

RIVERCREST COMMUNITY DEVELOPMENT DISTRICT

May 7, 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, May 7, 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. Altman called the regular meeting of the Board of Supervisors of the Rivercrest Community Development District to order on Thursday, May 7, 2009 at 6:35 p.m.

Board Members Present and Constituting a Quorum:

Dan Leventry	Chairman (<i>joined the meeting in progress</i>)
Lisa Fernandez	Vice Chairman
Esther Torres	Supervisor (<i>joined the meeting in progress</i>)
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
Tonja Stewart	District Engineer, WilsonMiller, Inc.
Rick Reidt	Field Manager

Audience Members Present:

Larry Rhum	Greenview Landscaping
Various Residents	

Ms. Fernandez led the Board in reciting the Pledge of Allegiance.

1. AUDIENCE COMMENTS ON AGENDA ITEMS

The Board heard comments from the audience on the following items:

- A representative of the East Riverview Congregation of Jehovah's Witnesses addressed the Board regarding concerns of assessments against the property owned by the religious organization.
- Landscaping

2. PROFESSIONAL SERVICES

- A. Presentation by Greenview on Landscaping
 1. Consideration of Landscape Improvements (Tab 1)

The Board discussed some of their concerns regarding the care of the District's landscaping with Mr. Rhum.

A discussion occurred regarding the services provided supervision by a third party and how the District and Greenview could move forward to make improvements in the services provided and the condition of the landscaping.

(Ms. Torres joined the meeting in progress.)

Mr. Rhum agreed to inspections by Mr. Reidt and to come before the Board as often as possible. He did not agree to the same incentive program but that he would be given the opportunity to correct any errors and if not corrected he understood that he could be terminated immediately without a penalty to the District.

3. OLD BUSINESS

A. Review of OLM Services

The Board discussed the services of OLM and whether the landscaping program could continue without the use of OLM's services.

MOTION TO:	Terminate OLM's Services.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Torres
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

4. STAFF REPORTS

A. District Counsel

1. Update on Boundary Expansion

B. District Engineer

1. Update on District Lands

Mr. Altman updated the Board on the status of the transfer of lands and the boundary expansion. A discussion ensued.

MOTION TO:	Approve in concept the plans for the acceptance of lands.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Torres
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

2. Update on Mitigation Issues

There was a discussion regarding the proposal by Remson Aquatics and Horner Environmental

MOTION TO:	Approve the mitigation plantings not to exceed \$7,920 subject to any changes suggested by the Horner Environmental professionals with the plantings not to occur until the rainy season.
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

MOTION TO:	Approve proposed landscape improvements by Greenview.
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

5. OLD BUSINESS

A. Field Manager's Review and Salary Increase

The Board discussed the performance of the Field Manager and the possible increase in salary.

MOTION TO:	Approve the Field Manager's increase of 5%, effective on the next payroll.
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

6. BUSINESS ADMINISTRATION

A. Consideration of Minutes of the Board of Supervisors Meeting on April 2, 2009 (Tab 2)

Mr. Altman reviewed the minutes with the Board.

MOTION TO:	Approve Minutes of the Board of Supervisors Meeting on April 2, 2009.
MADE BY:	Supervisor Doherty
SECONDED BY:	Supervisor Fernandez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

B. Consideration of Operations and Maintenance Expenditures May, 2009 (Tab 3)

Mr. Altman reviewed the Operations and Maintenance expenditures with the Board and explained that the MHD invoice for changes to the website would be credited to the District.

MOTION TO:	Approve Operations and Maintenance Expenditures May, 2009.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Fernandez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

7. BUSINESS ITEMS

A. Discussion of Access Agreement Changes (Tab 4)

Mr. Altman reviewed the proposed changes with the Board. Mr. Santiago stated that the very last section would need to be changed to say "All rules are subject to change with proper notice." The remaining sentence: "Management may, upon advance request, at time to time make exceptions to rules regulations, enforcement and access privileges as deemed appropriate." needs to be completely removed. This item was tabled.

(Mr. Leventry joined the meeting in progress.)

B. Discussion of Wetland Mitigation Plantings (Tab 5)

This item was tabled.

C. Consideration of the Use of the Balance of the Construction Funds (Tab 6)

Mr. Altman recommended that the Board should review this memo and make some suggestions for the purchase of items use the remaining funds. Mr. Madill requested that staff look into the pricing of some mini canopies for shade in the pool area. This item was tabled to the next meeting.

D. Workshop on the Proposed Fiscal Year 2010 Budget (Tab 7)

Mr. Altman presented the proposed budget and reviewed any proposed changes with the Board.

The Board requested the following changes to the proposed budget:

- Return District Counsel fees to the same budgeted amount.
- Research the TECO contracts for the street lighting, send the contracts to the Chairman.
- Remove OLM contract amount
- Check on insurance policy and options
- Increase funds for landscape and irrigation maintenance
- Increase funds for waterway management and erosion control
- Ad a line item for Renewal of Irrigation System

- Increase Signage Repairs and Maintenance – look into the cost of other options for the neighborhood entrance signs that can not be stolen
- Increase security services
- Install a camera at the dead end
- Potential increase in the rental fee for the community room

The Board discussed the impact on assessments in relation to an increase in the budget and the impending boundary expansion.

- E. Consideration of Resolution 2009-08 Approving the Proposed Fiscal Year 2010 Budget and Setting the Budget Public Hearing (Tab 8)

MOTION TO:	Approve Resolution 2009-08, Approving the proposed Fiscal Year 2010 Budget with a total of a 5% of roll increase and set the public hearing for August 6, 2009 at 6:30 pm at the Rivercrest Clubhouse, located at 11560 Ramble Creek Drive, Riverview, Florida 33569.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Madill
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

- F. Consideration of Resolution 2009-09, Re-Establishing the Use of and Rate for the Recreation Facilities by Non-Residents (Tab 9)

Mr. Altman reviewed the original adopted resolution and the proposed changes with the Board. A discussion ensued. This item was tabled.

- G. General Matters of the District

No further matters were presented.

8. STAFF REPORTS

A. District Manager

1. Financial Statement Month Ending March 31, 2009 (Tab 10)
2. Construction Financial Statement Month Ending March 31, 2009 (Tab 11)

Mr. Altman reviewed the financial statements with the Board.

3. Registered Voter Count (Tab 12)

Mr. Altman stated that according the Hillsborough County Supervisor of Elections there are 1,647 registered voters in the community as of April 15, 2009.

B. Field Manager

1. Manager's Report (Tab 13)
 - i. Landscape Inspections (Tab i)

ii. Waterway Report (Tab ii)

Mr. Reidt reviewed his report with the Board and explained that he has received numerous requests for some type of a Red Cross swimming class at the pool facility. The Board agreed to have the class on a trial basis as long as it was scheduled at a time when the pool was not busy

MOTION TO:	Instruct Rick to go forward with the Red Cross Swim Classes on a trial basis on a day and at a time when the pool is not busy, (this does not exclude weekends) and for Mr. Reidt to advise the Board as to how the classes went at the next meeting.
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Leventry
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 3/2 - Motion Passed (Mr. Madill and Ms. Torres Opposed)

9. COMMUNICATIONS

A. Letter from East Riverview Congregation of Jehovah's Witnesses (Tab 14)

Mr. Santiago stated that he would recommend that the Board place this item on the agenda soon for discussion by the Board, since this would affect the budget process. There was a brief discussion regarding the ability to assess the property. The Board decided to place this item on the agenda for next month allowing discussion with the representatives of the landowners.

B. Letter from Straley & Robin, P.A. Regarding St. Joe Settlement Funds (Tab 15)

Mr. Altman stated that he would recommend that the District accept the funds and utilize them for the costs of the expansion. Mr. Santiago stated that upon acceptance of the funds the District would sign the release of liability.

MOTION TO:	Accept the \$7,500 only if the release of liability is for the boundary issue.
MADE BY:	Supervisor Leventry
SECONDED BY:	Supervisor Torres
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/1 - Motion passed (Ms. Doherty opposed)

10. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

Mr. Madill stated that he would like to discuss the option of hiring a new attorney. Mr. Madill explained his reasons why he would like a new attorney. A discussion ensued. Mr. Leventry stated that if any Board members have issues that they would like addressed for them to be sent to Mr. Santiago and Mr. Altman prior to the next meeting so that they can be prepared to address the issues at the next meeting. It was determined not to place this item on the next agenda.

11. 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 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 June 4, 2009.

Lisa A. Fernandez
Signature

Lisa G. Fernandez
Printed Name

Title:

- Chairman
 Vice Chairman

Peter A. Altman
Signature

PETER A. ALTMAN
Printed Name

Title:

- Secretary
 Assistant Secretary

Recorded by Records Administrator

Ludwig Holt
Signature

7/10/09
Date

