

RIVERCREST COMMUNITY DEVELOPMENT DISTRICT

April 2, 2009 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 2, 2009 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. Dan Leventry called the regular meeting of the Board of Supervisors of the Rivercrest Community Development District to order on Thursday, April 2, 2009 at 6:30 p.m.

Board Members Present and Constituting a Quorum:

Dan Leventry	Chairman
Esther Torres	Supervisor
Robert Madill	Supervisor
Linda Doherty	Supervisor

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Tony Canorro	Assistant District Manager, District Management Services, LLC
Rolando Santiago	District Counsel, RJS Law Group (Via Speakerphone)
Tonja Stewart	District Engineer, WilsonMiller, Inc.
Rick Reidt	Field Manager

Audience Members Present:

None

Mr. Altman led the Board in reciting the Pledge of Allegiance.

2. AUDIENCE COMMENTS ON AGENDA ITEMS

There were no audience members present. Mr. Leventry proceeded to the next agenda item.

3. OLD BUSINESS

A. Update on Boundary Expansion

Mr. Altman reported that he and Mr. Santiago met recently to review the documents, including a Statement of Regulatory Costs. It was determined that a cover letter from Mr. Santiago citing legal principals in order for him to argue to include the entire 24 lots in - whether consented to or not - into the District. Additional discussion followed regarding the lake (east of Crest Creek Drive), and the expressed desire by some members of the Board to amend the boundaries to have that property also included in the District.

In summary, Mr. Altman noted that contact had been made with Hillsborough County and that preparation was underway for an appointment in the coming weeks with the County to provide the petition. He added that the Crest Side Boulevard entry monument property owners also own the lake in question. They have been contacted regarding their willingness to either consent, or go ahead and transfer the deed to the District.

Mr. Leventry inquired as to when the paperwork would be ready to submit to the county?

Mr. Altman noted they could be ready within the week. He indicated that Mr. Santiago has suggested he could complete his preparation quickly, too. Mr. Altman added that if the District so desired, Ms. Stewart could also provide the boundary descriptions adding in the missing parcel(s).

Mr. Altman asked if the Board wanted to make a motion that the lake be included in the boundaries if the conveyances and consent from Rivercrest LLC could be obtained?

MOTION TO:	Include the lake in the Boundary Expansion if conveyance and consent is obtained from Rivercrest LLC.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

Mr. Leventry requested that, in the interest of saving District funds, the District Engineer, District Counsel, etc., be allowed to report to the Board early in the meetings. He asked that Mr. Altman move such reports forward on the agenda for future meetings.

Ms. Stewart updated the Board on recent discussions with EPC regarding District lands and Mitigation issues, including the burrow-pit matter. She discussed several recommendations, including finding someone who can monitor the aquatic plants regularly. She recommended Tony Canorro with DMS.

Mr. Altman noted that a series of field services were included in their District management services and added that regular inspection by Mr. Canorro could be covered under the current fees. He also noted that, as the Manager of the District, direct communication with the regulatory agencies provided a clearer understanding of exactly what they wanted to see happen. And, as opposed to vendors contacting the regulatory agencies, it made more cost effective solutions possible. Mr. Reidt is also involved in this process, he added.

Discussions continued. In summary, Ms. Stewart recommended that the Board hold back on the current proposal pending review of the situation by experts and a follow-up report at the next meeting.

Mr. Leventry asked for information about the process and penalty the District faced in terms of EPC action. Ms. Stewart provided her perspective on the issues.

Mr. Altman noted that the District is currently "on probation" pending correction of the EPC problems once and for all and suggested that the Board authorize staff to secure consulting services not to exceed \$1,200.00.

MOTION TO:	Authorize staff to review and secure consulting services, not to exceed the amount of \$1,200.00, to determine solutions to District land and mitigation matters.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

Mr. Altman reported that Ms. Stewart had also provided legal descriptions of the area for the sign, and the drop power, up front.

4. BUSINESS ADMINISTRATION

- A. Consideration of corrections to the Minutes of the Board of Supervisors Meeting on March 5, 2009 (Tab 1)

MOTION TO:	Approve corrections to the Minutes of the Board of Supervisors Meeting on March 5, 2009.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Torres
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

- B. Consideration of Operations and Maintenance Expenditures April, 2009 (Tab 2)

MOTION TO:	Approve O & M Expenditures for April 2009.
MADE BY:	Supervisor Doherty
SECONDED BY:	Supervisor Leventry
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

5. BUSINESS ITEMS

- A. Selection of Audit Committee and Setting Date for Meeting

In keeping with statute requirements, Mr. Altman recommended the Board name itself as the Audit Committee and set a date for the committee meeting.

MOTION TO:	Appoint the Board of Supervisors to the Audit Committee and set the Audit Committee Meeting for the June regular meeting of the Board.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

- B. Presentation of Proposed Fiscal Year 2010 Budget (under separate cover)

Mr. Altman provided a preliminary budget for review and briefly addressed several areas with proposed adjustments that would come under review and determination by the Board at the upcoming meeting. He also pointed out a column in the proposed budget, Total Actuals & Projections through September 30, 2009, that represented the best guess of management on how the District year would end. Room for and increase in electricity expenses, and a decrease in water utilities, for example, were included in the anticipated year end figures.

Discussion continued including proposed preliminary budget details regarding landscape expenditures, security services and expenses for capital improvements.

Mr. Leventry noted that since the security patrols had started there had been no reports of vandalism.

Mr. Altman touched on the establishment of a Capital Reserve Account and its potential usages by the Board, and the Cash Projections section making note that sufficient funds exist to cover the needs of the District through the budget year. Review of the adopted assessments, with and without the Villas, was followed by continued discussion among the Board. In conclusion, Mr. Altman stated that the handout was provided for preliminary review, but an electronic version of the proposed budget, along with a power-point presentation detailing and explaining each section of the budget, is planned for the meeting next month.

C. Consideration of Resolution 2009-08 Set Budget Public Hearing (Tab 3)

Thirty-days notice is required to set the Public Hearing date for the Budget. This item will be followed-up on at the next meeting.

D. Field Manager's Review and Salary Increase (Tab 4)

Mr. Leventry requested comments on this agenda item.

Mr. Altman reported that he had completed his interview and review with Mr. Reidt earlier in the day and added that they identified strengths and weaknesses to be addressed. Overall, Mr. Altman noted he was pleased that there had been very little pushback from residents and that good staff relationships were evident. He concluded that, although Mr. Reidt had indicated a willingness in light of the current budget to delay a merit adjustment, the cost of living had increased and it was his recommendation that the Board implement a 5% increase for Mr. Reidt.

Mr. Madill, noting that he was supportive of Mr. Reidt, stated that OLM and office staff had been hired to support his efforts and because of this, he did not support a pay increase. He did, however, suggest the addition of paid vacation and holidays. A Supervisor agreed, and added that she, and others, faced pay cuts and was not inclined to approve a pay raise.

The possibility of terminating OLM and their support services was discussed.

Mr. Reidt noted that OLM provided a benefit to the community, not just as a support to him, but because they stay on top of the landscape services.

Discussion continued with Ms. Torres questioning why the landscaping vendor needed another company to stay on top of things. She also noted that, in addition to landscaping supervision, Mr. Reidt provided a lot of administrative support and direction along with other services to the Board.

Mr. Reidt commented that his average workweek was 60 hours.

Mr. Leventry noted that accountability is important and that the landscaping, with the services of OLM, had visibly improved.

Mr. Altman agreed, and noted that Larry Rhum had commented that he would provide the services with, or without, OLM. Mr. Altman added, however, that there is a benefit in having a 3rd party expert review and monitor the services, and that the addition of hours to Mr. Reidt's workweek was not possible. Discussion continued.

E. Review of OLM Services

MOTION TO:	Terminate the services of OLM.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Torres
DISCUSSION:	None further
RESULT:	Called to Vote: motion Failed 2/2 - Supervisors Leventry and Doherty opposed.

Mr. Leventry recommended a meeting with Larry Rhum to determine, should a decision to terminate OLM be made in the future, if they will continue their services and resign the contract, or an addendum to the contract, stating that they agree to be graded or monitored by Mr. Reidt and Mr. Canorro on the same basis.

Mr. Leventry asked that the Board re-address Mr. Reidt's salary and the OLM services matter at the next meeting. Mr. Reidt noted he was agreeable to this.

F. Review of The Age Of Pool "Guests" Policies

A request by a resident was made at the last Board Meeting to allow her 17 year-old daughter to have friends at the pool without adult supervision. The current policy indicates that no one under 18 can be at the pool without adult supervision.

Rather than change the policy, Mr. Altman suggested the Board consider the addition of something to the policy providing the Manager a bit of flexibility in interpreting the rules on a case-by-case basis when arrangements have been made in advance.

Discussion of other scenarios for consideration of exceptions followed.

Mr. Altman is to prepare language addressing the matter of exceptions to the current policy and include the matter on the agenda for the next meeting of the Board.

G. General Matters of the District

No further discussion.

6. STAFF REPORTS

A. District Counsel

No discussion.

B. District Engineer

District Engineer Stewart discussed the matters noted below, earlier in the meeting.

1. Update on District Lands
2. Update on Mitigation Issues (Tab 5)

C. District Manager

No discussion of the matters noted below at this time.

1. Financial Statement Month Ending February 29, 2009 (Tab 6)
2. Construction Financial Statement Month Ending February 28, 2009 (Tab 7)

D. Field Manager

1. Manager's Report (Tab 8)

Ms. Torres inquired about the security notes and Mr. Reidt provided clarification.

Mr. Leventry noted that he had directed Mr. Reidt to send the Security Reports to the Board. Addressing the reported vehicle seen on the property, he added that he had instructed Mr. Reidt to notify the police immediately anytime it was seen.

Incidents occurring at the dead end in Ramblecreek were discussed and Mr. Leventry recommended that, when funds become available, a camera be added to monitor activity in that spot.

The matter of a boat parked on CDD property was reviewed. Mr. Reidt reported that a warning had been posted and the boat would be removed, if not moved by the owner.

Mr. Altman noted the nice facilities in the community and suggested the inclusion of supervised activities at the facilities for the youth in the future. To this end he requested approval from the Board to have initial discussions with District Counsel in order to advise the Board on the addition of a revenue category to the proposed preliminary budget.

Mr. Madill requested that discussion with District Counsel and further review of the matter be addressed at a later time. Mr. Altman acknowledged that he would not proceed further.

Mr. Reidt and Mr. Leventry advised that water variance watering was still in force for sprinklers (hand-watering okay), and Mr. Reidt noted that the fountains were being shut off until later notice. Discussion of continued youth loitering incidents followed.

7. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

Mr. Leventry requested advice on solving the problem with the dead grass on the curved entranceway resulting from parents parking and waiting to pick-up their children from school. NO PARKING signs are posted. He requested the names and numbers of the school Principal and the School Board to inform them of the continuing violations and suggested that the District get strict with enforcement of the rules.

Continued damage to the shrubs and bushes resulting from students cutting-through the property was noted as well. Mr. Altman suggested consideration of replacement of the dead bushes and determination of a cost for future replacement in order to enlist support in addressing this continuing problem.

8. ADJOURNMENT

MOTION TO:	Adjourn the Rivercrest CDD Board of Supervisors meeting
MADE BY:	Supervisor Doherty
SECONDED BY:	Supervisor Torres
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 July 7, 2009.

Lisa G. Fernandez
Signature

LISA G. Fernandez
Printed Name

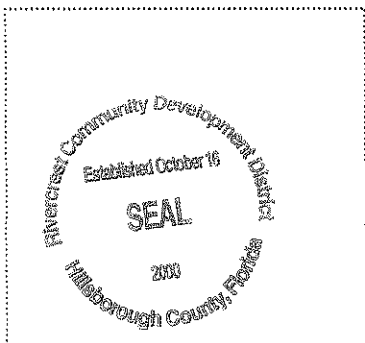
Title:
 Chairman
 Vice Chairman

Peter A. Aoman
Signature

PETER A. AOMAN
Printed Name

Title:
 Secretary
 Assistant Secretary

Recorded by Records Administrator



Sunday Hob
Signature

7/10/09
Date