to Pasco County and accepted by the County Commission; similarly, other neighborhood sidewalks within the District were deeded to the District and accepted by the Board of Supervisors. The neighborhoods whose sidewalks are owned by MP II are assessed for repairs for infrastructure that would include sidewalk maintenance within those neighborhoods. While Pasco acknowledged responsibility for the County Line Road sidewalks and other sidewalks conveyed by deed, the County denied any responsibility for the sidewalks within Morningside and Deer Run. The absence of clear title to the sidewalks left Pasco County and the District in a disagreement over who had responsibility for the maintenance of the sidewalks.

When two governments disagree over a legal matter, Chapter 164,

Florida Statutes, provides a dispute resolution process to engage the entities in productive discussions prior to resorting to litigation. The process involves the initiating entity passing a resolution which triggers statutory timeframes for the two entities to meet and amicably resolve the matter. If the parties are unable to resolve the issues, then they proceed to litigation. The first phase of the dispute resolution process is known as the conflict assessment phase. During this phase, representatives from each government entity meet to discuss the problem and identify what needs to be resolved. If this stage does not result in an agreement, then the parties move to a joint board meeting between the two entities to further engage the respective governing bodies in meaningful discussions. The dispute resolution process is final when the government entities either enter into an interlocal agreement to resolve the matter or declare an impasse and move forward toward litigation.

The MP II Board of Supervisors initiated the intergovernmental dispute resolution process by passing Resolution 2017-03 on January 18, 2017. The District identified the specific roadway sidewalks at issue, set forth the factual basis for the dispute and transmitted certified copies of Resolution 2017-03 to Pasco County and any other similarly situated entity or concurrent jurisdiction such as FDOT. Pursuant to Chapter 164, Florida Statutes, a conflict assessment meeting was held in March 2017 where representatives and staff of Meadow Pointe II and Pasco County met to review and identify the issues to be resolved in this process. During the conflict assessment

meeting, the County and the District agreed that the sidewalks dedicated by deed, such as those along County Line Road, belong to Pasco County and that Pasco County is responsible for the maintenance. However, the discussion revealed different standards that the County uses to determine when a sidewalk is in need of repair versus the standards used by the District. For instance, if there is a quarter-inch rise in a District-owned sidewalk, then the District replaces the sidewalk to achieve a level surface but the County will only grind at even a half-inch rise, leaving a much greater surface differential for a longer period of time. This difference in standards accounts for the deteriorated condition of the sidewalks maintained by the County when compared to the more stringently maintained District-owned sidewalks.

The conflict assessment discussion turned toward the cost of repairs as well. Pasco County has not budgeted for maintenance and repairs of the Morningside and Deer Run sidewalks because it has assumed that the District was responsible for the sidewalks within District neighborhoods and did not account for the fact that these particular sidewalks were not District-owned property. Therefore, if the County were going to plan to fix the sidewalks in these two neighborhoods, it would impose a Municipal Services Benefit Unit or MSBU. An MSBU is a non-ad valorem assessment imposed to provide funding for improvements within a specific area. The County would impose the MSBU prior to initiating any of the repairs to

*Article continues on page 3*

# Sidewalk Repairs

*Continued from page 2*

sidewalks to ensure that property funding was available. Establishing the MSBU and collecting enough revenue to move the project forward was estimated to take two to three years by the County. To further investigate the costs for sidewalks repairs, both the District and the County provided cost estimates for each entity to undertake the project. The District's estimate was higher than the County's estimate due to the District's more stringent standards for when repairs are needed.

The residents in Morningside and Deer Run will have to pay for the sidewalk infrastructure improvements whether Pasco County or the District performs the repairs. If the County controls the repairs, the payments would be structured and shared on a neighborhood basis, not house-by-house charges to only those with

sidewalks in need of repair. The County will take longer and cost more to complete the process than if the District does it. Furthermore, Pasco has already reiterated that even if they do the repairs, they will not guarantee that they will perform any repairs in the future. These factors, coupled with the lesser standards utilized by the County for sidewalk repairs, led the Board of Supervisors to decide that it would be in the best interests of the residents for the District to handle the sidewalk repairs, so the parties began negotiating a potential interlocal agreement.

The Pasco County Attorney's Office has been working with District Counsel to put together the terms of the proposed interlocal agreement. Some of the proposed terms include a one-time stipend from Pasco County to MP II in the amount of \$15,000.00 but provide that Pasco County will still be

responsible for the roadway from curb-to-curb. The District Board is also looking at other aspects of the interlocal, such as driveway aprons. Once the attorneys are satisfied that the proposed terms meet the requirements of the Chapter 164 dispute resolution process, then the respective governing bodies will be required to review and vote on the interlocal agreement. If the interlocal agreement is approved, the District will move forward with the sidewalk repairs. If the agreement does not pass, the next step is for the Pasco County Commission and MP II Board of Supervisors to hold a joint meeting to discuss the sidewalk issue. If no resolution comes out of the joint public meeting, then an impasse is declared and the District may seek a ruling from the Circuit Court to determine maintenance responsibilities and ownership of the subject sidewalks in Morningside and Deer Run.

## April Holidays

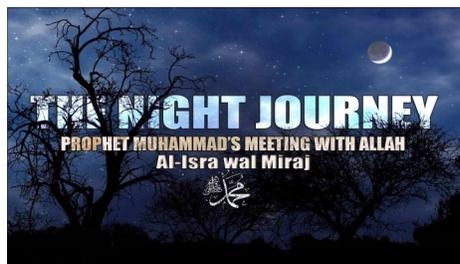
**1<sup>st</sup> – Passover continues.** Passover, the Jewish celebration of their ancestors' liberation from slavery, began at sundown on March 30<sup>th</sup> and continues until sundown on April 7<sup>th</sup>. Shalom, Happy Passover!

**1<sup>st</sup> – Easter Sunday.** Easter is the Christian celebration of the resurrection of Jesus. It has also become a cultural holiday celebrated by both Christians and non-Christians. To all those that celebrate, Happy Easter!

*Happy Easter!*



**13<sup>th</sup> – Lailat al Miraj.** This is a Muslim holiday commemorating Muhammad's Night Journey, where he received instructions from Allah to pass along to the faithful. For those who celebrate, have a happy and blessed Lailat al Miraj.



**17<sup>th</sup> – Tax Day.** Tuesday, April 17<sup>th</sup> is the deadline to file your Federal Income Tax Returns. Usually this is on the 15<sup>th</sup>, but that is a Sunday. Normally it would be moved to the following Monday, however Washington, D.C. will be honoring

Emancipation Day on Monday the 16<sup>th</sup>, so the tax deadline is moved to the 17<sup>th</sup>.

**22<sup>nd</sup> – Earth Day.** Begun in 1970, Earth Day is now celebrated in at least 192 countries. Most Earth Day events are coordinated by Earth Day Network ([www.earthday.org](http://www.earthday.org)) and there are numerous ways for anyone to get involved and help preserve our planet for the generations to come. Happy Earth Day!

**27<sup>th</sup> – Arbor Day.** Arbor Day was created in Spain, but back in 1872, the first American Arbor Day celebration occurred. An estimated one million trees were planted in Nebraska on the commemoration of this holiday. Find out what you can do at [www.arborday.org](http://www.arborday.org). Happy Arbor Day!

# Residents' Council Corner

The MPII Residents' Council Easter Egg Hunt was a huge success! Tons of children from throughout our community collected eggs and had a blast. Quite a few people took advantage of face painting to get into the spirit and quite a few snowcones were sold! All those who attended have kicked off their Easter quite nicely. As always, a big THANK YOU goes out to all the RC volunteers who helped plan

and who worked the event!

On the subject of volunteers, the RC is always in need of new ideas, an extra set of hands, or an extra smiling face! If you'd like to help make MPII a wonderful community, contact Diana at [eang211@verizon.net](mailto:eang211@verizon.net) or just come to the next meeting. They meet once a month, on the second Wednesday (April 11<sup>th</sup> this month) at 6:30 pm at the Clubhouse.

The great men and women of the RC are currently finalizing plans for the Spring Fling, held annually in May. Details of this year's Spring Fling will be in next month's newsletter. Typically it's the RC's best attended event, with terrific activities for the whole family. Keep an eye on our Facebook page (/MPIICDD) and next month's MPII News for more information.

## Hiring Lifeguards!

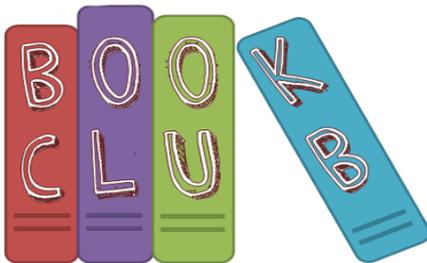
It's April, spring break is behind us, and summer is coming fast. MPII is looking to hire a few more lifeguards to work from May through early September. If you or someone you know is interested in a summer job and is already Red



Cross or YMCA certified as a lifeguard (including CPR and First Aid), applications can be picked up at the Clubhouse. It's a great way to help the community, work on the tan, and make some money over the summer!

## Meadow Pointe II Clubs

**BOOK CLUB** Contact Joan Abrams at 813-907-8329 or email [ah2wcn97@aol.com](mailto:ah2wcn97@aol.com).



**BROWNIE/DAISY/GIRL SCOUT TROOPS** Several troops meet at MPII. Contact your local troop for meeting dates and times.



**PIANO LESSONS** are available at the MPII Clubhouse. For more information, contact Anya Kovalenko at 813-417-3976.



**YARN CLUB** Meets every Thursday night from 6 – 8 pm. Open to all adults who knit or crochet – all skill levels welcome.



**WESLEY CHAPEL FIT CAMP** Meets Saturday mornings and Wednesday evenings. For more information text Nadine at 813-579-0036.

