

RIVERCREST COMMUNITY DEVELOPMENT DISTRICT

June 4, 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, June 4, 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, June 4, 2009 at 6:30 p.m.

Board Members Present and Constituting a Quorum:

Lisa Fernandez	Vice Chairman
Esther Torres	Supervisor
Robert Madill	Supervisor
Linda Doherty	Supervisor

Staff Members Present:

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

Audience Members Present:

Gina Grimes Counsel for the East Riverview Congregation of Jehovah's Witnesses
Representatives of the East Riverview Congregation of Jehovah's Witnesses
Various Residents

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. BUSINESS ITEMS

A. Discussion of Assessments on Property Owned by East Riverview Congregation of Jehovah's Witnesses (Tab 5)

Gina Grimes, counsel for the East Riverview Congregation of Jehovah's Witnesses, addressed the Board and stated her arguments for the Congregation to be exempt from paying assessments. She challenged the assessment for commercial land advising the Board that the property was not zoned for commercial use. She also advised that a true-up as required in the original bond issuance never occurred. Ms. Grimes suggested that a number of errors occurred throughout the history of the CDD and recognized that there is a shortage in the coverage in the outstanding bonds existing and a pending boundary modification effort. She advised that she understood the many problems that have been ongoing and recognized that the timing of the Congregations request for relief was not optimal. She advised the Board that she understood that relief for the Congregation was allowed and was at the discretion of the Board.

Ms. Grimes questioned the benefits to the Congregation of the recreational facilities. She suggested that the assessment of one acre as equal to five residential lots over burdened the non-residential property. She cited certain rules which restricted use of the facilities to residents only and that it was prejudice against the non-residential properties. Ms. Grimes also advised that the construction funds generated from the 2007 refinancing were primarily directed for the recreational improvements.

Mr. Altman replied to the issues raised by Ms. Grimes, indicating that the potential 5 unit to 1 acre ratio which Ms. Grimes referred to was an approximation of an average size residential lot and did not represent an exact calculation. Mr. Altman further stated that the assessments were based on community wide improvement plan and that the entire Capital Improvement Plan had allowed for the development of the property and the usage allowed by all property owner's within the District. He added that the primary benefit of the refinancing was a reduction in the interest rate and lowering of the tax assessments.

Mr. Santiago reviewed his legal opinion with the Board and cautioned the Board to consider that the removal of the fare share assessment from party could create an assessment that exceeded benefits to other properties in the District. He advised that no assessment could legally be imposed that exceeded the fare share of benefit to any property owner.

MOTION TO:	Deny request for exemption by the East Riverview Congregation of Jehovah's Witnesses.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 3/1 - Motion passed (Supervisor Torres Opposed)

4. AUDIENCE COMMENTS ON AGENDA ITEMS

There were no audience comments.

5. PROFESSIONAL SERVICES

A. District Counsel

No further items.

B. District Engineer

1. Update on District Lands

Mr. Altman advised the Board that the St. Joe (Rivercrest LLC) property is still waiting for attorney approval.

2. Update on Mitigation Issues

Mr. Altman advised that while the weather has become favorable for planting, Management is awaiting confirmation that once planted there will be no further planting requirements.

6. OLD BUSINESS

A. Update on Boundary Expansion (Tab 1)

Mr. Altman updated the Board on the Boundary Expansion process. He advised that the expanded boundaries would not be completed in time to place the added lots on the property tax role. Mr. Altman advised that he was awaiting documentation from District Counsel addressing the form of the consents which had been collected. Mr. Altman advised that it would still be possible to proceed with an assessment on the lots once the expansion was completed. These assessments would need to be direct billed until they could be placed on the tax roll the following year. He stated that his office would handle the direct billing of the lots. A discussion ensued. Staff was directed to continue to secure the additional land from Rivercrest LLC and then to proceed with the expansion process as quickly as possible.

B. Consideration of the Use of the Balance of the Construction Funds (Tab 2)
Mr. Reidt reviewed the proposals for the shade structures around the pool, provided to the Board for the use of the balance of the construction funds. A discussion ensued.

MOTION TO:	Purchase the Creative Shades Solutions item 208, quantity two 12 x 12 umbrellas in blue to match the current structure. Use the remaining bond funds and the funds available in the Operations and Maintenance Budget line item Repairs and Maintenance to pay for the shades.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Fernandez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

(The Board took a brief recess.)

7. BUSINESS ADMINISTRATION

A. Consideration of Minutes of the Board of Supervisors Meeting on May 7, 2009 (Tab 3)
Mr. Altman reviewed the minutes with the Board. The following items were noted for correction:

- On page 3 it was Ms. Doherty not Ms. Torres who was opposed
- Under communication it was Mr. Madill who was opposed not Ms. Doherty

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting on May 7, 2009 (as corrected).
MADE BY:	Supervisor Fernandez
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

B. Consideration of Operations and Maintenance Expenditures June, 2009 (Tab 4)
Ms. Doherty asked for clarification on the report provided.

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

8. BUSINESS ITEMS

A. Discussion of Proposed Fiscal Year 2010 Budget (Tab 6)

Mr. Altman reviewed the budget provided noting the changes resulting from the comments at the last meeting and stated that this budget doesn't include the 24 lots as income. A discussion ensued regarding the budget and assessments on commercial areas.

There was a brief discussion regarding the possibility of the increasing or making changes to the rules and rental rates and the needs of advertisements for the related public hearings. This discussion was tabled for discussion at the next meeting.

B. Consideration of Irrigation Improvements and Planting (Tab 7)

Mr. Reidt reviewed the proposed improvements. General discussion ensued.

MOTION TO:	Authorize the irrigation improvements and plantings proposed.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

C. Consideration of Proposal to Over Seed the Common Areas (Tab 8)

Mr. Reidt reviewed the proposed improvements. General discussion ensued.

MOTION TO:	Approve Proposal to Over Seed the Common Areas.
MADE BY:	Supervisor Madill
SECONDED BY:	Supervisor Doherty
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

D. General Matters of the District

No further matters were discussed.

9. STAFF REPORTS

A. District Manager

1. Financial Statement Month Ending April 30, 2009 (Tab 9)
2. Construction Financial Statement Month Ending April 30, 2009 (Tab 10)
3. Discussion of Legal Services

Mr. Altman discussed with the Board the duties of an appointed District Manager and the relationship with the District Counsel. He then discussed the need of the collaborative efforts of both the District Manager and the District Counsel for the Boundary expansion. There was a general discussion regarding responsibilities of the Board, the District Manager and District Counsel. There were additional comments and discussions on the following items:

- Guest passes and pool rules
- District Counsel's attendance at meetings

- B. Field Manager
 1. Manager's Report (Tab 11)
 - i. Landscape Inspections (Tab 12)
 - ii. Waterway Report (Tab 13)

Mr. Reidt reviewed his report and updated the Board on security, landscaping, towing and the activities of the Community. A discussion ensued. Staff was directed to turn the hot water heater back on.

10. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

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

- Cabanas
- Capital Improvement Plan

Mr. Altman stated for the Board and the residents that due to the Fourth of July holiday the next meeting will be held on July 9th, which is the second Thursday of the month.

11. COMMUNICATIONS

There were no additional items for discussion.

12. ADJOURNMENT

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

Lisa G. Fernandez
Signature

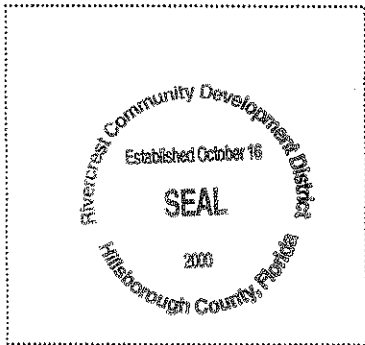
Lisa G Fernandez
Printed Name

Title:
 Chairman
 Vice Chairman

Peter A. Ajman
Signature

PETER A. AJMAN
Printed Name

Title:
 Secretary
 Assistant Secretary



Recorded by Records Administrator

Lorena A. Field
Signature

7/10/09
Date