

**MINUTES OF MEETING  
TSR  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Regular Meeting on February 8, 2023, at 5:00 p.m., at Cunningham Park, 12131 Rangeland Boulevard, Odessa, Florida 33556.

**Present were:**

Jason Silber	Chair
Mary Comella	Vice Chair
David Deenihan	Assistant Secretary
Frank Stalzer	Assistant Secretary
Ray Szelest	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Alyssa Willson (via telephone)	District Counsel
Barry Mazzoni	Operations Manager
Mark Yahn (via telephone)	SunScape Consulting, Inc., (SCI)
Peter Soety (via telephone)	SunScape Consulting, Inc., (SCI)
Gary Hawkins	LMP Landscape Maintenance Professionals
Mike Newsome	LMP Landscape Maintenance Professionals
Rene Hlebak	WTS Starkey Ranch Lifestyle Director
Illiana Santiago	WTS Starkey Ranch Lifestyle Activities Director Coordinator
Alex Murphy	WTS Starkey Ranch Operations Director
Matt Call	Developer

**Residents present were:**

Jim Herring	Gene Magrini	Neal Johnsky	Kristy Abbasciano	Karen Anderson
Billy Garcia	Steve Gomez	Elena Boyen	Deedee Deenihan	Other Residents

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 5:00 p.m. Supervisors Silber, Comella, Deenihan and Stalzer were present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

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

*Disclaimer: These summary minutes are intended to only highlight the topics discussed, items being considered and actions taken.*

Resident Elena Boyen provided photographs of unsightly common areas. Mr. Silber stated it will be addressed later in the meeting. Ms. Boyen asked why the wetland mitigation budget line item already exceeded budget. Mr. Adams explained that the wetland is still under a five-year reporting requirement; it is a fluctuating expense. They will discuss increasing the budget line item during the Fiscal Year 2024 budget presentation. Ms. Boyen asked if the Board plans to increase the “Specialty programming” budget to avoid exceeding the budget. Ms. Hlebak explained that the line item budget expenses is supported by revenue fees.

Resident Jim Herring asked when the budget is adopted. Mr. Adams stated the proposed budget is presented in May or June and it will be adopted in August or September. Mr. Herring asked about the sidewalk cleaning program and who proactively inspects the property. Mr. Mazzoni discussed field operations; he inspects the property weekly, submits reports monthly and follows up with vendors.

Resident Billy Garcia asked for extra trash cans to be installed to stop residents from throwing bags of dog waste into the bushes. Ms. Hlebak stated there are over 50 trash cans in the community and noted some residents are requesting removal in front of their homes.

### **THIRD ORDER OF BUSINESS**

#### **Consider Appointment to Fill Unexpired Term of Seat 4; Term Expires November 2024**

Mr. Adams stated that the e-blast about the vacant seat resulted in five candidates responding with letters of interest and resumes, which he emailed to the Board prior to the meeting. Board Members commented on the candidates’ and the number of responses. The Board was glad to see so many qualified candidates expressing interest in the position.

#### **A. Candidates**

- I. Karen A. Anderson**
- II. Matt Bruno**
- III. Drew Cooke**
- IV. Gene Magrini**
- V. Ray Szelest**

Candidates Anderson, Magrini and Szelest spoke about their personal and professional background, qualifications and CDD topics. Each responded to follow up questions.

Candidates Bruno and Cooke were not present.

The Board hoped the candidates will run in the next General Election, which they must qualify with the County’s Supervisors of Elections office during the qualifying period.

Ms. Comella nominated Ms. Karen Anderson to fill Seat 4.

**On MOTION by Ms. Comella and seconded by Mr. Stalzer, with Ms. Comella and Mr. Stalzer in favor and Mr. Deenihan and Mr. Silber dissenting, appointment of Ms. Karen Anderson to fill Seat 4, was not approved. [Motion failed 2-2]**

Mr. Silber nominated Mr. Ray Szelest to fill Seat 4.

**On MOTION by Mr. Silber and seconded by Mr. Deenihan, with all in favor, appointment of Mr. Ray Szelest to fill Seat 4, was approved.**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Ray Szelest. Mr. Szelest declined compensation. Mr. Adams reviewed the following items:

- B. Administration of Oath of Office to Newly Appointed Supervisor *(the following will be provided in a separate package)***
  - I. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
  - II. Membership, Obligations and Responsibilities**
  - III. Financial Disclosure Forms**
    - a. Form 1: Statement of Financial Interests**
    - b. Form 1X: Amendment to Form 1, Statement of Financial Interests**
    - c. Form 1F: Final Statement of Financial Interests**
  - IV. Form 8B – Memorandum of Voting Conflict**
- C. Consideration of Resolution 2023-03, Designating Certain Officers of the District, and Providing for an Effective Date**

Mr. Adams presented Resolution 2023.03. Mr. Deenihan nominated the following slate:

Jason Silber

Chair

Mary Comella	Vice Chair
Fank Stalzer	Assistant Secretary
David Deenihan	Assistant Secretary
Ray Szelest	Assistant Secretary
Craig Wrathell	Assistant Secretary

No other nominations were made. Prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer remain unaffected by this Resolution.

**On MOTION by Mr. Deenihan and seconded by Mr. Stalzer, with all in favor, Resolution 2023-03, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Discussion/Consideration: Change CDD Meeting Time from 5:00 PM to 6:30 PM**

Mr. Stalzer felt that there would be more community involvement if the CDD meetings are held later. He provided historical data that addresses concerns about lengthy meetings.

The Board agreed to hear public comments.

Discussion ensued regarding the suggestion to offer meetings virtually, interruptions and difficulty hearing audio when attending virtually, whether changing the time will increase attendance, changing the time on a trial basis and timely posting of minutes on the website.

**On MOTION by Mr. Stalzer and seconded by Mr. Deenihan, with Mr. Stalzer, Mr. Deenihan, Mr. Silber and Mr. Szelest in favor, and Ms. Comella dissenting, changing the CDD meeting times from 5:00 p.m. to 6:00 p.m., was approved. [Motion passed 4-1]**

Mr. Adams was asked to make sure approved minutes are on the website within one week of being approved.

**FIFTH ORDER OF BUSINESS**

**Discussion/Recommendation: Landscaping Maintenance Staging Area**

Mr. Mazzoni discussed the landscape maintenance staging area detailing costs, benefits and steps needed to create the staging area, which is dependent on the CDD acquiring a parcel from the Developer.

Mr. Silber asked Mr. Call for an update on the parcel. Mr. Call asked to wait until discussions are finished.

Discussion ensued regarding the comment that the landscape contract bids “did” include costs with and without an on-site staging area, this not being a renegotiation with LMP, a lack of funds in the Fiscal Year 2023 budget for this expense and not using surplus funds for it.

Mr. Mazzoni stated, if the Board wants to proceed with on-site staging, Staff needs authorization to ask the Developer if the property can be secured. Regarding budget concerns, he noted that pressure washing quotes were below the \$105,000 budgeted.

A resident voiced her concern about chemicals being stored on site.

Mr. Mike Newson, of LMP, reiterated that LMP is not renegotiating the contract; LMP is offering a cost savings option to the CDD if their crews can start the day on site.

This item was deferred while LMP negotiates preparing the area directly with the Developer. Mr. Mazzoni will report his findings at the next meeting.

**SIXTH ORDER OF BUSINESS**

**Consideration of LMP, Inc., Proposal for Drainage Concerns [3349 Heart Pine Ave.]**

Mr. Mazzoni presented the LMP proposal. Supporting photos are behind Tab 16E.

**On MOTION by Mr. Silber and seconded by Ms. Comella, with all in favor, LMP, Inc., Estimate #81380, in a not-to-exceed amount of \$2,365.25, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of The Davie Tree Expert Company, Proposals for Arbor Care Services**

Mr. Yahn presented the SCI schedule and cost summary prioritizing all arbor care projects, specific to pruning or plant healthcare, and the associated proposal, including the proposal for Huckleberry Pond and Cunningham Park that was approved at the last meeting.

**On MOTION by Mr. Szelest and seconded by Mr. Silber, with all in favor, the SCI Schedule and Cost Summary for Arbor Care Services in Fiscal Year 2023, and associated vendor proposals, in a not-to-exceed amount of \$130,678.80, were approved.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of LMP, Inc., Addendum 1 to Landscape Maintenance Services Agreement [Woods Rider Loop]**

Mr. Mazzoni presented LMP Addendum #1 to add the CDD property behind the Woods Rider Loop homes to the new contract. Homeowners were originally maintaining the areas, which is why they were not included in the prior vendor’s contract or the new LMP contract.

Ms. Willson stated the CDD’s name in the Addendum must be corrected.

**On MOTION by Ms. Comella and seconded by Mr. Stalzer, with all in favor, the LMP, Inc. Addendum 1 to the Landscape Maintenance Services Agreement, as amended to correct name to TSR CDD, to add CDD “Parcel A” property behind the Woods Rider Loop homes, in a not-to-exceed amount of \$500 per month, resulting in an increase from \$142,084 to \$142,594 per month, was approved.**

**NINTH ORDER OF BUSINESS**

**Consideration of Pressure Washing Quotes for Sidewalk Cleaning**

Mr. Mazzoni presented multiple proposals for sidewalk cleaning; some did not provide water. Proposals to purchase the equipment are behind Tab 16E.

Mr. Mazzoni suggested engaging Riptide since their proposal was extremely detailed and responded to questions about scope of work and budget. Ms. Comella commended Mr. Mazzoni on doing a great job.

Discussion ensued regarding the area map, in-house crew working on certain areas and a suggestion to table purchasing equipment due to a staffing shortage.

**On MOTION by Ms. Comella and seconded by Mr. Szelest, with all in favor, the Riptide Pressure Washing, LLC proposal for sidewalk cleaning, subject to Mr. Mazzoni working with vendor to confirm the contract includes all CDD property in common areas and the trails, curbs and gutters, in a not-to-exceed amount of \$68,578.75, was approved.**

**TENTH ORDER OF BUSINESS****Discussion/Consideration:    TSR    CDD  
Welcome Center Options**

Mr. Mazzoni presented options and supporting documents for the following:

- Build a new structure or expand the structure at Cunningham Park.
- Rent or purchase an off-site facility for office space.
- Enter into a long-term lease for the Welcome Center with ability to purchase it.
- Lease or purchase a new modular unit; the vendor will only lease new units.

Mr. Call presented the Developer's best and final terms to lease the Welcome Center for \$25 per square foot. The Developer will pay the property taxes and liability coverage and the utilities will be transferred to the CDD's name. The lease will have an initial term of six months, starting on April 1, 2023 and ending on September 30, 2023, with a two-year lease to follow.

Discussion ensued regarding the terms, which entity is responsible for maintenance, furniture, scheduling a workshop to discuss other options, current market conditions and the Developer receiving interest from real estate firms.

Mr. Silber felt that, of the options presented, leasing the Welcome Center is the best option. He prefers building a two-year lease option into the six-month lease.

Discussion ensued about proceeding with the lease option and holding a workshop with resident participation to explore options and determine what is best for the community.

Mr. Silber will continue working with Ms. Willson and negotiating with the Developer to build a first-year annual extension into the initial six-month lease and to clarify maintenance items, such as the pump station and utility costs. He will report his findings at the next meeting.

**ELEVENTH ORDER OF BUSINESS****Consideration of Responses to RFQ for  
Engineering Services**

- A.    Affidavit/Proof of Publication**
- B.    RFQ Package**
- C.    Respondents**
  - I.     Johnson Engineering, Inc.**
  - II.    Lighthouse Engineering, Inc.**

Ms. Comella felt both respondents look good and she would be happy with either one but she ranked Johnson Engineering, Inc. slightly higher.

**D. Competitive Selection Criteria/Ranking**

Ms. Comella stated she scored Johnson Engineering the highest and will email her results to Mr. Adams.

Mr. Adams presented the overall scores and ranking results from the three Board Members, with the exception of Ms. Comella's scores, as follows:

#1	Johnson Engineering, Inc.	249 points
#2	Lighthouse Engineering, Inc.	223 points

**E. Award of Contract**

**On MOTION by Mr. Deenihan and seconded by Ms. Comella, with all in favor, authorizing Ms. Willson to send a 30-Day Termination Notice to Heidt Design, LLC, accepting the scoring and rankings, ranking Johnson Engineering as the #1 ranked respondent to the Request for Qualifications for Engineering Services and authorizing Mr. Adams and Ms. Willson to finalize a Professional Services Agreement with Johnson Engineering, the #1 ranked respondent, was approved.**

**TWELFTH ORDER OF BUSINESS****Consideration of Request for Transfer of Environmental Resource Permit for the Perpetual Operation and Maintenance Equity**

Mr. Adams stated this request for transfer from construction to operations is a formality; area M17C is already part of the maintenance contract.

**On MOTION by Mr. Silber and seconded by Ms. Comella, with all in favor, the Request and Transfer of the Environmental Resource Permit for the Perpetual Operation and Maintenance for the Starkey M17C Mitigation Pond, was approved.**

**THIRTEENTH ORDER OF BUSINESS****Acceptance of Unaudited Financial Reports as of December 31, 2022**

Mr. Adams presented the Unaudited Financial Statements as of December 31, 2022. The commercial shared costs letters were mailed about a week ago. He could not recall the outcome on the "Due from Developer C" line item so he will email it to the Board.



Mr. Adams stated that now that conditions have changed, he will ask the Sherriff’s Department if they can initiate Off-duty traffics patrols, instead of reallocating these funds.

Resident Kristy Abbasciano feels that there is the potential for a head-on collision due to people parking around the curve on Barbour Trail instead of in their driveways. She asked if another entity can be engaged to patrol that area and notify residents about parking. Mr. Mazzone suggested residents contact the Sherrif’s Department directly, as they typically will not address it until a significant number of reports are received.

Resident and MPOA Treasurer Neal Johnsky stated the MPOA has done a good job issuing citations and engaged the Florida Highway Patrol (FHP) for after-hours parking enforcement. He suggested the CDD assign funds to the MPOA so it can increase patrols.

Discussion ensued about blocked sidewalks and installing additional “No Parking” signs.

The financials were accepted.

**FOURTEENTH ORDER OF BUSINESS**

**Approval of January 11, 2023 Regular Meeting Minutes**

Mr. Adams presented the January 11, 2023 Regular Meeting Minutes.

The following changes were made:

Line 23: Change “Paulson” to “Carlson”

Line 26: Change “Roy” to “Ray”

Line 95: Delete

Mr. Adams was asked to make sure the CDD website is updated with the new after-hours contact information for irrigation.

**On MOTION by Mr. Stalzer and seconded by Mr. Szelest, with all in favor, the January 11, 2023 Regular Meeting Minutes, as amended, were approved.**

**FIFTEENTH ORDER OF BUSINESS**

**Action & Completed Items**

Mr. Adams will update the list after the meeting.

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

Ms. Willson reported the following:

➤ Fireworks: Regarding liability, the Insurance Agent advised that, as long as the CDD is not authorizing fireworks events or use near or on CDD property, they will accept claims associated with non-authorized fireworks use, but approval will be subject to the nature of the claim. Storage or fireworks use on CDD property are excluded from the policy. The Agent reiterated the need to make it clear that the CDD does not authorize use of fireworks, which is already included in the Amenity Policy. Sending a letter to the individual advising that the CDD does not give consent to hold any fireworks on or adjacent to CDD property was suggested.

The Board directed Ms. Willson to send the letter.

➤ WestBay is reviewing the CDD's timeline of events and demand letter requesting payment for the damages caused by the irrigation break.

➤ The construction easement from the Developer is completed and will be sent to the Chair for review and comment.

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

There was no report.

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

- **NEXT MEETING DATE: March 8, 2023 at 5:00 p.m.**
  - **QUORUM CHECK**

The next meeting will be held on March 8, 2023.

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

Ms. Hlebak reviewed the monthly report. She suggested changing housekeeping service vendors from Trinity Housekeepers Corp, who intends on raising its fees, to Fairy Dust Housekeepers, which includes cleaning supplies in its fees.

**On MOTION by Mr. Szelest and seconded by Mr. Silber, with all in favor, the Fairy Dust Housekeepers proposal dated February 8, 2023 for housekeeping services at Albritton Park, Cunningham Park/Hall, Homestead Park and Whitfield Park, in a not-to-exceed amount of \$2,000 monthly, \$500 per location, subject to Ms. Willson's review of insurance coverage, and effective within 30-days of sending the termination letter to Trinity Housekeeping Corp., was approved.**

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

Mr. Mazzoni presented the Monthly Field Operations Report.

Mr. Call stated that the Assistant County Attorney advised that the County has no interest in reimbursing the CDD for maintaining landscaping in the Right-of-Way (ROW) on Lake Blanch Road. He suggested Mr. Mazzoni work with the vendor to reduce the costs. He thinks Blueberry Farm should be responsible for whatever encases its property.

**SEVENTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Stalzer stated that County Commissioner Starkey arranged for a traffic study on Lake Blanche Drive, which resulted in the recommendation to install a three-way stop sign. The Parks and Recreation Director is working with Staff on a plan to enhance security or limit access at the park. He sent a letter to the Sherriff, on behalf of the CDD, to schedule a meeting, as they are the only party not responding to CDD issues.

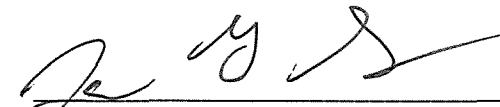
**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Silber and seconded by Mr. Deenihan, with all in favor, the meeting adjourned at 9:25 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair