

**MINUTES OF MEETING
TSR
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Regular Meeting on May 10, 2023, at 6:00 p.m., at Cunningham Park, 12131 Rangeland Boulevard, Odessa, Florida 33556.

Present were:

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
Rene Hlebak	WTS Starkey Ranch Lifestyle Director
Illiana Santiago	WTS Starkey Ranch Lifestyle Activities Director Coordinator
Matt Call	Developer

Residents present were:

Kristy Abbasciano Mark Arnold Rusty Craig Parag Shah Chelsea Shumaker

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

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

SECOND ORDER OF BUSINESS

Public Comments [3 minutes per person]

Resident Kristy Abbasciano asked for an update on traffic enforcement. She was advised to contact the Master Property Owners Association (MPOA) as it governs parking. The Florida Highway Patrol (FHP) conducts off-duty random weekly traffic patrols. Asked if this includes The Anclove annex, Mr. Adams stated FHP is performing a proper detail of the CDD.

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

Resident Mark Arnold reported that he and over 1,500 residents signed a petition to oppose the proposed cell phone tower on school and County property just outside the Starkey Ranch gates. The matter is on the Board of County Commissioners' May 23, 2023 agenda. He asked for the CDD to write a letter opposing the tower in advance of the meeting.

Ms. Willson stated that this is outside the CDD's scope of authority. She explained the steps to take if Board Members choose to weigh in on this on behalf of the CDD, in the position as an adjacent community partner. Board Members voiced their varied opinions on the matter as individuals and as Board Members' representing CDD constituents.

On MOTION by Mr. Deenihan and seconded by Mr. Szelest, with Mr. Deenihan, Mr. Szelest, Mr. Stalzer in favor and Ms. Comella dissenting, declining the request for the CDD to write a letter opposing the proposed cell phone tower, was approved. [Motion passed 3-1]

Resident Chelsea Shumaker discussed her health issues, which she thinks are exacerbated by electromagnetic field (EMF) exposure. She is concerned about her daughter and other school children being exposed to EMF. If the CDD decides to take a stance on this matter, she suggested incorporating medical, scientific studies to support it.

A resident discussed incidents involving golf cart users and asked why the CDD condones allowing golf carts on the roadways when the CDD is not a golf cart community. It was noted that the CDD engaged off-duty State Troopers to handle traffic violations and e-blasts are sent.

Resident Rusty Craig discussed his email request to Mr. Adams to designate CDD budget funds to pay legal fees to oppose the cell tower. He thinks the tower will affect property values and had the potential to affect the health of the residents. He was advised that the Board heard already voted on this matter and, regarding funding legal expenses, it was suggested that Mr. Craig ask the residents who signed the petition for donations.

THIRD ORDER OF BUSINESS

Update: Welcome Center Lease Agreement

Mr. Adams stated the Developer is still considering the lease terms. Mr. Call stated the Developer sent an email extending the lease, which will be emailed monthly until they finalize the long-term lease.

FOURTH ORDER OF BUSINESS**Consideration of License Agreement with
Water Management District**

Mr. Szelest referred to the Fourth and Seventh Orders of Business and asked if the CDD has any leverage with the County and/or the Southwest Florida Water Management District (SWFWMD) and if the CDD can ask either of them to install hog wire fencing along the property, since the CDD is allowing them to access CDD property.

Ms. Willson outlined the terms of the License Agreement, which authorizes SWFWMD to access the property. She recommended approval, in substantial form, as the SWFWMD is reviewing the Agreement and because there are formatting and typographical things to correct.

Discussion ensued regarding the access points on the map, need to monitor the existing wells, wildlife destroying the CDD's fence line and the entities having eminent domain.

Ms. Willson stated that the SWFWMD can access other easements of which the CDD is not a party but then the CDD would not have any protection. Mr. Szelest asked Ms. Willson to begin the conversation, apart from the two agenda items, and include him on the discussion.

On MOTION by Mr. Stalzer and seconded by Mr. Szelest, with all in favor, the License Agreement with the Southwest Florida Water Management District relating to accessing monitoring wells, in substantial form, was approved.

▪ **Discussion: Starkey Wilderness Park Multi-Use and Bike Trails**

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

Mr. Call and Ms. Willson stated the Agreement is procedural in nature and in response to the County and SWFWMD's request for the CDD to provide written documentation that it allows the public to utilize certain access points. If the CDD does not approve this the County and SWFWMD will likely no longer allow the CDD to connect to the trail system.

Discussion ensued regarding concerns about publishing the CDD access points, improvements to the trail system and traffic concerns.

This item was deferred to the next meeting. Ms. Willson will negotiate the terms and ask that the CDD access points not be published on informational maps or brochures.

FIFTH ORDER OF BUSINESS

Continued Discussion: Landscape Maintenance Professionals, Inc., Water Restrictions Notification

Mr. Mazzone stated options for additional irrigation are being explored. He listed the steps taken to manage zones while adhering to water restrictions and time constraints. He plans to discuss other plant options to consider and hold a landscape workshop.

SIXTH ORDER OF BUSINESS

Discussion: Pond Embankment Damage to CDD Property by Homeowner [3898 Barbour Trail]

Mr. Mazzone stated that the homeowner did not respond and the CDD did not receive the certified mail return receipt. He suggested having Ms. Willson proceed with further action. Mr. Mazzone will email a proposal to repair the damaged CDD property to Ms. Willson to include with the letter.

On MOTION by Ms. Comella and seconded by Mr. Deenihan, with all in favor, authorizing Ms. Willson to commence legal action regarding the pond embankment damage to CDD Property by the homeowner at 3898 Barbour Trail, was approved.

SEVENTH ORDER OF BUSINESS

Discussion: Starkey Wilderness Park Multi-Use and Bike Trails

This item was presented following the Fourth Order of Business.

EIGHTH ORDER OF BUSINESS

Discussion: Re-Striping Crosswalks By School

Mr. Adams recalled that this is not a CDD matter.

Mr. Stalzer stated that Mr. Ventanutti confirmed that the maintenance bond was released. The hope is that the project will be completed within the next two weeks.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-05, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing

Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Stalzer stated he is not prepared to approve the proposed Fiscal Year 2024 budget and expressed issue with the budget projections. Mr. Adams and Ms. Willson reviewed the statutory requirement deadlines for CDDs.

Mr. Adams suggested, and the Board Members agreed, to schedule a budget workshop on June 14, 2023, prior to the regular meeting, to go over each budget line item.

Mr. Adams presented Resolution 2023-05.

In response to Mr. Deenihan’s request to include as a Workshop discussion item, setting up a capital reserve fund for emergencies, Mr. Adams stated he will split the assigned working capital and unassigned fund balance in the proposed Fiscal Year 2024 budget. Mr. Stalzer requested that Mr. Adams correct data on the budget line definition pages and also make corrections to some of the data presented on the 2024 debt service pages.

A budget workshop will be scheduled for June 14, 2023 at 4:00 p.m.

On MOTION by Ms. Comella and seconded by Mr. Deenihan, with Ms. Comella, Mr. Deenihan and Mr. Szelest in favor and Mr. Stalzer opposed, Resolution 2023-05, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 9, 2023, at 6:00 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. [Motion passed 3-1]

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing an Effective Date

On MOTION by Mr. Szelest and seconded by Mr. Deenihan, with all in favor, Resolution 2023-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Reports
as of March 31, 2023**

Mr. Stalzer expressed frustration that the CDD is not collecting the outstanding shared commercial property assessments on a timely basis. In addition, he was frustrated that the district has been carrying what appears to be an uncollectable receivable and old payable on the balance sheet for more than three years. Mr. Deenihan expressed frustration that the CDD is carrying three years' worth of outstanding commercial payments due to the CDD. Mr. Adams will email the schedules and include this on the next agenda so the Board can decide whether to pursue the outstanding payments due or write them off; some of these came over from the prior Management firm.

Mr. Mazzoni noted the landscape workshop is being held because there are several costly Fiscal Year 2023/2024 landscaping projects to consider. The Landscape Workshop is scheduled for June 6, 2023 at 4:00 p.m., at the Welcome Center; it will be facilitated by Mr. Mazzoni in Mr. Adams' absence. He offered to provide a recap of the workshop to Mr. Deenihan since he will not be able to attend.

The financials were accepted.

TWELFTH ORDER OF BUSINESS**Approval of April 12, 2023 Regular Meeting
Minutes**

Mr. Adams presented the April 12, 2023 Regular Meeting Minutes. The following changes were made:

Line 58: Change "Silber" to "Szelest"

Lines 296, 298, 303, 319, 327 and 434: Change "Deenihan" to Szelest"

Line 447: Change "A Board Member" to "Mr. Silber"

On MOTION by Mr. Stalzer and seconded by Ms. Comella, with all in favor, the April 12, 2023 Regular Meeting Minutes, as amended, were approved.

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

Item #8: Mr. Chang is still creating the road list.

Item #12: Mr. Mazzoni received clarification that the water quality testing proposal is for all five Esplanade ponds, not four times, as indicated on the proposal. This proposal was approved at the last meeting. The consensus was to proceed with the project.

Item #14: Ms. Hlebak advised the Garden Club to submit a budget by June.

Discussion ensued about determining if the CDD’s budget for the Garden Club is a one-time or ongoing expense, a Facebook post stating that the Garden Club was designed to be self-funding and Ms. Willson’s communique confirming the ability to install a locking device where residents and non-residents that pay the annual fee can access the garden area.

Mr. Stalzer copied Mr. Adams on a letter to other major communities asking if the CDD is experiencing the same issue of needing additional reclaimed water and if the CDD is interested in drafting a joint letter to the County.

Mr. Adams will update the Action & Completed Items list after the meeting.

FOURTEENTH ORDER OF BUSINESS

Discussion/Consideration: Scheduling a June Workshop to Review Potential Fiscal Year 2023/2024 Landscaping Projects

This item was addressed during the Eleventh Order of Business.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock, LLP

Ms. Willson discussed sending an email about the passing of House Bill requiring Board Members to undertake a four-hour continuing education session on District matters, annually, which is awaiting the Governor’s approval or veto. If approved, more information will follow. This would not go into effect until January 1, 2024.

B. District Engineer: Johnson Engineering, Inc.

Mr. Adams advised that the District Engineer is reconciling the roadway turnover bond releases and did not have an update on mitigating the line-of-sight issues on Long Spur, which is to be conveyed to the County within 30-days from the beginning of April.

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

- **4,831 Registered Voters in District as of April 15, 2023**
- **NEXT MEETING DATE: June 14, 2023 at 6:00 PM**

○ **QUORUM CHECK**

All Board Member confirmed their attendance at the budget workshop and regular meeting on June 14, 2023.

D. Lifestyle Director & Amenity Manager: WTS International

Ms. Hlebak presented the Monthly Summary Report and responded to questions. The playground audit is still underway; most of the equipment is out of warranty. A budget line item for playground equipment replacement will be created. Ms. Hlebak will work with Ms. Santiago and Mr. Adams to determine the projected replacement costs for the proposed Fiscal Year 2024 budget.

I. Consideration of Leisure Creations, Quote #67455 for Umbrellas

This item was addressed following Item 15DII.

II. Consideration of Earthscape Play, Inc., Service and Supply Agreement for Timber Tower Net Replacement

On MOTION by Mr. Szelest and seconded by Ms. Comella, with all in favor, the Earthscape Play, Inc., Service and Supply Agreement to replace the Timber Tower access net, in the not-to-exceed amount of \$2,465, was approved.

Discussion ensued about increasing the number of umbrellas for Albritton Park to ten, instead of the eight in the quote but only if it is feasible to move the tables.

On MOTION by Mr. Szelest and seconded by Mr. Stalzer, with all in favor, Leisure Creations, Quote #67455 for eight pool umbrellas, in the amount of \$3,734.67 plus the cost for two additional umbrellas, subject to meeting certain criteria, was approved.

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

Mr. Mazzoni presented the Monthly Field Operations Report.

Regarding the Rangeland wooden bridge, Mr. Mazzoni presented three Southern Land Service proposals received today, reviewed the scope of work and responded to questions. Invoice #1 will address the settled pillar issue, Invoice #2 is for catch up replacement boards to prevent further deterioration and future costly repairs and Invoice #3 is the cost projection of \$45,000 for

next year, which is below the \$80,000 allotted for decking and paver repairs in the proposed Fiscal Year 2024 budget.

Asked if the CDD has any legal recourse against the Developer for installing a wooden bridge, Ms. Willson stated only if there are project deficiencies, which would require the CDD to engage Special Counsel.

Discussion ensued about advising the Board about large expenditures well in advance of being approved and replacing the bridge with other materials.

On MOTION by Ms. Comella and seconded by Mr. Szelest, with all in favor, the Southern Land Service proposals, to repair the pillar on the Rangeland Wooden Bridge, in a not-to-exceed amount of \$9,750, and for catch up replacement boards, in a not-to-exceed amount of \$26,250, was approved.

SIXTEENTH ORDER OF BUSINESS

Supervisors' Requests

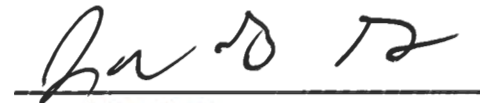
There were no Supervisors' requests.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Stalzer and seconded by Mr. Deenihan, with all in favor, the meeting adjourned at 8:51 p.m.


Secretary/Assistant Secretary


Chair/~~Vice Chair~~