

RIVERCREST COMMUNITY DEVELOPMENT DISTRICT

April 3, 2008 Minutes of Meeting

Minutes of the Regular Meeting

The Regular Meeting of the Board of Supervisors for Rivercrest Community Development District was held on **Thursday, April 3, 2008 at 6:00 p.m.** at the Rivercrest Clubhouse, located at 11560 Ramble Creek Drive, Riverview, Florida 33569.

1. CALL TO ORDER/ROLL CALL

Mr. Altman called the Regular Meeting of the Board of Supervisors of the Rivercrest Community Development District to order on Thursday, April 3, 2008 at 6:00 p.m.

Board Members Present and Constituting a Quorum:

Dan Leventry	Chairman
Lisa Fernandez	Vice Chairman
Robert Madill	Supervisor
Linda Doherty	Supervisor
Lisa Dunn	Supervisor

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Jeri Connor	Representative, District Management Services, LLC
Rolando Santiago	District Counsel, RJS Law Group
Rick Reidt	Field Manager

Audience Members Present:

Various Residents

2. AUDIENCE COMMENTS ON AGENDA RELATED ITEMS

The Board opened the floor to audience comments. General comments were heard; however, no specific actions were taken by the Board.

3. BUSINESS ADMINISTRATION

A. Consideration of the Minutes of the Board Meeting held on March 6, 2008 (Tab 1)

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting held on March 6, 2008, as presented.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

B. Consideration of Operation and Maintenance Expenditures April 2008 (Tab 2)

A male Board member requested that a column be added to the summary sheet showing the dates of service included in the invoice listed. Mr. Altman stated that the TECO bills are currently under the Developer's name and address and that he has requested that they be changed to the CDD's information. There were some general questions of clarification; however, no invoices were removed from consideration.

MOTION TO:	Approve the Operation and Maintenance Expenditures, April 2008 (\$60,062.40).
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Fernandez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

Mr. Altman stated that Larry Rhum of Greenview Landscaping is present at today's meeting. He stated that Mr. Rhum provided the proposals included in the meeting book as a result of the OLM walk through. Mr. Altman stated that the final invoice from Luke Brothers, Inc. has not been paid and recommended if there was damage done to the berms as a result of Luke Brothers, Inc. use of wrong equipment and other factors the last payment be held. He stated that he needs authorization from the Board to deny the final payment and make a claim against them for some of the damaged areas. Mr. Altman stated that their contract provision may have allowed for them to make some of the repairs themselves. He stated that during their walk through of the community the condition of the landscaping was very poor. Mr. Altman stated that Mr. Rhum provided proposals to do the necessary repairs and improvements. He stated that the work needs to be done immediately.

4. BUSINESS ITEMS

A. Presentation of Fiscal Year 2009 Proposed Budget

Mr. Altman distributed revised copies of the proposed budget for Fiscal Year 2009. He reviewed the budget line items for the Board.

Mr. Altman reviewed the financial statements for the month ending February 29, 2008. He stated that within this year's budget having paid off the credit line following and having the ability to spend \$50,000 to make some repairs in landscape and recognizing that there will be other repairs necessary that the District will be in good enough shape that they can complete a project of landscaping in next year and still put money aside for reserves.

A male Board member stated that he recommends that they hold the final payment to Luke Brothers, Inc. of \$17,000 and utilize those funds to start the landscape repairs. Mr. Rhum reviewed the repairs and improvements that need to be started immediately if the Board approved the proposal.

Audience comments were heard regarding the landscape issues.

The Board decided to approve turf for 1,000 square feet at the rear of the club house, 3,100 square feet at the playground slide area, 5,500 square feet at the tennis and basketball courts, 6,000 square feet around the raised playground mulch beds, 2,200 square feet between the pool fence and the road berm, and 2,100 square feet between the pool fence and the pond as well as the 131 viburnum shrubs. The Board also approved the installation of 480 one gallon lantana in the Ramblecreek entrance island for \$2,880 as well \$1,145 for the sprinkler heads. The Board also approved the removal of a dead oak tree from Park J for \$200, removal of declining Xanadu philodendron and install thyralis at entrances for \$1,110, transplant two ligustrum privet from front of sign to side of sign for \$160, and cut and remove 10 dead sabal palm trees for \$600. It was stated that the total for all approved services and products was \$25,260. The Board decided to approve up to \$28,000 for the necessary landscape repairs.

MOTION TO:	Approve up to \$28,000 for landscape repairs and improvements by Greenview Landscaping (as listed above).
MADE BY:	Supervisor Doherty
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

B. Consider Resolution 2008-13, Approving Proposed Fiscal Year 2009 Budget and Set the Public Hearing (Tab 3)

Mr. Altman stated that Resolution 2008-13 will approve the proposed operating budget and set a public hearing date. He noted that the proposed budget must be submitted to the local government agencies at least 60 days prior to the hearing date. He stated that the proposed budget will be submitted to Hillsborough County, as required. He recommended the public hearing be held on July 10, 2008 at 6:00 p.m.

MOTION TO:	Approve Resolution 2008-13, Approving Proposed Fiscal Year 2009 Budget and Set the Public Hearing for July 10, 2008 at 6:00 p.m. at the Rivercrest Clubhouse, located at 11560 Ramble Creek Drive, Riverview, FL 33569.
MADE BY:	Supervisor Doherty
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

C. Website Maintenance Contract and E-Mail Policy (Tab 4)

Mr. Altman stated that at the previous meeting the Board addressed the email policy issue relating to staying in compliance with the Sunshine Law. Based on that discussion it is the recommendation that email accounts are still established for each Board member as a depository of the public records generated electronically which must be retained and archived for public access. This will only require that the email address be copied on all sent message from your personal or work email address as all incoming will be routed to the email address of your choice.

Mr. Altman stated that a copy of the District Management contract that was approved and executed which includes Website Maintenance Services as an Ancillary Service at a rate of \$200 per month was included. He explained the services included in this fee. Mr. Leventry stated that he felt a rate of \$100 per month was sufficient for the services to be provided.

MOTION TO:	Approve \$100 per month for Website Maintenance Services.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

D. Report on Boundary and Assessment Issues (Tab 5)

Mr. Altman stated that the District can not continue to assess residents who are not legally assessable at this time. He stated that in the initial bond issue there was a true up provision requiring that an analysis be done to confirm the development included sufficient platted and assessable lots to pay the debt service with shortages to be assessed to the Developer. Mr. Altman stated that there are 24 lots which remain outside of the boundaries of the CDD that have been assessed the debt service. Mr. Altman stated that when the bonds were refinanced the old bonds have yet to be paid off and are still being serviced because of the call provision on them. He stated that when the new bonds were issued the money was put into escrow and didn't need to service the old bonds. Mr. Altman stated that they are trying to figure out if some of the true up provisions could still be asserted against the original Developer because when the existing bonds were issued the Developer was completely eliminated from the situation. He stated that there could be some disclosure issues in regards to what was disclosed to Mr. Santiago and due to that as part of the bond closing process, Mr. Santiago provided an opinion letter attesting to the accuracy and legality of the assessments. Mr. Altman reviewed the options available to the Board. He stated that they could try to get the residents of the 24 lots in question to consent to the petition to expand the District, thereby curing the deficit assessments. Mr. Altman stated that there is a Developer funding agreement which obligates the Developer to fund the boundary amendment process. He stated that it is the recommendation of District Staff that they remove the 24 lots from the assessment roll, inform the Property Appraiser of such, and adjust the budgetary expectations accordingly. Mr. Altman stated that due to a potential liability and the conflict of interest which Mr. Santiago might find himself in as the District Counsel it is the recommendation of District Staff that the Board retain independent counsel to work on this matter.

MOTION TO:	Approve up to \$3,000 to retain legal counsel (Straley & Robin) to research the boundary and assessment issues.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

E. Landscape and Irrigation (Tab 6)
Discussed earlier in meeting.

F. Bathroom Access (Tab 7)

Mr. Reidt reviewed the three options available in regards to controlling bathroom access. It was stated that the Board decided at the last meeting to leave the bathroom access as is with the clubhouse staff unlocking the doors when they arrive and locking the doors when they leave for the day.

G. Tai Chi and Qigong Classes Request (Tab 8)

Mr. Altman stated that Staff has received a request from a resident, Ismael Santiago, to hold Tai Chi and Qigong classes from 6-7 a.m. Monday – Friday. He stated that the classes would be free of charge to the residents and the participants would be required to sign a liability of release form. The Board discussed the possible locations that the class could be held. Mr. Altman stated that Mr. Santiago will sign a Hold Harmless Agreement with the District prior to any classes being held.

MOTION TO:	Approve the Tai Chi and Qigong Classes to be held on the grassy area between the tennis courts and the playground on Monday – Friday from 6:00 to 7:00 a.m. free of charge to the residents.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Fernandez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

5. STAFF REPORTS

A. District Counsel

Mr. Altman stated that at the prior meeting the District Engineer discussed the Developer's request for a release of the easement and showed the route for the drainage around the homes. He stated that Ms. Stewart stated that there was no reason for the District to not release the easement. Mr. Altman stated that Mr. Santiago brought all the necessary documentation for the release of the easement.

MOTION TO:	Authorize Chairman to sign a Release of an Easement Agreement subject to approval by the Chairman and District Engineer and per the condition that the Developer will reimburse all costs associated with the release.
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Leventry
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

B. District Engineer

Not present.

C. District Manager

1. Financial Statement Month Ending February 29, 2008 (Tab 9)

D. Field Manager

1. Manager's Report (Tab 10)
2. Landscape Inspection Report (Tab 11)

6. SUPERVISORS REQUESTS AND AUDIENCE COMMENTS.

Mr. Altman asked if there were any additional Supervisor requests. Discussion ensued regarding the funding of community events. Mr. Leventry stated that he will donate the \$200 he receives for meeting attendance to pay for the Back to School Pool Bash. Mr. Altman asked if there were any audience comments. General audience comments were heard but no Board action was taken.

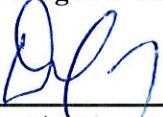
7. ADJOURNMENT

MOTION TO:	Adjourn the Regular Meeting of Rivercrest Community Development District.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Dunn
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 May 1, 2008.



Signature
Daniel J. Levent

Printed Name

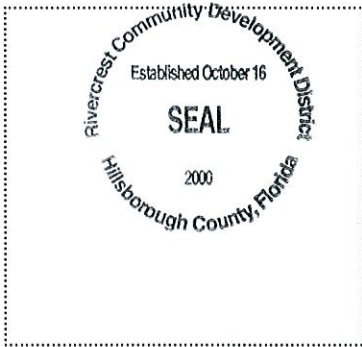
Title:
 Chairman
 Vice Chairman



Signature
Robert Madill

Printed Name

Title:
 Secretary
 Assistant Secretary



Recorded by Records Administrator



Signature
5/2/08

Date