

**MINUTES OF MEETING  
TSR  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Regular Meeting on January 12, 2022, at 5:00 p.m., at Cunningham Park, 12131 Rangeland Boulevard, Odessa, Florida 33556.

**Present were:**

Mike Liquori	Chair
Matt Call	Vice Chair
Mary Comella	Assistant Secretary
Jason Silber	Assistant Secretary
Tim Green	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams (via telephone)	Assistant District Manager
Alyssa Willson (via telephone)	District Counsel
Mark Yahn	SunScape Consulting, Inc. (SCI)
Peter Soety (via telephone)	SunScape Consulting, Inc. (SCI)
Gary Hawkins (via telephone)	Down to Earth Landscape & Irrigation (DTE)
Renee Hlebak	WTS Starkey Ranch Lifestyle Director
Edward Seward	Resident
Linda Deenihan	Resident
Dave Deenihan	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 5:00 p.m. All Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Public Comments [3 minutes per person]**

Resident Edward Seward asked for legal research to be done to determine if the Developer should be responsible for the costs to repair the Rangeland wooden bridge. In his

opinion, the Developer, rather than homeowners, should be responsible since the Developer chose the design that he believes is faulty, as it continually needs repairs.

### **THIRD ORDER OF BUSINESS**

**Consideration: Down to Earth Landscape Maintenance Agreement Addendum - Parcel C**

Mr. Adams presented the Down-to-Earth (DTE) Landscape Maintenance Agreement Addendum for Parcel C for basic lake bank and pond maintenance services. Mr. Hawkins stated this officially adds Parcel C to DTE's scope of services. It needed sod repairs before it could be conveyed so it was not ready when other parcels were conveyed. DTE has been mowing the area without the Addendum, since July. Mr. Soety confirmed that the pond is in good condition and ready to be conveyed to the CDD.

**On MOTION by Mr. Call and seconded by Mr. Liquori, with all in favor, the Down to Earth Landscape Maintenance Agreement Addendum for Parcel C for basic lake bank and pond maintenance services, in a not-to-exceed annual amount of \$12,246, was approved.**

### **FOURTH ORDER OF BUSINESS**

**Consideration: Starkey Wilderness Park Foot Bridge and Access Agreement**

Mr. Call stated that, as of today, there are two access points from Starkey Ranch into the wilderness preserve. He identified access points A and B on the map. Point A is an old jeep crossing that the South Florida Water Management District (SFWMD) currently uses for maintenance equipment. Upon receipt of the permit and once this Access Agreement is executed, the Developer can proceed with the plans to use bond funds to design and construct a foot bridge for resident use, which will ultimately be conveyed to the CDD to maintain. He noted that access Point B is an existing bridge for which the County wants the CDD to install a pedestrian gate.

Ms. Willson stated she reviewed the Agreement and provided comments to the County; she was comfortable with the form of the Agreement.

Discussion ensued regarding insurance, maintenance costs, expected wear and tear on the bridge and the best construction material for the bridge.

Mr. Liquori and Ms. Hlebak gave an overview of general maintenance tasks and estimated costs. Both felt that the boards should be replaced as needed, instead of replacing the entire bridge.

Mr. Edward Seward and resident Linda Deenihan asked for clarification. The following information was provided:

- The SFWMD uses ATVs for access at Point A to perform maintenance; no heavy machinery is used.
- The County would decide whether to close and lock the bridges overnight.
- Both bridges will be open to the public.

Mr. Call voiced his opinion that the maintenance costs for the additional traffic were worth the benefit.

- The estimated construction cost to construct Point A was about \$160,000.
- The SFWMD already maintains the existing bridge at Point B.
- The Developer would decide on the materials, fund construction and then be reimbursed for the construction costs from bond funds, once the asset is conveyed to the CDD.

Ms. Deenihan felt that homeowners, not the Developer, should make the final decision on the materials, since they are the ones paying for it and its maintenance and will have to live with the outcome. If not, she thought that the Board should take into consideration the additional foot traffic during the material selection process.

- The Developer will be presented with the suggestions, during the selection process.

**On MOTION by Mr. Liquori and seconded by Mr. Call, with all in favor, the Starkey Wilderness Park Foot Bridge and Access Agreement, in substantial form subject to minor edits, was approved.**

#### **FIFTH ORDER OF BUSINESS**

**Discussion/Consideration: SOLitude Lake Management, LLC, Pond Maintenance Addendum (to Accept Lake B-1)**

- **Corrective Warranty Deed**

Mrs. Adams presented the SOLitude Lake Management, LLC, (SOLitude) Pond Maintenance Addendum for Lake B-1 and stated they have been maintaining the pond for the last several months. The total annual costs related to the Addendum are \$4,584, which were prorated for eight months and will result in a budget overage of \$2,350 for Fiscal Year 2022.

Ms. Willson researched and confirmed that the area was conveyed to the CDD. She stated that the Corrective Warranty Deed is the documentation showing it is ready for the CDD to maintain it. Mr. Silber asked if construction was taking place in the pond. Mr. Call replied no; only the Lake Blanche roadway construction around it. He stated some other ponds are not yet ready for conveyance to the CDD.

**On MOTION by Mr. Green and seconded by Mr. Liquori, with all in favor, the SOLitude Lake Management, LLC, Pond Maintenance Addendum to Accept Lake B-1 and acceptance of the Corrective Warranty Deed, was approved.**

#### **SIXTH ORDER OF BUSINESS**

#### **Discussion: Starkey Ranch Sidewalk Cleaning**

Ms. Comella voiced her opinion that, based on researching and determining no one is in charge of cleaning the sidewalks, the CDD needs to address this matter. Ms. Hlebak explained the extensive in-house process and why corrective action is necessary for landscape and runoff issues causing the need for frequent cleanings. She was obtaining proposals to outsource the work. One partial quote was over \$40,000; she would obtain a quote from Ed.

Mr. Adams was asked how other CDDs handle this matter. He stated one CDD engaged a contractor to clean the sidewalks, curbs and gutters annually and another invested \$60,000 to \$80,000 in equipment and spends \$100,000 a year. He discussed slip and fall claims and stated his expectation that the CDD will have to address roots uplifting the sidewalks. Typically, CDDs will engage the District Engineer to determine a type of street tree and curb and gutter program and the frequency of inspections and then engage of contractor to grind the sidewalks and root cut.

Ms. Willson stated that Pasco County recently took the strong stance that the County does not maintain sidewalks. She and Mr. Adams would discuss this further and review language in the HOA Covenants and Petition to determine what entity is responsible for maintenance of the sidewalks, curbs and gutter. Mr. Adams stated that the HOA is sending letters informing homeowners of their responsibility to clean the sidewalks in front on their residence; the CDD would be responsible for repairing structural components, if it is determined that the sidewalks were not conveyed to the County.

Mr. Seward thought that the CDD might obtain better pricing from the vendor if it leverages the possibility of homeowners engaging the vendor to pressure wash sidewalks in front of their homes.

## **SEVENTH ORDER OF BUSINESS**

### **Discussion: Statutory Changes from 2021 Legislative Session**

Memorandums explaining the statutory changes from the 2021 legislative session were provided for informational purposes. Ms. Willson reported the following:

#### **A. Wastewater and Stormwater Needs Analysis**

- Local governmental entities are now required to complete the State formatted 20-Year Stormwater Needs Analysis Report, which will be an engineering and accounting function.
- The CDD must submit the Report to the County by June 30, 2022, and every five years thereafter. The County will compile the information to submit to the State.
- Ms. Willson, Mr. Adams and Mr. Wilkes were determining the most efficient and cost-effective way to complete the Report, which is similar to the CDD's Public Facilities Report.

Mr. Adams stated that Mr. Wilkes would present a proposal for preparation of the Report at the next meeting.

#### **B. Prompt Payment Policies**

- **Consideration of Resolution 2022-02 Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, *Florida Statutes*; Providing a Severability Clause; and Providing an Effective Date**

Ms. Willson presented Resolution 2022-02 and an updated version of the CDDs existing Prompt Payment Policies and Procedures to comply with the new “Local Government Prompt Payment Act” legislative requirements.

Mr. Adams stated that Management already implemented these changes.

**On MOTION by Mr. Silber and seconded by Mr. Call, with all in favor, Resolution 2022-02 Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; as presented, and Providing an Effective Date, adopted.**

**EIGHTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2021**

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2021. He stated that the Accounting Department was reminded to recode the “Pool repairs & maintenance” expense to the “Pool cleaning” budget line item. The financials were accepted.

**NINTH ORDER OF BUSINESS**

**Approval of December 1, 2021 Public Hearing and Regular Meeting Minutes**

Mr. Adams presented the December 1, 2021 Public Hearing and Regular Meeting Minutes. The following changes were made:

Line 40: Change “Architect” to “Engineer”

Line 152: Change ‘A Board Member’ to “Mr. Silber”

**On MOTION by Mr. Liquori and seconded by Mr. Call, with all in favor, the December 1, 2021 Public Hearing and Regular Meeting Minutes, as amended, were approved.**

**TENTH ORDER OF BUSINESS**

**Action & Completed Items**

Mr. Adams presented the Action & Completed Items List.

Items 2, 6, 7, 8, 9, 10, 12, 14, 16, 17 and 20 were completed.

The following Action Items were discussed:

Item 2: The contractor was advised to commence the M11-A washout repair project.

Item 6: Per Mr. Yahn, they commenced reducing the flower beds in four areas in the common area and made slight modifications to the irrigation in two additional areas.

Item 9: Mr. Adams was emailing the Board with the new contact that is replacing D'Angelo Brothers.

Item 12. Ms. Hlebak was coordinating with the Contractor to ensure access system is working properly.

Item 13: Mr. Adams and Mr. Yahn were reviewing the SCI Report about DTE's crew count and working on a strategy to obtain a credit from DTE. The results would be presented at the next meeting.

Item 14: Staff is emailing Off-Duty Patrol Reports to the Board.

Ms. Comella reported two incidents of wallets being stolen from landscaping trucks along Riders' Pass.

Item 15: The existing contractor suggested keeping the existing mini-split systems, due to the way the buildings are set up, but noted it will be difficult to find vendors to work on them. The contractor felt that the best route is to replace the compressor but could not guarantee it would be the same model; only that it would be a new compressor and would be treated as if it is a new component being put in the system.

Item 19: Mr. Soety provided Taylor Morrison with punch list items for Parcel E to address. Mrs. Adams emailed Drew regarding addressing homeowner complaints about construction debris around the ponds.

Item 20: Verbiage to be corrected to state "the minimum age restriction of 13 was too low". Ms. Willson stated this matter was resolved during the discussion.

## **ELEVENTH ORDER OF BUSINESS**

### **Staff Reports**

**A. District Counsel: *Kutak Rock, LLP***

There was no report.

**B. District Engineer: *Heidt Design, LLC***

- **Line of Sight Issues at Longspur and Fence Post Drive Intersection**

There was no report.

**C. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: February 9, 2022 at 5:00 p.m.**

- **QUORUM CHECK**

Mr. Silber stated he would not be able to attend the February 9, 2022 meeting.

**D. Lifestyle Director & Amenity Manager: *WTS International***

**I. Monthly Summary Report**

Ms. Hlebak presented the Monthly and Annual Summary Report and discussed recent and upcoming events. She reported the following:

- Mr. Silber acknowledged “Mr. & Mrs. Claus” for their contributions to the community in making Christmas special and for donating to the children’s hospital.
- Comments were received from residents who thought the CDD tree lighting event was tacky; the residents felt that more money should have been spent.

Discussion ensued regarding forming a Holiday Lighting Committee comprised of Amenity Staff and residents offering to donate time and money. Mr. Adams stated that forming a Committee to come up with ideas and take donations is fine but the CDD would need to engage a vendor to install the lights. Mr. Silber stated that the vendor resides in the community. Ms. Willson stated the CDD would need to notify the insurance carrier of the idea of the contractor using neighborhood volunteers to install the lights to ensure there is no potential liability exposure to the CDD. Ms. Hlebak stated that the front of the community needs additional electrical outlets.

Resident David Deenihan asked when the fire pit area would be usable. Ms. Hlebak stated clearance was received today but the area will be kept closed until the pool project is deemed safe because children were observed jumping the fence.

**II. Consideration of Gulf Coast Air Systems, Inc.: Estimates 64006324 and 62844214 for Repair and Replacement of Mini Split**

The Board discussed the estimates and decided to replace the entire unit.



**On MOTION by Mr. Silber and seconded by Mr. Call, with all in favor, Gulf Coast Air Systems, Inc., Estimate 62844214, to replace the Mini Split Air Conditioner at the Burns Drive location, in a not-to-exceed amount of \$10,427, was approved.**

### **III. Year in Review 2021**

This report was provided for informational purposes.

#### **E. Operations Manager: *Wrathell, Hunt and Associates, LLC***

Mrs. Adams reported the following:

- The Davey Tree proposals for tree pruning at Huckleberry Pond and Cunningham Park would be included in the next agenda.
- Mr. and Mrs. Bernstein, the homeowners with the pool on Dunn Avenue, submitted the additional funds required, which is reflected in the “Revenues-Miscellaneous” budget line item.
- The homeowners at 13286 Batten Lane were obtaining quotes but, have not responded to the letter or Mrs. Adams’ call to pay \$719 to the CDD for the landscape repairs.

Ms. Willson suggested and was directed to prepare a complaint for small claims court, requesting that the homeowner pay \$719 and all attorney fees. She was directed to prepare and send a letter to the homeowner giving them seven days to respond to the letter and 20 days to remit payment, otherwise the complaint would be filed with the court.

#### **▪ Plant and Turf Replacement Project**

**This item was an addition to the agenda.**

Mr. Yahn reported the following progress on the plant and turf replacement projects with DTE and Travis Resmondo Sod Inc.:

- Both projects started yesterday, along Heart Pine Park and Heart Pine Avenue and Long Spur.
- He will be on site next week to approve the layout and report back at the next meeting.
- He expected the planting project to be completed the week of January 24, 2022. He would coordinate with Mrs. Adams on the pine straw installation.
- DTE applied herbicide to unwanted vegetation, with another application planned for tomorrow.

- DTE and Resmondo clarified a matter of confusion about irrigation at two other parks.
- Regarding changing the process for the sod bed that would cost an additional \$21,000 to \$22,000, Mr. Adams' opinion was that the original plan of growing it out would be fine. Mr. Call thought that, visually, it would work out over time. Mr. Yahn was instructed to proceed with the original plan.

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests**

Ms. Comella stated she was in the preliminary stages of locating places to build and noted the option to rent. Mr. Call suggested Mr. Wilkes contact the County regarding the strip of land next to Publix, as he thought it could be used for storage and staging areas for the landscapers and Amenity Staff.

A Board Member asked Mr. Adams about preparing for the upcoming Board election. Mr. Adams stated the information would be presented at the April or May meeting.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Liquori and seconded by Mr. Silber, with all in favor, the meeting adjourned at 6:46 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair