

# PANTHER TRACE COMMUNITY DEVELOPMENT DISTRICT

June 23, 2009 Minutes of Meeting

## *Minutes of the Regular Meeting*

The regular meeting of the Board of Supervisors for Panther Trace Community Development District was held on Tuesday, June 23, 2009, at 6:30 p.m. at the Panther Trace Clubhouse, located at 12515 Bramfield Avenue, Riverview, Florida 33579.

### **1. CALL TO ORDER/ROLL CALL**

Mr. Altman called the regular meeting of the Board of Supervisors of the Panther Trace Community Development District to order on Tuesday, June 23, 2009, at 6:35 p.m.

#### Board Members Present and Constituting a Quorum:

Donna Lee Burke	Chairman ( <i>via conference call</i> )
Megan Jones	Vice Chairman
Michael Staubitz	Supervisor
Dennis Stevens	Supervisor

#### Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Brian Lamb	District Manager, District Management Services, LLC
Tony Canorro	Assistant District Manager, District Management Services, LLC
Monica Vitale	Recreation Manager

#### Audience

Marty Sanchez	Representative, Florida Department of Transportation
Marlin Register	Representative, HDR
Residents	

### **2. PLEDGE OF ALLEGIANCE**

Mr. Altman led the Pledge of Allegiance.

The Board agreed to entertain the presentation from the Florida Department of Transportation (FDOT) at this time, primarily related to the Highway 301 improvements and the effects it may have on the District's roads. Mr. Canorro stated that FDOT has presented a revised plan from what was previously distributed to the Board. Mr. Sanchez presented the improvement plans for the entrance from Highway 301. He stated that the median near the main intersection is owned by the District. Mr. Sanchez stated that Mr. Register has created an alternate plan to accomplish the same final construction for the intersection between Panther Trace and Highway 301. He stated that this plan offers minimal construction to the median and landscape. Mr. Sanchez stated that the landscaping should remain intact with some disturbance to the St. Augustine grass due to the adjustments to be made to the curb line. He stated that the Department will ensure that these areas are restored once construction is complete. Mr. Sanchez stated the western part of the median will be pulled back about 6 feet due to a shared use path along Highway 301 to be able to accommodate pedestrians. Mr. Sanchez stated that the lanes will be minimized to one lane in/one lane out at night on alternate sides of the median. He stated sanitary/sewer work will begin next week across Panther Trace, with intersection work to begin in a few months. Discussion ensued regarding the difference in elevation when the project is complete, and if this will affect the existing signage. Mr. Register concluded that the view of the current signage will be slightly lowered.

Mr. Sanchez requested a right of entry to pull back the median owned by the District in order to accommodate a crosswalk, as well as work performed on the west bound turn lane. He stated that any damage will be repaired and replaced by the FDOT.

Mr. Canorro stated that Raymow Landscaping will work closely with FDOT during this project, including a thorough walk through to test all of the systems when work is complete. Discussion ensued regarding a landscaping firm to be selected for the monitoring of the work performed by FDOT.

MOTION TO:	Authorize the execution of the Right of Entry to work regarding the Highway 301 improvements as requested by FDOT, subject to review by the District Counsel, District Engineer and final approval by the Chair to the satisfaction of the District and its facilities, regarding the selection of a landscaping firm to be selected for the monitoring of the completed work, (with the understanding that the District will not incur any costs for this project; FDOT is responsible for District Staff's review and recording of the Right of Entry).
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	Ms. Jones expressed concern regarding the lack of crosswalks in the community. She stated she would like this problem addressed immediately. Mr. Altman suggested that he would encourage FDOT to research an alternate site for a crosswalk, considering the disturbance that will be occurring with the existing crosswalks. Ms. Burke suggested contacting Hillsborough County to perform a traffic study in the District for the addition of more crosswalks.
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

Ms. Burke requested that Ms. Vitale be included in the communications with lane closures and the impact it will have on the community so that she can post this information on the resident forum website, the CDD website, and the bulletin boards.

### 3. BUSINESS ADMINISTRATION

#### A. Consideration of Minutes of Board of Supervisors' Meeting on April 28, 2009 (Tab 1)

Ms. Burke stated the last paragraph on page 2; "court fees" should be amended to "court rules", and "rules of procedure" should be amended to "rules".

Mr. Canorro stated that the community needs additional "No Trespassing" sign presence that represents the Florida Statutes. He stated he solicited a proposal this afternoon, and he does not expect these signs to be expensive. Mr. Canorro stated he would expect this project to be complete by the July Board meeting.

Mr. Canorro confirmed that the invoice received last month from Straley & Robin, P.A. for \$323.00 has been credited, which is reflected as a "retainer credit" in the May 2009 Operation and Maintenance expenditures.

Ms. Jones stated on page three in the second paragraph, a discussion was held regarding a check reader. Ms. Burke stated the Board also requested an alternative proposal for payroll services and alternative banking services. Mr. Altman stated the discussion regarding the proposals for the payroll services was continued during a previous meeting, and one of the firms that proposed these services also advised that they had a check system. He stated the Board has been researching and discussing the possibility of banking with a new firm. Mr. Altman stated information is still being gathered for these services which will be presented to the Board at a later time during the meeting. He asked if there were further corrections regarding the meeting minutes. There were none.

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting on April 28, 2009 (as amended).
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

B. Consideration of Operation and Maintenance Expenditures May and June 2009 (Tab 2)

Ms. Burke requested further information for the Raymow invoice dated February 12, 2009 for cleaning up debris that was dumped by a resident. Mr. Canorro stated he would send Ms. Burke the correspondence that relates to this invoice.

Mr. Canorro stated that the fountains were turned off when SWFWMD announced the modified Phase 3 drought which should expire on June 30, and later advanced to a Phase 4 drought. He confirmed that the "kiddy features" for the pool are working; however, he is unsure when they will be able to be turned back on. Ms. Burke stated she has previously addressed the option of performing necessary maintenance to the kiddy features. Ms. Vitale stated she would take care of this.

Ms. Jones stated there is an invoice from A Paradise Look for \$180.00 regarding the model home parking lot dump and fee labor. She inquired if the District owns this parking lot. Mr. Canorro stated he would forward the correspondence regarding this invoice to the Board members. He stated the invoice will be sent to the owners of the parking lot, Smith Family Homes.

Mr. Staubitz stated he is unclear as to what Raymow Landscaping's scope of work includes. Mr. Canorro stated he would e-mail Mr. Staubitz the contract with Raymow Landscaping which includes the exact scope of services. He also reviewed their scope of work for Mr. Staubitz, including the irrigation system, replacement of sprinkler heads, electrical wiring, and sod replacement.

Ms. Jones inquired why sod replacement is being done on the median and not the berms. Mr. Altman stated this issue will be revisited during the public hearing on the final budget.

MOTION TO:	Approve the O&M Expenditures May and June 2009.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

#### 4. STAFF REPORTS

##### A. District Counsel

Not present.

##### B. District Engineer

Not present.

##### C. District Manager

###### 1. Financial Statement March 31, April 30, 2009 (Tab 3)

Mr. Altman presented the Financial Statements ending March 31, 2009 and April 30, 2009.

###### 2. Managers Report (3i)

Mr. Altman presented the Manager's Report for the Board. There was no further discussion.

###### 3. Recreation Facility Managers Report (Tab 3ii)

Ms. Vitale stated that there have been no issues with the pool monitors.

Ms. Vitale stated that there have not been any non-resident rentals for the use of the Clubhouse since the Board changed the fees.

Mr. Canorro requested the Board notify him if there are alligator or wasp issues.

Ms. Burke stated she would like to request that Ms. Vitale advise residents that DMS, LLC and the CDD can be involved in the contact regarding wildlife.

Ms. Burke stated that the trash and grass clippings are being placed in the curved inlets flushes into the pond retention. She asked that this notice be posted on the website to remind residents what actions can be taken to reduce their payments. Mr. Canorro stated that the grass clippings are directly related to the algae bloom in the ponds.

###### 4. Registered Voter Count (Tab 3iii)

Mr. Altman stated that as of April 15, 2009 there were 1,281 registered voters within the District.

#### 5. AUDIENCE COMMENTS & SUPERVISOR REQUESTS

It was inquired if the "No Trespassing" signs have been shown to the Deputy to ensure that they meet Florida Statute requirements. Mr. Canorro stated that the signs have not been shown to the Deputy; however, a request of approval from the Contractor was submitted.

Ms. Burke requested that Deputy Pulido view the signs to ensure they meet Florida Statute requirements, as well as set up a meeting with Mr. Canorro and the State Attorney for the enforcement and prosecution

of the "No Trespassing" signs. She stated these actions will make it clear that the District will enforce the signs.

A resident expressed concern regarding repairs needing to be done on the bridge that leads to the green slide on the playground. The resident also stated there have been many complaints about the areas around the ponds not being properly mowed. The resident also stated that the Greyhound monument has mold on it and needs to be pressure washed. The resident also stated that she has noticed that all of the berms are misshapen and need to be trimmed. The resident also inquired if the Board has determined a system for the usage schedule and fees for the multi purpose field. The Board reviewed the day pass approved at the last meeting for the use of the multi purpose field.

## 6. BUSINESS ITEMS

### A. Consideration of Recommendation from Audit Committee for Fiscal Year 2009 Financial Audit

MOTION TO:	Approve to enter into a contract with Stuart, Angelo & Company, P.A. for financial audit services for Fiscal Year 2009.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Staubitz
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

### B. Consideration of Proposals for Entry Monument Repair (Tab 5)

MOTION TO:	Authorize Mr. Canorro to repair the foam mantels at the Clubhouse based on the best pricing.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Staubitz
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

### C. Consideration of Continuing Education Reimbursement for Recreation Center Manager (Tab 6)

MOTION TO:	Approve the Continued Education Reimbursement for Recreation Center Manager (\$50.00 per two hour class).
MADE BY:	Supervisor Stevens
SECONDED BY:	Supervisor Jones
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

D. Discussion of Changing District Banking Institutions

Mr. Altman stated that actions are being taken to retrieve pricing for District Banking Institutions.

E. Consideration of Stroller Strides Proposal (Tab 7)

MOTION TO:	Welcome the Stroller Strides Program outdoor classes.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

F. Continued Public Hearing on Recreation Facility Rules and Policies (Tab 8)

MOTION TO:	Open the Continued Public Hearing on the Recreation Facility Rules and Policies
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

Mr. Altman stated the following changes were made to the Policies and Rules:

- The parking policy "specified time" is now 12:00 a.m.
- Swim diapers or rubber briefs must be worn by children using the pool
- The Added Lightening Policy will reflect that "Failure to adhere to requests to vacate the pool will result in loss or suspension of amenity privileges, subject to appearance before the Board.

Ms. Jones inquired about the pool policy regarding "each membership household may bring up to three guests for use of the pool facilities". She stated that this limits adult guests who have more than one child. Ms. Jones asked the Board if up to 5 guests would be more reasonable. The Board agreed to not change the policy; however, the pool monitors will be notified that the number of guests allowed may be flexible pending the amount of children that an adult guest has.

Mr. Altman stated there is an error in the schedule of rental fees for facility usage. He stated that the deposit amount for the rental of the clubhouse and cabana should be \$750.00 instead of the reflected \$250.00. The Board agreed to amend Group 1 to reflect "District events: organized and endorsed by PT CDD". The Board agreed to eliminate the basketball court and multi-purpose field fees under Group 2 and 3.

Ms. Burke requested a copy of the new and approved policies in their entirety be submitted to the Board members.

G. Consideration of Resolution 2009-05, Adopting the Facility Rules and Policies (Tab 9)

MOTION TO:	Approve Resolution 2009-05, Adopting the Facility Rules and Policies as amended.
MADE BY:	Supervisor Staubitz
SECONDED BY:	Supervisor Jones
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

MOTION TO:	Close the Continued Public Hearing on the Recreation Facility Rules and Policies.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Staubitz
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

H. General Matters of the District

There were no further general matters of the District presented.

**7. AUDIENCE COMMENTS AND SUPERVISOR REQUESTS**

A. Chairman Burke- Discussion regarding Revising the Proposed Fiscal Year 2010 Operating Budget (Tab 10)

Mr. Altman stated that Ms. Burke would like to address the Board on the discussion of the fees for the proposed budget of Fiscal Year 2010.

Ms. Burke stated she would like to discuss with the Board the adopted proposed budget which currently results in no increase. She stated there is a cost in forgoing any increase; and costs incurred by the District include the replacement of the landscaping and missing plant material, increased maintenance costs due to the aging of the facilities, as well as a need for more security due to the reports being received. Ms. Burke stated that it is her belief that it would benefit the residents if the Board allocates more funds than the previous budget allows for these costs. She feels the current budget does not allow for appropriate maintenance of the community. Ms. Burke stated she would like to present the Board with an alternative option which would allow an increase in the Fiscal Year 2010 budget by an estimated amount of \$36,000.00 (approximately \$50 per household).

Mr. Altman stated should the Board be willing to consider an increase in the Fiscal Year 2010 budget, a date must be established in order to adopt a new resolution which will identify the modified proposed budget approved by the Board during this meeting. He stated this would result in a letter being sent to every resident at least 30 days before the next meeting and public hearing. Mr. Altman stated this letter would advise the residents that there is a potential increase in the Operation and Maintenance assessments and reveal when the public hearing regarding the final budget is set for. He stated this would result in a high resident attendance at the public hearing.

Mr. Staubitz stated "I am more inclined to keeping the zero increase going forward to next year, but obviously this is something we would want to have a public meeting about to see what the residents want, that's who I am here to serve, so, absolutely".

Mr. Stevens stated that he would prefer to keep the proposed budget at a zero increase. He stated there has been a lot of speculation that the District is wasting a large amount of money in the current budget, and he feels like any increase might reflect that the Board is not performing their job correctly. Ms. Burke stated this resolution is not adopting an increase, but approving a presentation of a potential increase to the residents and see if they feel this increase will benefit them and the community. Mr. Stevens expressed concern regarding a large amount of residents attending the public hearing and overruling the Board's decision regarding the final budget. Ms. Burke reminded the Board that ultimately it is the Board of Supervisor's decision to approve the final budget. Mr. Altman stated that the public hearing has been set; however, there would be a cost of an estimated amount of \$700.00 for sending the notices to the landowners.

MOTION TO:	Approve Resolution 2009-06, identifying a Modified Proposed Budget for Fiscal Year 2010, which could potentially reflect an increase and send a notice to each resident regarding the potential increase and date of the public hearing.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Burke
DISCUSSION:	None further
RESULT:	Called to Vote: Motion FAILED 2/2 - Motion did not pass for lack of a majority vote. (Mr. Stevens and Mr. Staubitz opposed the motion).

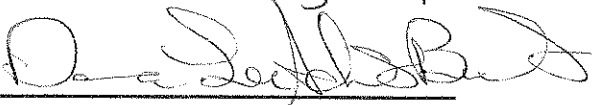
## 8. ADJOURNMENT

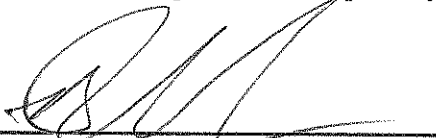
MOTION TO:	Adjourn the regular Panther Trace Community Development District meeting.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

*\*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.*

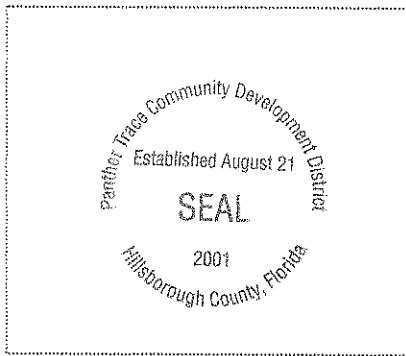
Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on July 28, 2009

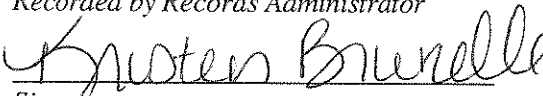
  
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Signature  
Donnahee Adams-Burke  
Printed Name

  
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Signature  
Brian Lamb  
Printed Name

Title:  
 Chairman  
 Vice Chairman

Title:  
 Secretary  
 Assistant Secretary



Recorded by Records Administrator  
  
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7/29/09  
Date