

RIVERCREST COMMUNITY DEVELOPMENT DISTRICT

November 6, 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, November 6, 2008 at 6:30 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, November 6, 2008 at 6:30 p.m.

Board Members Present and Constituting a Quorum:

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

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Rolando Santiago	District Counsel, RJS Law Group
Tonja Stewart	District Engineer, WilsonMiller, Inc.
Rick Reidt	Field Manager

Audience Members Present:

Cate O'Dowd	Legal Counsel for 301 Partners, Shumaker, Loop & Kendrick, LLP
Peter Irving	General Partner, 301 Partners
Residents	

2. UPDATE ON BOUNDARY AMENDMENT

Mr. Santiago stated that they had previously requested that 301 Partners contribute to the costs of the procedure to contract and expand the boundaries of the District. He stated that he has been in discussions with Cate O'Dowd, legal counsel for 301 Partners.

Mr. Irving provided a history of 301 Partners role in the District and explained why they felt that 301 Partners should not have to pay assessments for the District. He stated that they are prepared to contribute \$10,000 towards the cost of contracting and expanding the boundaries of the District subject to terms and conditions to be negotiated.

Ms. Dowd stated that she provided Mr. Santiago a written offer from 301 Partners to match the amount being paid by the Rivercrest CDD up to \$10,000 for the contraction and expansion of the District's boundaries. She stated that the original Developer has asked that the District accept some deeds of property and the lakes that are still in the Developer's name. Ms. Dowd stated that the District would have to file a petition to expand the boundaries to include that property.

3. AUDIENCE COMMENTS ON AGENDA ITEMS

There were no audience comments.

MOTION TO:	Open the public hearing on Special Assessments.
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Dunn
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

2. Presentation of Assessment Methodology Report (Tab 4)

Mr. Altman stated that they have notified the landowner of the property that is owned by 301 Partners of the District's intent to levy an assessment on the property. He stated that the entirety of the District was identified as receiving benefit from the completion of the project. Mr. Altman stated that the Engineer's Report indicated that included in the overall infrastructure improvements are the 301 and Palm Riverview Road improvements, the extension of Symmes Road, the North South Collector Road, East West Collector Road, water main pump station, retention ponds, landscaping, and recreation. He stated that once those facilities were built, the roads were turned over to the County. Mr. Altman stated that the improvements were estimated to total \$16,000,000 but ultimately would cost approximately \$20,000,000 when completed. He stated that there was a note stating "These costs represent community wide improvements. The District anticipates funding approximately \$5,697,000 of these improvements with the proceeds of the bonds. The Developer is committed to funding the remaining infrastructure."

Mr. Altman stated that there are pledges in the Indentures that the Developer pledges that they will complete the project. He stated that the entire community, including residents who don't reside in Phase I or II, were assessed a share of those bonds but the commitment was there that the Developer had to complete the project. Mr. Altman stated that there have been discussions regarding the expansion and contractions over the past year. He stated that as a result of the swap of the land by the Developers and the protest received from 301 Partners, there has been some discussion regarding an agreement made in 2001 between the Developer partners that their land would not be assessed but that they would help in the formation of the District. Mr. Altman stated that in 2003, the landowners swapped land but the swap was never effectuated by the District. He stated that a petition was prepared and filed by Hopping Green & Sams, P.A. but never finalized stating that the property did not benefit or receive service by the improvements of the District therefore could be withdrawn from the boundaries of the District. Mr. Altman stated that the land in question is vacant, commercial, and is assessed with an agriculture exemption. He stated that the real value of the land is listed at approximately \$1,000,000.

Ms. Stewart stated that she agrees with Mr. Altman's findings that 301 Partners benefited from the District improvements.

3. Public Comment and Testimony

Mr. Altman asked if there was any public comment or testimony.

Ms. O'Dowd stated that she is speaking on behalf of Tampa 301 Property and distributed correspondence between Tampa 301 Property and District Staff. She provided a brief explanation on why she believed the land owned by 301 Tampa Property should not be assessed by the District.

Mr. Irving explained why he believed the property should not be assessed.

Mr. Altman further explained how the land owned by Tampa 301 Property benefited from the Districts improvements. Discussion ensued regarding whether they should accept the \$10,000 to discontinue the assessment process or continue the public hearing in order to keep the process going.

Mr. Irving continued explaining why he believed the property should not be assessed.

Ms. Stewart stated that the plans show that a District waterline runs along property owned by Tampa 301 Property.

Ms. Stewart reviewed the development, permitting, and planning process that was taken for the District. She stated that the last segment of Symmes Road does provide a benefit to the commercial property owned by Tampa 301 Property.

4. Consideration of Resolution 2009-01, Adopting Special Assessments

This item was tabled for consideration.

5. Consideration of Resolution 2009-02, Delegated Award

This item was tabled for consideration.

6. Continue Public Hearing

The Board continued the public hearing to December 4, 2008 at 6:30 p.m.

MOTION TO:	Continue the public hearing on Special Assessments to December 4, 2008 at 6:30 p.m. at the Rivercrest Clubhouse located at 115600 Ramble Creek Drive, Riverview, FL 33569.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Fernandez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

B. Request for Clubhouse Renovation (Tab 5) -

Mr. Altman stated that Mr. Reidt requested approval of some exterior renovations to the clubhouse. He stated that there is a considerable amount of the wood around the clubhouse that has begun to rot and deteriorate. Mr. Altman stated that there are also sections that need to be cleaned and have the mold, moss, or mildew removed and be repainted. He stated that they have received a proposal from Smith Commercial Construction totaling \$5,590 for the renovations. Mr. Altman stated that the Board budgeted \$20,000 for clubhouse facility repairs and maintenance.

MOTION TO:	Approve a proposal from Smith Commercial Construction totaling \$5,590 for clubhouse exterior renovations and the \$500 to seal the exterior stonework.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

(Ms. Stewart left the meeting in progress.)

C. Request for Purchase of New Air/Heat Unit with Air Handler (Tab 6)

Mr. Altman stated that Mr. Reidt is requesting approval of the purchase of a new air/heat unit with air handler. He stated that the current system has experienced recent failure and needs to be replaced. Mr. Altman stated that Mr. Reidt recommended that they accept the proposal for a 7 ton unit from Air National totaling \$7,470. He stated that the expense would be deducted from the Capital Improvements line item, which the Board budgeted \$15,000 for. Mr. Reidt further explained the deteriorating condition of the current system.

MOTION TO:	Approve the proposal for a 7 ton unit from Air National totaling \$7,470.
MADE BY:	Supervisor Dunn
SECONDED BY:	Supervisor Fernandez
DISCUSSION:	General discussion ensued regarding the cost to replace the compressor.
RESULT:	Called to Vote: motion PASSED 3/1 - Motion passed

D. Request for Additional Trash Receptacle Replacement (Tab 7)

Mr. Altman stated that several residents requested additional trash cans to be placed in the mini parks and several other locations within the community. He stated that the request is for an additional eight trash receptacles at a total cost of \$2,332.40. General discussion ensued. The Board decided to have Mr. Reidt look at relocating some of the existing trash receptacles and did not approve the purchase of new receptacles.

E. Request for Community Entry Island Plantings (Tab 8)

Mr. Reidt stated that he is requesting approval to install new and replacement plants in all of the entry islands that have not previously been worked on. Mr. Altman stated that the Board budgeted \$30,000 for plant replacement. He stated that the total cost would be \$6,380 and it is recommended that this be completed prior to placing new mulch in the islands. General discussion ensued.

Discussion ensued regarding allocating funds to decorate the entryways for the holidays.

MOTION TO:	Approve the proposal from Greenview Landscaping, Inc. for new and replacement plants in all of the entry islands totaling \$6,380.
MADE BY:	Supervisor Doherty
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

F. Request for Maintenance of Water Table 21 (Tab 9)

Mr. Reidt stated that several residents requested for the banks of water table 21 to be mowed and maintained. He stated that this service is currently not covered under any contract. Mr. Reidt stated that the initial cost to knock down the brush and grasses would be \$3,000. He stated that the total cost for the year for monthly maintenance would be \$10,200 and the funds will be deducted from the \$40,000 budgeted for the Landscape Maintenance other line item. Mr. Reidt stated that if the Board chooses to do a semi-annual maintenance of the area, the total cost will be \$1,995 and the funds will be deducted from the \$12,000 budgeted for the Waterway Management other line item. The Board tabled the consideration of this item in order to determine whether the property is within the boundaries of the District.

G. General Matters of the District

No further matters were presented.

6. STAFF REPORTS

A. District Counsel

Not present.

B. District Engineer

Not present.

C. District Manager

1. Financial Statement Month Ending September 30, 2008 (Tab 10)
2. Construction Financial Statement Month Ending September 30, 2008 (Tab 11)
3. Adopted Fiscal Year 2009 Budget (Tab 12)

D. Field Manager

1. Field Manager's Report (Tab 13)
2. Water Meter Reading (Tab 13i)
3. Landscape Improvement Summary (Tab 13iii)

It was requested that the items related to the townhomes and villas be listed separately in their own category. Mr. Reidt stated that they only inspect the exterior of townhome area and the common areas in the villa area.

Discussion ensued regarding whether the services of OLM, Inc. are necessary and the level of service that the landscape company is providing. Mr. Altman stated that at the previous meeting the Board authorized the Chairman to sign the water variance application which was approved by SWFWMD and is saving the District \$4,800 per month.

4. Deposit and Refund Tracking Report (Tab 13iv)

7. SUPERVISORS REQUESTS AND AUDIENCE COMMENTS.

Mr. Altman asked if there were any Supervisor requests. There were none. Mr. Altman asked if there were any audience comments. General audience comments were entertained but no Board action was taken.

A request was made that an update on the parking issues is included on future agendas under Old Business.

8. ADJOURNMENT

MOTION TO:	Adjourn the Rivercrest CDD Board of Supervisors meeting.
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - 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 12.9.08.


Signature

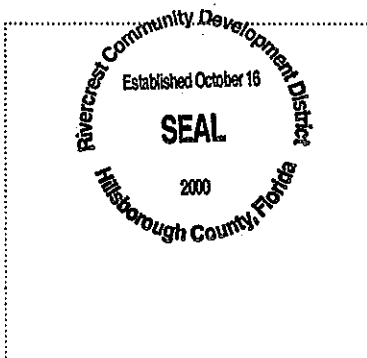
Printed Name

Title: Assistant Secretary
 Chairman
 Vice Chairman

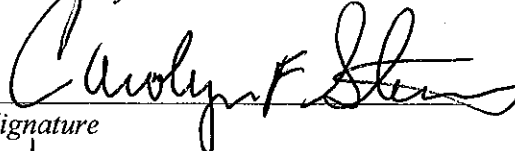

Signature

Printed Name

Title: Vice Chair
 Secretary
 Assistant Secretary



Recorded by Records Administrator


Signature
12.22.08
Date