

**MINUTES OF MEETING
TSR
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Regular Meeting on June 8, 2022, at 5:00 p.m., at Cunningham Park, 12131 Rangeland Boulevard, Odessa, Florida 33556.

Present were:

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|---------------------------|---------------------|
| Mike Liquori | Chair |
| Matt Call (via telephone) | Vice Chair |
| Mary Comella | Assistant Secretary |
| Jason Silber | Assistant Secretary |
| Tim Green | Assistant Secretary |

Also present were:

| | |
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| Chuck Adams | District Manager |
| Cleo Adams | District Manager |
| Alyssa Willson (via telephone) | District Counsel |
| Renee Hlebak | WTS Starkey Ranch Lifestyle Director |
| Alex Murphy | WTS Starkey Ranch Operations Director |
| Peter Soety (via telephone) | SunScape Consulting, Inc. (SCI) |
| Gary Hawkins (via telephone) | Down to Earth Landscape & Irrigation (DTE) |
| Vince Fork (via telephone) | Down to Earth Landscape & Irrigation (DTE) |
| Eduardo Colon | Down to Earth Landscape & Irrigation (DTE), Branch Manager |

Residents also present were:

| | | |
|--------------|---------------|---------------|
| David Mevers | Frank Stalzer | Chris Cologne |
| Matt Mohr | Ben Devivo | |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 5:03 p.m. Supervisors Liquori, Silber, Green and Comella were present, in person. Supervisor Call was attending via telephone.

SECOND ORDER OF BUSINESS**Public Comments [3 minutes per person]**

Resident David Mevers stated he discussed the upstream lake bank erosion issue behind his residence with Mr. Adams. As a Civil Engineer he believed the drainage pipe in the common area and manhole structure are causing the subsurface groundwater flow issue. He asked the Board to address this issue before the conditions worsen; he estimated that the repair costs would be about \$10,000. He noted that landscaping funds were recently expended in the preserve area adjacent to his property but, in his opinion, it is not being maintained properly, as he observed dead pine trees and an overgrown vine in the trees.

Mr. Adams stated he emailed the photographs of the erosion area to Mr. Wilkes and his evaluation of Pond 15-2 is pending. He suggested converting the manhole to a grate to intercept the water. He and Mrs. Adams identified a similar issue at Lake 12-5, at Night Star Trail, and suggested installing riprap in certain portions of the lake banks along both lakes; proposals are being obtained.

Regarding Mr. Mevers' comment about the preserve area, Mr. Adams stated a proposal was just received so that maintenance will occur soon.

Resident Frank Stalzer asked for the "No Trespassing" sign issue on Huckleberry Pond to be resolved tonight. He tried to de-escalate a heated incident his neighbor had with a Starkey homeowner and explained the area for fishing to them. He felt that homeowners who paid a premium for their lots should not have to feel uncomfortable due to other homeowners fishing behind their homes late at night.

Resident and Race Director of Tunnel for Towers Chris Cologne asked about the difference between public and resident access, as he had to relocate this year's event to another location, when his request was denied. He responded to questions about the event and was asked to submit a request and provide information of the event and impact on the area to consider as a future annual event. Ms. Hlebak stated that the Foundation was asked to provide an alternate route that would not go through the State Park; they never declined the request and all the information on hand was conveyed to the Board.

Discussion ensued regarding the Developer hosting events, communication issues and initiating a process and policy for considering future requests. Mr. Liquori believed the Board

would consider future requests but stated the County will operate the entire park, as of December 2022 and might require coordination between the County and the CDD, as two entities will be operating that area.

▪ **Discussion: Fourth of July Fireworks and Associated Community Event**

This item, previously the Seventh Order of Business, was presented out of order.

Mr. Adams and Ms. Willson provided the following update:

- Staff was directed and contacted the CDD's Insurance Adjuster to determine if the CDD would be in good standing if it authorized and entered into an agreement with a homeowner to hold a fireworks event at Homestead Park, on CDD property.
- Resident Matt Mohr, who brought this matter up, rejected the alternative to move the event location from CDD to private property.
- The CDD's Insurance Claims Department is reviewing the draft Agreement Ms. Willson prepared. Mr. Adams felt that it will not result in a positive outcome as the Insurance Representative did not see a way to contract in a way that will protect all the CDD's potential interests and the private property around the lake, due to the type and size of the event.
- Ms. Willson outlined the terms in the draft Agreement to use private not CDD property to conduct these activities, which Mr. Mohr rejected. If the Board approves this event, it is essentially ruling against its Amenities Rules.

Mr. Mohr provided historical information about the preparation, safety and cleanup process of his hosting New Year's Eve and July 4th events, which proved successful over the last three years. He mentioned homeowners and some Board Members donating to the event; he hoped the Activities Group would participate by conducting other events prior to his fireworks display.

Mr. Mohr felt that the Board should have addressed these issues three years ago and stated that he and other Starkey homeowners expects these events to be grandfathered in and be allowed in perpetuity.

Some Board Members stated that they had not participated in past events and others who did contribute stated that they were not Board Members at the time.

Mr. Mohr responded to questions and concerns about liability. While Mr. Mohr secures a single one-time event insurance policy and Ms. Willson revises the draft Agreement, which holds the CDD harmless of liability, both will be subject to the CDD's insurance carrier's approval before the Board will make a final decision on the matter. In terms of the Agreement, the Board agreed with Ms. Willson's advisement not to comingle the events; the CDD's event held prior to the firework's event will be deemed a separate event.

THIRD ORDER OF BUSINESS

Continued Discussion: Firebush Shrub Replacement

- **Estimate #29254 for Cold Damaged Plant Replacements**

Mr. Soety presented revised Estimate #29254 in the amount of \$6,458.58 to replace the frost-damaged firebush shrubs. Mrs. Adams stated that Estimate #29254 originally in the amount of \$13,076, was presented a few months ago. The original estimate was inadvertently included in the agenda package, instead of the revised amount. The reason for the reduction was because some of the firebush shrubs recovered from the frost over the last few months.

The Board agreed to consider this item during the Fourth Order of Business.

FOURTH ORDER OF BUSINESS

Consideration of Down to Earth Landscape & Irrigation Estimates

Mr. Colon presented the following Estimates and described the scope of work of each:

A. Estimate #26333 for Perennial Peanut Beds at Intersection of SR-54 and Fence Post Ave

In the amount of \$1,857.62

B. Estimate #32208 for Village 1 – Lake Blanch Ave

In the amount of \$9,583.46

C. Estimate #32210 for Village 2 – Cattle Gap Trail

In the amount of \$5,504.58

D. Estimate #32290 for Main Entrance East Cogan Removal

In the amount of \$3,057.04

E. Estimate #32296 for Homestead Park Bahia Turf

In the amount of \$674.95

F. Estimate #32305 for Main Entrance Turf and Grading

In the amount of \$3,081.42

G. Estimate #32347 for SR-54 Frontage Plantings

In the amount of 14,000.48

Mr. Adams tallied the amounts, which totaled \$44,218.13, including the revised amount of Estimate #29254. He recalled the \$52,897 credit with DTE.

Mr. Liquori asked Mr. Soety if he felt that the projects are necessary and the best use of the DTE credits or if other areas need improvements at this time. Mr. Soety stated that he was involved in the process, helped identify the areas needing improvement and deemed all of them a priority. In his opinion, the Board should consider approving all the projects.

On MOTION by Mr. Call and seconded by Ms. Comella, with all in favor, the Down-to-Earth Estimates presented, totaling \$44,218.13, and utilizing the DTE credit of \$52,897, leaving a remaining DTE credit of \$8,678.97, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-05, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Adams presented Resolution 2022-05. Staff reviewed the amenities figures during an online budget workshop and the new “pressure washing services” line item was added. The proposed Fiscal Year 2023 budget was mostly in substantial form but further modifications are expected; he hoped to provide contract amounts on future increases to the landscape maintenance contract at the August meeting.

Discussion ensued regarding the Welcome Center and possibly having to make assumptions within the next 30 to 60 days, the September meeting date and the deadline to set

and publish changes in assessment levels. Ms. Willson will provide Mr. Adams with the official Chapter 197 language that provides for setting the public hearing and for the Operations and Maintenance (O&M) assessment increase. The “Pool resurfacing” expenditure and “Commercial shared cost” revenue line items were discussed. Ms. Willson recommended adding additional language and delineating funds for rent and construction of facilities, in case the CDD decides to explore a loan.

The following change was made to Resolution 2022-05:

Section 2, DATE: Change “September 14, 2022” to “September 7, 2022”

On MOTION by Mr. Liquori and seconded by Mr. Silber, with all in favor, Resolution 2022-05 as amended to include Chapter 197 language, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law on September 7, 2022, at 5:00 p.m., at Cunningham Park, 12131 Rangeland Boulevard, Odessa, Florida 33556; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Continued Discussion: Welcome Center and Construction Options

- **General Update**

Mr. Call conveyed the Developer’s willingness to entertain an offer from the CDD to purchase the Welcome Center, instead of leasing it. Ms. Willson asked if he could provide guidance as to what would be a favorable offer. Mr. Call felt that the CDD should present multiple options to the Developer, whether entering into a one-year lease with an option to purchase after one year or purchase and close on the facility at the end of this year. The Developer expects to receive a fair market price for the facility based upon the appraisals that were shared with Mr. Adams. Mr. Call also suggested another option to the Board, such as asking to purchase the Welcome Center, along with the 0.8-acre parcel north of the Welcome Center, as one purchase.

Mr. Call will email the appraisals for the land and facility to Mr. Adams to distribute to the Board. Mr. Adams was directed to obtain appraisals for the Welcome Center and the 0.8-acre parcel.

SEVENTH ORDER OF BUSINESS

Discussion: Fourth of July Fireworks and Associated Community Event

This item was presented following the Second Order of Business.

EIGHTH ORDER OF BUSINESS

Continued Discussion: No Trespassing at Certain locations on Huckleberry Pond

Mr. Liquori stated he took photographs and agreed the “No Trespassing” signage is confusing and should be removed. After speaking with Ms. Willson, he does not believe it was legally enforceable. He made the following recommendations:

- Esplanade Sub-Association: Submit a request to the Architectural Review Committee (ARC) to install a fence to delineate the Esplanade boundary. This will allow them to enforce the no trespassing policy.
- Keep the fence along the south side of the property and install another fence and gate on the northern side of the residences to cut off access, as well as installing “Access Beyond This Point Restricted for Maintenance Personnel Only” signage.

As to addressing the late hour issue, Ms. Willson suggested incorporating language in the Amenity Policy. She agreed that enforcing the No Trespassing policy would be extremely difficult. Mr. Liquori responded to homeowner questions and voiced his belief that the Master Association would take precedent over the Sub-Association. He stated the original purpose of the gate and fence was to prevent people from driving onto the property.

Mr. Liquori reiterated his earlier discussion with Mr. Adams to determine if it is the responsibility of Taylor Morrison or the CDD to remove the tree or have it removed.

NINTH ORDER OF BUSINESS

Continued Discussion: Pond 15-2 Erosion/Drainage Concerns

Mrs. Adams stated she is obtaining proposals to repair Ponds 15-2 and 12-5 and Mr. Wilkes' evaluation of the ponds is pending. He would clarify if the ponds were transferred to the CDD and Mrs. Adams to email Mr. Silber the link to the map.

TENTH ORDER OF BUSINESS

Discussion/Consideration: Stormwater Management Needs Analysis Report

The Stormwater Management Needs Analysis Report will be completed next week and submitted to the County by the June 30, 2022 deadline.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2022

Mr. Adams presented the Unaudited Financial Statements as of April 30, 2022. The Fiscal Year 2022 Operations Financial Impact Analysis Report was distributed. He noted that the "trash assessment" revenue amount was overstated and the "Commercial shared costs" invoices will be mailed next week.

The financials were accepted.

TWELFTH ORDER OF BUSINESS

Approval of May 11, 2022 Regular Meeting Minutes

Mr. Adams presented the May 11, 2022 Regular Meeting Minutes. The following changes were made:

Line 55: Change "Brown Homeowner" to "Evergreen"

Line 96: Change "Resident Matt Mohr" to "Call".

Line 227: Change "encouraging" to "confronting"

Line 267: Change "Call" to "Silber"

Line 348: Change "but she denied" to "and informed the resident that she could deny the route"

On MOTION by Mr. Liquori and seconded by Mr. Silber, with all in favor, the May 11, 2022 Regular Meeting Minutes, as amended, were approved.

THIRTEENTH ORDER OF BUSINESS**Action & Completed Items**

The following Action Items were discussed:

Item 14: Mr. Adams was asked to send a letter asking the South Florida Water Management District (SFWMD) and the County to do more to control the hog population adjacent to the CDD.

Item 13: Change "Mohn" to "Mohr"

Item 16: The landscape maintenance map, which will be an exhibit to the contract, was being updated. The pre-bid meeting is June 17, 2022 and the bid opening is July 13, 2022 before the CDD regular meeting.

Item 17: Mr. Adams distributed a proposal to install a solar powered camera, in lieu of installing power or engaging a Community Outreach Office to monitor Cunningham Park. Mr. Silber liked that option and noted he could connect it to the WIFI panel for about \$150. Ms. Hlebak stated that Smart Solutions is preparing a proposal; they proposed moving the gate back into the park and running power at the community garden.

On MOTION by Mr. Green and seconded by Mr. Silber, with all in favor, designating Mr. Silber to select and connect a camera system to the WIFI system, in the not-to-exceed amount of \$600, was approved.

Items 10, 11, 15 and 16 were completed.

FOURTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: *Kutak Rock, LLP***

There was no report.

B. District Engineer: *Heidt Design, LLC*

Mr. Adams stated that he will email the Board with Mr. Wilkes' updates of the current facility and the site plan to address the needs for the proposed site at Publix.

I. Continued Discussion: Line of Sight Issues at Longspur and Heart Pine Avenue Intersection and at Longspur and Fence Post Drive Intersection

Mr. Adams discussed an email from the Pasco County Traffic Engineering Supervisor acknowledging receipt of Mr. Wilkes' letter and stating that they will conduct a site visit to determine if turning the two intersections into four-way stops is warranted.

II. Discussion/Consideration of Rocchetta A:DB (RADB) Proposal for Gunn Highway Landscape Maintenance Yard

This item will remain on the agenda until a location is determined.

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

I. 4,216 Registered Voters in District as of April 15, 2022

II. NEXT MEETING DATE: July 13, 2022 at 5:00 p.m.

○ QUORUM CHECK

All Supervisors confirmed their attendance at the July 13, 2022 meeting.

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

I. Monthly Summary Report

Ms. Hlebak reviewed the May 2022 Monthly Summary Report. She asked the Construction Company to post signs indicating that Albritton Park is not open, as a family was observed playing in the area. Regarding vandalism, Mr. Call stated that damages resulting from vandalism are repaired as they occur. Ms. Hlebak was asked to draft a general overview of the roles and responsibilities of the Arch Amenities Group to circulate for review.

II. Consideration of Clear-Tech Pools, Inc. Estimate 1500410007 for Continued Monthly Pool Services at Whitfield Park

Ms. Hlebak presented the Clear-Tech Pools, Inc. (Clear-Tech) unsolicited Estimate 1500410007 to continue providing monthly pool services at Whitfield Park, after the completion of the pool. She discussed issues with Clear-Tech's response time and compared the estimate to the current service provider. The Board did not approve this item.

Ms. Hlebak was asked to research other materials to replace the crushed shells. Ms. Hlebak, Staff and Mr. Liquori responded to a homeowner's question about the pool service contract, which is under auto-renewal, and the terms of the previous warranty. Mr. Call explained that it is the Developer's responsibility to make the final choices on matters, since the asset is not conveyed to the CDD yet.

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

Mrs. Adams stated that SOLitude's lake maintenance contract expires August 31, 2022. SOLitude plans to increase its rates slightly. This will be presented at the August meeting.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Liquori suggested engaging Sunscape to oversee the DTE plant replacement and improvement projects. Mrs. Adams would obtain a proposal from Mr. Yahn; she believed the cost is 5% of the value of the projects.

SIXTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Liquori and seconded by Mr. Green, with all in favor, the meeting adjourned at 7:15 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair