

**MINUTES OF MEETING
TSR
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Regular Meeting on October 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 (via telephone)	Assistant Secretary
Jason Silber	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams (via telephone)	District Manager
Alyssa Willson	District Counsel
Barry Mazzoni	Operations Manager
Peter Soety (via telephone)	SunScape Consulting, Inc., (SCI)
Rene Hlebak	WTS Starkey Ranch Lifestyle Director
Illiana Santiago	WTS Starkey Ranch Lifestyle Activities Director Coordinator

Residents present were:

Ray Szelest	Frank Stalzer	Greg Best	Kristy Abbasciano
Greg Wren	Ben Devivo	Bob Comella	Dave Deenihan
Kurt Naser	Joy Vincent	Jeff Citano	Frank Settano
Karen Anderson	Other Residents		

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 5:00 p.m. Supervisors Liquori, Call and Silber were present. Supervisor Comella attended via telephone. Supervisor Green was not present.

SECOND ORDER OF BUSINESS

Public Comments [3 minutes per person]

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Resident Ray Szelest presented the following talking points that did not need to be discussed at this time:

- Agenda item 10 - Welcome Center Letter of Intent and Response: He felt the Board did not have all the facts when voting at the last meeting. Mr. Call stated the offer was rejected. When the CDD will need to vacate will be discussed later in the meeting.
- Upcoming turnover from the Developer to Starkey Ranch: Asked for a Turnover Committee to be formed with at least two to three resident representatives from each housing section to start working with the Developer towards common goals and preparing a checklist.
- Suggested the Board ask Mr. Green to resign so one of the candidates vying for Seat 2 can fill that Seat.

Resident Greg Wren asked if the event last Saturday, related to prom, was an approved activity. Ms. Hlebak replied no. Mr. Wren suggested the CDD reap some financial benefit if this becomes a venue. He noted hundreds of cars parked along medians and grass; he thought the situation was out of control.

Resident Greg Best reiterated that hundreds of cars were parked along Rangeland and Long Spur resulting in downed signs, sod damage and broken sprinkler heads. He suggested contacting the School Board, as another event is scheduled on October 22, 2022. Regarding the Fourth Order of Business, he asked why the CDD is paying DTE to replace the sod when the Builder turned the water off. This matter will be discussed later in the agenda. Regarding the Third Order of Business, he asked if the additional ponds being added to the lake maintenance contract will receive the same once a month treatment. He felt that the lakes are not being treated monthly because they constantly have floating algae. It was noted that the contractor is being monitored and was observed treating the lakes but there are constraints as to how they can treat the lakes.

Mr. Best asked if the CDD maintains the wooden bridge and, if so, how the CDD can get the County to maintain it. Ms. Willson stated that, pursuant to the enhanced Items Agreement, it was better for the CDD to maintain this enhanced benefit. As discussed in prior meetings, the CDD will address possibly changing materials, once roadway construction activity is completed.

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Regarding the CDD owning land to the north, no construction is planned; the CDD owns the lake and sections above Lake Blanch and Rangeland that are being added to the CDD's drainage, wetland and/or mitigation areas.

Resident Kristy Abbasciano thanked the Board and stated Mr. Berry explained the original sidewalk design plans at Barbour Trail. She asked for an update on her request to replace the two missing plastic pylons on Rangeland and possibly install concrete. She reiterated the event last Saturday resulted in damages and suggested the CDD charge a fee and engage the Sheriff to confirm ID's, instead of preventing use.

Mr. Call asked for discussion of Cunningham Park to be added to the agenda.

Resident Ben Devivo asked who maintains the grass abutting Esplanade and the pond. Mr. Adams stated he will email an aerial map to him.

Resident Karen Anderson asked for the status of conveyance of the drainage culvert in Esplanade to the CDD and the process to maintain it, as it is filled with landscape debris. Mr. Call believed the turnover was completed and that the Esplanade HOA will continue to maintain it. Ms. Willson stated the CDD can enter into an Agreement with the Esplanade HOA if they wish to maintain it to a higher standard. Mr. Liquori was asked to circulate the minimum standard of maintenance to the Board.

Resident Frank Stalzer was happy the offer to purchase the Welcome Center was turned down, given its impact on the CDD's budget and taxpayers, which did not include other ancillary items. He felt that the CDD should be more careful in how it spends money.

Resident David Deenihan asked about Mr. Adams providing the Sheriff's Reports. Mr. Adams stated it was emailed to the Board. Ms. Willson stated she will review the Report and advise Mr. Adams if it can be posted on the CDD website.

Mr. Stalzer voiced his opinion that the CDD is not getting enough from the Sheriff. Mr. Adams stated the cost is dependent on who picks up the schedule.

Resident Kurt Naser asked Mr. Adams to restate the statement about conveying the bridge to the County. Mr. Adams stated that the result of the inspection was that the bridge met the minimum criteria thresholds for the Florida Department of Transportation (FDOT) to

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take over regular inspection of the structure. As the County is not willing to accept it, it becomes a local asset that the CDD will have to maintain.

Mr. Naser asked the Board to take urgent action, such as involving the Sheriff, to prevent another event like last Saturday.

Ms. Abbasciano asked about running electric to the gate to prevent after-hours access.

THIRD ORDER OF BUSINESS

Consideration of SOLitude Lake Management, Addendum to Annual Services Contract for Add-on of Seven Ponds [\$6,300.00]

Mr. Adams presented the Addendum to the Solitude Lake Management Annual Services Contract for the add-on of seven ponds.

On MOTION by Mr. Call and seconded by Mr. Silber, with all in favor, the Addendum to the SOLitude Lake Management Annual Services Contract for the Add-on of Seven Ponds, in a not-to-exceed amount of \$6,300, was approved.

FOURTH ORDER OF BUSINESS

Consideration of Down to Earth, Estimate #30688 for Zoysia Sod, Parcel B Turf Loss – Tallfield Lane [\$10,780.00]

Mr. Adams presented DTE Estimate #30688 and distributed the email from WestBay Tampa. Mrs. Adams stated that, due to the irrigation break, WestBay agreed to pay 50% and indicated that DTE was not doing their job. Mr. Soety, of SunScape Consulting, Inc., discussed the repair process that resulted in shutting off the water supply that caused stress on the sod.

Mr. Soety responded to questions regarding documenting issue and notices to WestBay.

District Staff was directed to prepare a letter to WestBay including the timeline and instructing them to contact Mr. Berry, going forward, if there are plans to shut off the water supply.

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FIFTH ORDER OF BUSINESS

**Consideration of The Davey Tree Company,
Proposal for Tree Care at Cunningham Park
[\$17,200,00]**

Mr. Soety presented the Davey Tree Company proposal and reviewed the scope of work for tree trimming and mulch removal. He responded to questions about cleanup and whether some portion of this was supposed to be done by the landscape company.

Mr. Soety was asked to secure one or two additional proposals and provide a sketch of the areas to present at the next meeting.

SIXTH ORDER OF BUSINESS

**Consideration of Standard Brick Pavers,
Interlocking Paver Proposal for Heart Pine
Avenue Bridge [\$15,348,00]**

Mr. Mazzoni presented the Standard Brick Pavers Proposal and noted difficulty obtaining other proposals. He was asked to find out the material cost and labor rate if they need to install additional pavers and secure one or two more proposals for the next meeting.

SEVENTH ORDER OF BUSINESS

**Consideration of Superior Sidewalk
Services, Survey Estimate and Price
Proposal [\$950.00]**

Mr. Adams presented the Superior Sidewalk Services estimate and proposal. Mr. Mazzoni stated the contractor will review other areas identified as trip hazards. It was noted these are CDD owned.

On MOTION by Mr. Silber and seconded by Mr. Call, with all in favor, the Superior Sidewalk Services Survey Estimate and Price Proposal to remove trip hazards at 13227 and 13297 Rangeland Boulevard, in a not-to-exceed amount of \$950, was approved.

EIGHTH ORDER OF BUSINESS

**Discussion/Consideration of Landscape
Staging Area and Budget**

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Mr. Call reviewed the map in the agenda and the proposed budget reflecting cost of 279k to develop. He stated the need to install a water source and associated costs were inadvertently omitted from this list.

Mr. Silber stated the potential landscape vendors requested this information as soon as possible so they can incorporate it into their bid structure.

The Board discussed having the Request for Proposals (RFP) differentiate with and without an on-site staging area and reducing the yard to one acre, which will reduce costs.

The Board took public comments regarding the staging location, cost, return on investment for the life of the contract and potential environmental concerns.

Ms. Willson gave recommendations in terms of constructing the facility and including verbiage in the license Agreement.

Mr. Silber thought the Developer will still be willing to donate this property to the CDD but the chance to create something other than a maintenance yard is very low, based on zoning. He would want a stronger return on investment to justify spending the money.

Ms. Willson stated, in her experience, she has seen CDDs do this both ways. She discussed including certain verbiage in the re-bid. Mr. Adams will send the Addendum to the respective contractors asking that they bid both ways.

NINTH ORDER OF BUSINESS

Ratification of Down to Earth Landscape and Maintenance Extension

Mr. Adams stated the executed Amendment to extend the existing contract term three months, from September 30, 2022 to December 31, 2022, was emailed to the Board. He anticipates presenting the bids at the November meeting, with the new contract effective January 1, 2023.

In response to a request, Mr. Adams provided a copy of the Amendment, which was omitted from the agenda package, and stated that, with the exception of a monthly price increase from \$101,000 to \$113,500, the other terms were the same. He addressed Mr. Deenihan's questions about the new scope of services to include moss removal and ongoing

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maintenance of the Garden Club area, under the new contract, and it being the contractors' responsibility to familiarize themselves with the CDD areas identified on the updated map.

On MOTION by Mr. Call and seconded by Mr. Liquori, with all in favor, the Down to Earth Landscape and Maintenance Extension, was ratified.

TENTH ORDER OF BUSINESS**Discussion: Welcome Center Letter of Intent and Response**

Mr. Adams presented the executed Letter of Intent to Acquire the Welcome Center, which District Counsel prepared and, as mentioned earlier, the Developer's response is that they are not interested in accepting it, at this time, due to market conditions.

Mr. Liquori wanted to address a comment from the last meeting about a belief that the Board did not take enough care or concern with a \$1 million offer. He pointed out that the first step in purchasing property is to send a letter of intent, which is to determine if it is an option; this is completely non-binding, not contractual and does not burden the CDD with anything, from a financial prospective. If the Developer accepted, the CDD would have to enter into the contract negotiation stage and proceed with other aspects of the process.

A resident asked if other options, such as extending Cunningham or building or renting a facility elsewhere were considered. The resident asked who was contacted for pricing and wanted to know what were the current office needs. It was noted that the Architect who designed the Welcome Center provided the pricing on a rough per square foot basis. The office needs were discussed several meetings ago.

Ms. Comella was disconnected from the meeting at 7:14 p.m., and rejoined at 7:16 p.m.

Discussion ensued regarding a suggestion to add rental offices, inability to install a gate to control access due to space constraints and the CDD wanting to control the property.

Ms. Willson advised that, if the CDD obtains a tax-exempt loan, any potential subletting to a third party is limited to 5% of the loan.

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The Board agreed with the suggestion to continue studying other options, including obtaining a commitment from the Developer that the CDD can continue to use the space for free or find out if they plan to charge the CDD a fee.

Mr. Silber discussed how the Board came to the decision that purchasing the property might be the best option for its office and storage space needs; he felt that an off-site rental is not a good option. Since the Board is going to be resident-lead soon, he thinks it would be best to let this carry over.

The Board listened to additional resident comments about the possibility of expending \$1 million and creating a Committee to avoid violating the Sunshine Law.

Ms. Abbasciano thanked the Board for allowing residents to express their opinions.

In response to a question, Ms. Willson agreed that it makes sense to schedule a workshop after compiling information about need, space, potential options and pricing. Mr. Silber and Ms. Comella were asked to lead this effort.

Mr. Liquori discussed resident interactions at the Welcome Center.

A resident asked if the Board can appoint or have volunteers set up a committee to do the due diligence for all the options. Ms. Willson replied affirmatively. Staff was directed to present information regarding the Sunshine Law and Committee Rules at the next meeting.

ELEVENTH ORDER OF BUSINESS**Consideration of Conveyances to CDD**

Ms. Willson presented the following:

- A. 3A Wetland/Floodplain Mitigation Areas**
 - I. Warranty Deed**
 - II. Design Consultant Certificate for Property Conveyance**
 - III. Engineer's Certification**
- B. M18F and M18G Wetland/Floodplain Mitigation Areas**
 - I. Warranty Deed**
 - II. Design Consultant Certificate for Property Conveyance**
 - III. Engineer's Certification**

On MOTION by Mr. Call and seconded by Mr. Liquori, with all in favor, acceptance of the 3A Wetland/Floodplain Mitigation Areas and M18F and M18G Wetland/Floodplain Mitigation Areas Conveyances to the CDD, were approved.

▪ **Discussion Cunningham Park**

This item as an addition to the agenda.

Mr. Call voiced his opinion that the CDD should contact the schools to address students using the park to take pictures, unless residents are inviting their friends to the park. Mr. Silber asked if the CCD has the ability to tow. Ms. Willson replied affirmatively, if certain statutory requirements are met. She responded to questions about implementing a policy, signage and engaging off-duty officers to monitor area on certain dates.

Staff was asked to coordinate establishing no parking zones, signage and sending a letter to the schools.

In response to a request, the Board directed Ms. Hlebak to send a reminder to residents of the guest limit and parking protocol.

Discussion ensued regarding sign verbiage, designating the location, asking off-duty officers to park a patrol car in certain areas during events.

TWELFTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial Reports
as of August 31, 2022**

Mr. Adams presented the Unaudited Financial Statements as of August 31, 2022. The financials were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of Minutes

Mr. Adams presented the following:

A. September 7, 2022 Workshop

The following changes were made:

Line 83: Change "has" to "was" and insert "by" after "fired"

Line 97: Change "Ocgtober" to "October"

Mr. Adams was asked to review audio regarding line 116.

Line 116: Change “gnat” to “pest”

On MOTION by Mr. Liquori and seconded by Mr. Call, with all in favor, the September 7, 2022 Workshop Minutes, as amended, were approved.

B. September 7, 2022 Public Hearings and Regular Meeting.

The following changes were made:

Line 60: Delete “and Seat 2 Candidate”

Lines 83 and 84: Change “Lennar” to “TM”

Lines 88 & 357: Change “Call” to “Silber”

Line 342: change “Eleana” to “Iliana”

On MOTION by Mr. Liquori and seconded by Mr. Call, with all in favor, the September 7, 2022 Public Hearings and Regular Meeting Minutes, as amended, were approved.

FOURTEENTH ORDER OF BUSINESS

Action & Completed Items

This item was not discussed.

Mr. Silber stated he was advised that Mr. Wilkes is no longer with Heidt Design, LLC. Another Engineer is being assigned to serve as District Engineer. The Board discussed engaging another firm, after the election, and asked Ms. Willson to review the contract terms and report her findings at the next meeting.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock, LLP*

Ms. Willson stated that, due to a conflict, a colleague will attend the next meeting.

B. District Engineer: *Heidt Design, LLC*

There was no report.

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

- **NEXT MEETING DATE: November 9, 2022 at 5:00 p.m.**
 - **QUORUM CHECK**

The next meeting is scheduled for November 9, 2022.

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

Ms. Hlebak reviewed the September 2022 Monthly Summary Report. She introduced Ms. Iliana Santiago, the new Lifestyle Coordinator, and gave an overview of her professional background.

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

The Field Operations Report was included for informational purposes.

Regarding Woods Rider Loop, Mr. Mazzoni discussed the difficulty accessing certain areas to maintain landscaping and avoiding using private property for access. He was asked to contact the affected residents to see if they are interested in executing a License Agreement with the CDD to maintain the area, as it is not cost effective for it to remain with the CDD. If so, Mr. Mazzoni will work with Ms. Willson to draft the Agreement. It was noted that residents should contact Mr. Mazzoni to report issues with CDD sidewalks or roadways. His contact information is posted on the Starkey Ranch website.

SIXTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Liquori asked Ms. Willson to address earlier comments about why there is no Turnover Committee and reassigning Mr. Green's Board Seat. Ms. Willson explained that the CDD is governed under different rules and processes than an HOA. Regarding reassigning a Board seat, the Board can appoint someone temporarily only if the Supervisor resigns and the Governor is the only person that can remove a Supervisor from a seat.

Mr. Liquori asked for the email to indicate what changed when a revised agenda is emailed.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

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On MOTION by Mr. Liquori and seconded by Mr. Call, with all in favor, the meeting adjourned at 8:07 p.m.

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Secretary/Assistant Secretary

DocuSigned by:

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Chair/Vice Chair