

**MINUTES OF MEETING
TSR
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Regular Meeting on March 8, 2023, at 6:00 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
Peter Soety (via telephone)	SunScape Consulting, Inc., (SCI)
Rene Hlebak	WTS Starkey Ranch Lifestyle Director
Alex Murphy	WTS Starkey Ranch Operations Director
Matt Call	Developer
Philip Chang	Johnson Engineering
Cole Freeman	Southern Wildlife Removal, LLC
Gil Shimer	Resident
Keith Williams	Resident
Karen Anderson	Resident
Gizzat Tazabekov	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 6:00 p.m. Supervisors Comella, Deenihan, Szelest and Stalzer were present. Supervisors Silber was not present at roll call.

SECOND ORDER OF BUSINESS

Public Comments [3 minutes per person]

Mr. Silber arrived at the meeting at 6:01 p.m.

Resident Gil Shimer asked for the list of allowed trees in the CDD to be extended, specifically to include citrus trees, which, in his mind, are the symbol of Florida. He was advised

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

to contact the Master Property Owners Association (MPOA), as the MPOA governs this, not the CDD.

Resident Keith Williams asked which entity is responsible for maintaining the landscape and irrigation at Albritton Park. Mr. Mazzoni stated that Staff is tabulating the issues and actively working with the initial installer to correct them. LMP, the CDD's new landscaper, will submit proposals. Mr. Silber discussed the December turnover from the Developer to the CDD.

Resident Karen Anderson asked Mr. Mazzoni if he was notified of the algae build up in the Esplanade pond. She noted that she and several residents have allergies. Mr. Mazzoni stated the pond was treated in January and February. He discussed the pond treatment criteria.

Resident Gizzat Tazabekov asked for an explanation of the rule about cars parking on the sidewalk, as he received several unfavorable responses to his Facebook post. Mr. Adams stated the car can be parked on the apron of the resident's driveway. He will email a recent legal opinion to Ms. Comella. Residents are advised to contact the MPOA or Pasco County to enforce this matter. Mr. Tazabekov read Ms. Stephanie Tirado's response and asked if she is in attendance. Mr. Silber stated no, she is employed by the MPOA, not the CDD.

THIRD ORDER OF BUSINESS**Developer Updates****A. Construction – Landscape Plans**

Mr. Call stated the Developer's last project is in the permitting phase and will be constructed over the next few months. The work will be funded from the 2019 bond funds.

Mr. Call responded to questions and identified the location of the parcel. The commercial property owner will install and pay its own landscape and maintenance and the Developer will convey the property to the CDD. The commercial property owner will pay shared maintenance costs for off-site landscaping and stormwater, including an escalator. The project is scheduled for this summer. Mr. Szelest asked if the area is covered under the CDD's current landscape contract. Mr. Adams stated no, it will have to be added.

B. Landscape Yard – Conversations with LMP

Mr. Call stated LMP is willing to take on the majority of the cost to create the yard but asked for \$3,500 in assistance from the CDD to address the irrigation lines through the wetland area and for the survey. If agreeable, the CDD can contract it to the vendors directly or reimburse the Developer at the time the parcel is conveyed to the CDD.

Discussion ensued regarding the scope of work, gate access and concerns about who will benefit in perpetuity since LMP is not renegotiating the contract and is only offering a cost saving option.

Mr. Silber thinks forgoing the discount and paying \$3,500 is a minimal cost to pay to have the landscape facility that is fenced, has gravel and will be used by the CDD in perpetuity. The Agreement with LMP will be structured to protect the CDD and benefit the CDD long term.

On MOTION by Mr. Silber and seconded by Ms. Comella, with Mr. Silber, Ms. Comella, Mr. Deenihan and Mr. Szelest in favor and Mr. Stalzer dissenting, reimbursing \$3,500 to the Developer Wheelock Communities at the time of the title transfer of the property and authorizing Ms. Willson to prepare a letter agreement and for the Chair to execute, was approved. [Motion passed 4-1]

FOURTH ORDER OF BUSINESS

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

This item was discussed during the Third Order of Business.

FIFTH ORDER OF BUSINESS

Update: Frontier’s Repairs to Damaged Sod

Mr. Mazzoni stated that he researched further and communicated with Frontier’s point of contact, who was unaware that approval from multiple entities in the community was required before Frontier started its project. Frontier committed to repairing all CDD property damaged while updating the cable throughout Starkey Ranch and agreed to LMP reviewing and accessing the affected areas and providing proposals to make sure the property is restored to the CDD’s standards. This information and a portion of Frontier’s email is in his Operations Report, under Agenda Item 10E. No Board action is necessary at this time.

SIXTH ORDER OF BUSINESS

Update: Welcome Center Lease Negotiations

Ms. Willson stated that she reviewed the initial draft lease from the Developer and worked with Mr. Adams and the Chair to provide comments back to Mr. Call and the Development team. Regarding negotiations to extend the lease, she reported the following:

- Mr. Call confirmed today that the Developer is agreeable to an initial 18-month lease term at \$25 per square foot, starting April 1, 2023 and ending September 30, 2024. If the terms are acceptable, the lease will be presented in final form at the next meeting.
- The Developer proposed the option of a five-year renewal starting October 1, 2024 and ending September 30, 2029, with the first year at \$26.50 per square foot, with 2.5% annualized.
- Wheelock is not interested in a lease-to-own arrangement.
- The furniture will remain, except for the map table.
- Comments are pending from the CDD’s insurance carrier on additional insurance that will need to be gathered by the CDD; they might have minor comments on the insurance provisions of the lease itself, which Mr. Call advised will not be problematic with Wheelock’s counsel from their preliminary review.

Mr. Call will propose clarifying the lease term “credit changes”.

On MOTION by Mr. Szelest and seconded by Ms. Comella, with all in favor, accepting the terms and prices, as outlined, for the initial 18-month lease option and authorizing Staff to proceed with finalizing the 18-month Lease Agreement for final approval at the next meeting, was approved.

▪ **Arbor Care Update**

This item was an addition to the agenda.

Mr. Soety stated fertilization and biochar application projects were completed. The tree pruning projects are expected to be completed early next week. A final assessment with Management will be scheduled prior to approving the invoices. From the inspections so far, it looks good. Board Members voiced their opinions that it looks good and is a big improvement.

SEVENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial Reports
as of January 31, 2023**

Mr. Adams stated that most of the commercial shared cost payments were received in February; those still outstanding will be contacted and Ms. Willson’s assistance might be necessary. In response to a question, Mr. Adams stated that he will confirm if collecting interest on the unpaid shared costs and the expense incurred to collect them is possible and, if so, he

will proceed accordingly. Regarding West Bay, he will email the information next week and speak to the Accounting Department about clearing up the “Due from Developer C” line item.

The financials were accepted.

EIGHTH ORDER OF BUSINESS

Approval of February 8, 2023 Regular Meeting Minutes

Discussion ensued about the addition of the “Disclaimer” footnote on Page 1 of meeting minutes and that audio is available as public record.

On MOTION by Mr. Deenihan and seconded by Mr. Szelest, with all in favor, the February 8, 2023 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Action & Completed Items

Mr. Adams introduced the new District Engineer, Mr. Philip Chang, of Johnson Engineering.

Item 1: Change “Wiles” to “Chang”

Mr. Adams will update the list after the meeting.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock, LLP*

Ms. Willson stated that Homes by West Bay alluded to making the additional repairs to the end caps, as needed, after Frontier completes its repairs.

Mr. Silber provided Ms. Willson with the revisions to make before sending the letter to Mr. Mohr advising him that the CDD prohibits the use of fireworks on CDD property and that it is already in the CDD’s Amenity Policy.

B. District Engineer: *Heidt Design, LLC*

Johnson Engineering will replace Heidt Design, LLC on future agendas.

Mr. Silber discussed Action Item 1, which will involve contacting the County to mitigate a line-of-sight issue at the intersection of Long Spur and the apartment complex that could potentially result in a fatality. He thinks this can be resolved by making the intersection a four-way stop instead of a two-way stop or by reducing the number of parking spots.

Mr. Szelest asked for the CDD to obtain a new traffic study. In his opinion, certain speed limit numbers were incorrect and the number of signs on CDD-owned roads is not sufficient.

Mr. Silber stated that the intent is for all roads, with a few exceptions, to eventually become County roads; however, there is some difficulty in proceeding with the transition. He thinks the first action is to identify which roads are still within the CDD's possession and which were transferred to the County and then get the County to accept the ones that were intended to become County roads. This would negate the need for a traffic study.

Mr. Call will work with Mr. Mazzoni and Mr. Chang on a list.

Regarding liability, Ms. Willson stated the CDD will have minimal liability as long as the roads are in compliance with the County's approved plan.

Mr. Deenihan asked for the overgrown bushes on Rangeland Boulevard to be trimmed, as it almost caused an accident with a pedestrian. Mr. Adams stated LMP is working on hard cuts to open visibility. Mr. Deenihan will email a photo of the area to Mr. Mazzoni.

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

- **NEXT MEETING DATE: April 12, 2023 at 6:00 p.m.**
 - **QUORUM CHECK**

Mr. Adams stated the CDD engaged the Florida Highway Patrol (FHP). This week, FHP will commence random off-duty, weekly traffic patrols. He discussed the scope of services, costs and billing and noted that FHP already issued nighttime parking citations for the MPOA.

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

Ms. Hlebak reviewed the Monthly Summary Report.

Regarding the "Gator Talk" program, Mr. Szelest asked about the recent alligator trapping incident. Ms. Hlebak discussed the protocol that the State-assigned and bonded alligator trapper for the Florida Fish and Wildlife Conservation Commission (FWC) adheres to and the trappers willingness to convey information to the resident calling in the sighting.

Mr. Silber asked Ms. Hlebak to obtain proposals to extend the warranty on the park playground equipment.

Ms. Hlebak stated that Steve is working on temporary solutions for the splash pad and the fire pit at Whitfield Park. Replacing the splash pad will be a Fiscal Year 2024 proposed budget discussion.

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

Mr. Mazzoni highlighted projects in the Monthly Field Operations Report.

Mr. Mazzoni discussed coordinating the Southwest Florida Water Management District’s (SWFWMD) upcoming hog hunt and controlled burn projects with the CDDs and the need to resolve insurance requirement issues. Mr. Mazzoni and Mr. Szelest itemized the proposal from Southern Wildlife Removal LLC, which factored the commercial auto liability insurance into its costs. Mr. Szelest felt that installing hog wire fencing bordering the entire CDD property would resolve the feral wild hog problem and suggested further discussions in the future.

On MOTION by Mr. Szelest and seconded by Ms. Comella, with all in favor, the the Southern Wildlife Removal, LLC proposal for hog hunting services, contingent upon District Staff resolving the auto insurance requirement, in the amount of \$1,350 per month, as services are needed, was approved.

Mr. Mazzoni stated that residents are foregoing the online form to report landscaping and irrigation issues and are instead calling all hours of the night about non-emergency matters. Some residents are confronting CDD Staff and LMP crews in a volatile manner so he advised Staff and the crews to politely respond that this type of speech would not be tolerated. Mr. Silber agreed and stated that anyone doing this in a meeting will be told the same thing.

ELEVENTH ORDER OF BUSINESS

Supervisors’ Requests

Mr. Stalzer asked for WiFi to be installed in the room. Mr. Silber stated the Board decided on a router instead of WiFi. He will give Ms. Hlebak the information needed to order.

Mr. Silber asked when the Audit is scheduled. Mr. Adams stated in May and suggested waiting until it is presented before going out to bid.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Deenihan and seconded by Mr. Stalzer, with all in favor, the meeting adjourned at 8:15 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair