

**TSR
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the TSR Community Development District held a Regular Meeting on July 10, 2024, at 6:00 p.m., at the Welcome Center, 2500 Heart Pine Avenue, Odessa Florida 33556.

Present were:

Mary Comella	Chair
Frank Stalzer	Vice Chair
David Deenihan	Assistant Secretary
Karen Anderson	Assistant Secretary

Also present:

Chuck Adams	District Manager
Alyssa Willson (via telephone)	District Counsel
Barry Mazzoni	Operations Manager
Peter Soety (via telephone)	SunScape Consulting, Inc., (SCI)
Rene Hlebak (via telephone)	AAG - Starkey Ranch Lifestyle Director
Ben Steets (via telephone)	Grau & Associates
Kevin Wilt	SOLitude Lake Management (SOLitude)
C.J. White	SOLitude Lake Management (SOLitude)
Alex Kurth	Premier Lakes, Inc. (Premier)
Bill Kurth	Premier Lakes, Inc. (Premier)
Will Butler	American Illuminations & Décor
Chassidy Butler	American Illuminations & Décor
Bill Levin	Landscape Maintenance Professionals (LMP)
Ben DeVivo	Resident and Esplanade HOA Board
Bernardo Perez De Lara	Resident
Adam Kaluza	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call/Pledge of Allegiance

Mr. Adams called the meeting to order at 6:00 p.m. Supervisors Comella, Stalzer, Deenihan and Anderson were present. Supervisor Bruno was absent.

The Pledge of Allegiance was recited.

SECOND ORDER OF BUSINESS

Public Comments (agenda items) [3 minutes per person]

Resident Bernardo Perez De Lara asked for the Board's help in getting the weeds, which he believes are suffocating healthy vegetation, removed from Cunningham Park. He provided

***Disclaimer:** These summary minutes are intended to only highlight the topics discussed, items being considered and actions taken. The audio is available upon request.*

photographs of the landscaping today and from when he moved here five years ago. Mr. Mazzoni recalled a volunteer resident cleanup day was approved in 2022/2023 but never came to fruition due to a lack of volunteers. He asked if the Board wants to consider this and noted that the Developer intended it to be a natural area; for vegetation to grow on purpose. The Board consensus was to obtain proposals for the next meeting, due to several complaints about the overgrown condition.

Resident Adam Kaluza stated that homeowners comply with the County's water restrictions but he thinks the sprinkler systems in the common areas run at all hours. He voiced his opinion that the Board does not care about being fiscally responsible. Mr. Mazzoni noted that the County's restriction notice is voluntary. He explained the workings of the irrigation zones, which are run within the confines of the State and County guidelines, in addition to having to engage water trucks to save a lot of CDD landscaping, not just sod, due to difficulties getting the State and County to supply reclaimed water; this is a county-wide, not just a CDD problem. Residents should report landscape/irrigation issues via the Starkey Ranch or CDD websites.

THIRD ORDER OF BUSINESS

Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by Grau & Associates

Mr. Steets noted the pertinent information in the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2023. It was a clean audit; there were no findings, recommendations, deficiencies on internal control or instances of non-compliance.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-07, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023

On MOTION by Mr. Stalzer and seconded by Mr. Deenihan, with all in favor, Resolution 2024-07, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.

- **Staff Reports-Lifestyle Director & Amenity Manager: Arch Amenities Group**
This item, previously Item 14D, was presented out of order.

Ms. Hlebak presented the June 2024 Monthly Summary Report. She stated that she posted ads and is accepting applications for swim instructors, park attendants and activities attendants, as existing personnel are heading to college or onto the next phase of life.

- **Consideration of Kompan, Inc. Quote No. SP137910-2 for Whitfield Park Teeter Totter**
This item, previously the Ninth Order of Business, was presented out of order

Ms. Helbak presented the Kompan proposal to replace the Whitfield Park broken teeter totter.

Discussion ensued regarding swapping wooden playground equipment with other products and having Steve, an in-house employee, install replacement equipment to save installation costs. The Board decided against that suggestion, to ensure there are no issues with the warranty terms.

On MOTION by Ms. Comella and seconded by Mr. Stalzer, with all in favor, Kompan, Inc. Quote No. SP137910-2 to replace the Whitfield Park Seesaw (Teeter Totter), in a not-to-exceed amount of \$9,975.87, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Award of Contract – Pond & Lake Maintenance

Mr. Mazzoni stated that, of seven companies that were sent the Request for Proposals (RFP) for the Pond and Lake Maintenance contract, which expires on August 31, 2024, five submitted proposals. Mr. Mazzoni presented his rankings of the five respondents, which he based on contract pricing and other methodology. Representatives from the top scoring respondents, SOLitude and Premier, were in attendance to answer questions.

- **Respondents**
 - A. Blue Water Aquatics, Inc.**
 - B. Premier Lakes**
 - C. Sitex Aquatics, LLC**
 - D. Solitude**
 - E. Steadfast Environmental, LLC**

Mr. Stalzer asked about Premier's One-Time Work Order Agreement for \$6,000. Mr. Mazzoni stated that it is to treat hydrilla in several lakes and Huckleberry ponds that were not being treated due to low water levels.

Premier representatives Bill Kurth and Alex Kurth responded to questions and explained Sonar® treatments, different treatment methods for shoreline and submersed weeds, rating the current lake conditions, difficulty controlling silver pike rush, defining retention and detention ponds and exploring methods other than dye applications to reduce, rather than treat, the algae.

Mr. Mazzoni stated that he scheduled a vendor to inspect and install Bahia sod to address erosion at two or three ponds where the water level has never met the sod. This will allow more weeds to be treated as well.

Mr. Kevin Wilt, of SOLitude, responded to questions about if the dye application was originally suggested to address algae because it was cost effective, SOLitude needing to work on pro-active measures, on-site technicians' familiarity with the ponds and implementing Sonar® treatments annually in September or October to control algae issues.

Board Members voiced varied reasons for awarding the Contract to Premier versus others in favor of staying with Solitude.

On MOTION by Mr. Stalzer and seconded by Ms. Anderson, with all in favor, ranking Premier Lakes as the #1 respondent to the Request for Proposals for the Pond and Lake Maintenance, and authorizing District Counsel to prepare a Maintenance Agreement for signature and attach the Premier bid proposal and scope to the Agreement, were approved.

On MOTION by Mr. Stalzer and seconded by Ms. Anderson, with all in favor, the Premier Lakes One-Time Work Order Agreement, to implement Start-up Sonar® treatment, effective September 1, 2024, was approved.

SIXTH ORDER OF BUSINESS

Presentation/Discussion: Holiday Lighting 2024

A. Consideration of American Illuminations and Décor Estimate for Upgrade Options

Mr. Will Butler, of American Illuminations and Décor (AID) presented estimates for Holiday Lighting for 2024 and mock photos. The estimate contains two options with the same lighting as last year plus additional add-ons. Option 1 is Holiday Bliss 2024 with Add-Ons, in a lump sum amount of \$12,000. Option 2 is Holiday Bliss 2024 Add-Ons plus Cunningham Park, in a lump sum amount of \$15,000, which builds off Option 1.

A Board Member suggested lighting other areas to replace some of the ones proposed in the estimates. Mr. Mazzoni suggested approving a preferred estimate while he and Ms. Hlebak work on presenting suggested options.

On MOTION by Ms. Comella and seconded by Ms. Anderson, with all in favor, American Illuminations and Decor Estimate for holiday lighting, Option 2 Holiday Bliss 2024 Add-Ons plus Cunningham Park, in a not-to-exceed amount of \$15,000, subject to District Staff presenting suggested holiday lighting options, was approved.

SEVENTH ORDER OF BUSINESS

Discussion: Rangeland West Blvd

Mr. Mazzoni stated that the correct agenda title is "Discussion: Rangeland East Blvd". He stated that, because of other significant sod projects, LMP has an opportunity to pass on more significant savings to the CDD than originally proposed, if the CDD proceeds with the special landscape project in Fiscal Year 2025. The turf replacement cost proposal is behind Tab 8B.

EIGHTH ORDER OF BUSINESS

Consideration of Landscaping & Arbor Care Proposals

Mr. Mazzoni presented the following Fiscal Year 2024/2025 budget projections, which includes the Sunscape Project Management Fees for landscaping, arbor care and landscaping enhancement projects:

A. The Davey Tree Expert Company

Regarding coding the Sunscape Project Management Fee, fees will be coded to the same budget line item as the project.

On MOTION by Ms. Anderson and seconded by Mr. Deenihan, with all in favor, The Davey Tree Expert Company Proposals 20004068-1713273724, 20004068-1713398748, 20004068-1713174106, 20004068-1713555315, for arbor care services, fertilizer/bio-char and tree pruning, in not-to-exceed amounts of \$34,702, \$27,321, \$2,139 and \$10,232, respectively, plus the Sunscape Project Management fee of \$3,719.70, were approved.

B. Maintenance Professionals, Inc.

Mr. Mazzoni presented revised proposals, which include irrigation costs. Mr. Soety, of SCI, stated that the unit pricing for plant material is based on types and quantities sold and that these prices can be negotiated. The areas selected are ones they think need some attention and reinvestment. The Board can choose to set an amount to spend per year and Staff will prioritize projects for Board approval.

Discussion ensued regarding the probability of an additional price break; industry standards determining plant selection, size, spacing and quantities; avoiding overplanting areas; focusing on addressing those areas visual to residents; Ms. Anderson contacting Mr. Mazzoni to tour project areas and whether to have all original builder-installed damaged landscaping removed and starting over with the landscaping.

As projects are scheduled for Spring 2025, the Board consensus was for Staff to review and make adjustments to the scope/cost for the landscape and irrigation projects and advise if a Landscape Workshop is needed, with the understanding that surplus fund balance would be used if the Board approves other cost increases, since the proposed Fiscal Year 2025 budget was already approved and the maximum assessment levels were set at the last meeting.

NINTH ORDER OF BUSINESS**Consideration of Kompan, Inc. Quote No. SP137910-2 for Whitfield Park Teeter Totter**

This item was presented following the Fourth Order of Business.

TENTH ORDER OF BUSINESS**Discussion/Update: License Agreement with Landscape Maintenance Professionals, Inc.**

Mr. Mazzoni stated that LMP decided to secure an off-site storage unit to store equipment, in lieu of the License Agreement to construct a landscaping maintenance facility on CDD property. Ms. Willson completed the paperwork for the Developer to convey the property to the CDD and the Accounting Department is issuing payment to the Developer for the parcel.

Mr. Mazzoni stated that the same exercise can be used in future Landscape RFPs, if the Board decides to construct a maintenance facility on that parcel.

ELEVENTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Reports as of May 31, 2024**

Mr. Adams stated that reminder past due notices will be sent to the property owners to pay outstanding commercial shared costs. Mr. Stalzer commended Mr. Adams and Staff on a great job clearing up past due commercial shared costs and on the ICS investment account earned interest revenue amount.

Mr. Adams stated that Staff is working on Certificates of Completions in order to close out the various construction accounts. He will contract Mr. Liquori to ensure all requisitions were submitted for the Series 2019 bonds.

The financials were accepted.

Discussion ensued regarding adjusting the Fiscal Year 2025 budget “power washing” and “contingency” line items and using surplus fund balance to offset the assessment increase, in order to keep assessment levels the same as in Fiscal Year 2024.

TWELFTH ORDER OF BUSINESS

Approval of Minutes

A. June 12, 2024 Workshop

Regarding lines 36 through 38 and her comment about the proposed Fiscal Year 2025 budget and, because this information is not broken down on the property tax bill, Ms. Comella stated her hope that residents understood that the majority of the CDD assessments are assigned to pay down debt and that it is the larger number than any other expenditure, which are properly bid. Mr. Adams stated that this can be easily explained by directing residents to the Assessment Table in the budget.

On MOTION by Ms. Anderson and seconded by Mr. Deenihan, with all in favor, the June 12, 2024 Workshop Meeting Minutes, as presented, were approved.

B. June 12, 2024 Regular Meeting

The following change was made:

Lines 28 and 138: Change “DeVino” to “DeVivo”

On MOTION by Mr. Stalzer and seconded by Ms. Comella, with all in favor, the June 12, 2024 Regular Meeting Minutes, as amended, were approved.

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

Items 5, 7, 8, 9, 10 and 11 were completed.

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

Ms. Willson stated that she received confirmation from the Internal Revenue Service (IRS) that it reviewed and officially closed the Audit of the CDD Series 2018 Special Assessment Revenue Bonds. There were no findings nor changes to the tax-exempt status of the bonds.

Ms. Willson presented a request from Counsel for the Esplanade HOA to incorporate a statement into the Consent Use Agreement indicating that “The District has no ability to not have the ability to remove the fence or terminate the agreement.” That typically is not the case when a third party is installing things on CDD property. She is recommending that the CDD retain the ability to remove it, if it is ever necessary. She will advise of the Board’s decision that it is not agreeable to that term.

B. District Engineer: Johnson Engineering, Inc.

Mr. Adams stated that Mr. Charles Reed, of Johnson Engineering, will assume the role of District Engineer.

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

- **4,862 Registered Voters in District as of April 15, 2024**
- **NEXT MEETING DATE: August 14, 2024 at 6:00 PM [Adoption of FY25 Budget]**
 - **QUORUM CHECK**

D. Lifestyle Director & Amenity Manager: Arch Amenities Group

This item was presented following the Fourth Order of Business.

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

Mr. Mazzoni presented the Monthly Field Operations Report. He noted the following:

- He inspected all the completed sidewalk repair projects and will be approving the invoice upon receipt.
- Ms. Comella executed the Access Agreement prior to the meeting, which will be submitted to the School Board, giving authorization to remove certain CDD shrubs. He will coordinate the landscape portion of the crosswalk project with the school.

Mr. Mazzoni distributed and presented a memo reporting two areas of erosion damage on Pond 5-2, due to a homeowner emptying pool water into the pond. He asked if the Board wants to charge the homeowner for the cost of the repairs.

On MOTION by Ms. Anderson and seconded by Mr. Stalzer, with all in favor, authorizing Staff to pursue cost recovery from the homeowner for lake bank washouts on Pond 5-2 due to the actions of the homeowner, was approved.

- Sam, of LMP, reported slight irrigation pressure improvements from June 1 to July 5, 2024.
- Vendors are scheduled to inspect Ponds 17-3 and 12-5 and provide recommendations, as the ponds never reach expected water levels, and review the sagging concrete at Hutchenson Preserves walking bridge and the Rangeland walking bridge.
- The District Engineer and Shenandoah are inspecting the potential leak in the stormwater drain in front of Ruddy Run.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Comella asked Mr. Mazzoni to inspect Pond 15-2 by the last house behind Gavin Lane for erosion and determine if it needs to be repaired.

Ms. Comella requested an update on Taylor Morrison. Mr. Mazzoni stated he, Mr. Soety and Steve, with Steadfast who is Taylor Morrison's vendor, inspected Whitfield area 1 & 2. All agree that the sod requires replacement in multiple areas. Mr. Soety is sending an email about mowing deficiencies. He suggested pressuring Taylor Morrison to address all deficiencies before the CDD accepts conveyance, especially since there are no other homes to sell.

SIXTEENTH ORDER OF BUSINESS

Public Comments (non-agenda items) [3 minutes per person]


No members of the public spoke.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Deenihan and seconded by Mr. Stalzer, with all in favor, the meeting adjourned at 8:29 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair