

1 **March 20, 2017 Minutes of Regular Meeting**

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3 **Minutes of the Regular Meeting**

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5 The Regular Meeting of the Board of Supervisors of the New River Community Development District was
6 held on **Monday, March 20, 2017 at 11:00AM.** at 5227 Autumn Ridge Drive, Wesley Chapel, FL 33545.

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8 Board Members Present and Constituting a Quorum at the onset of the meeting:

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11 **Board of Supervisors**

12 Ross Halle Chairman
13 Eric Marks Vice Chairman
14 Stephanie Lerret Supervisor
15 Erik Domenech Supervisor

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17 **District Staff**

18 Vivian Carvalho District Manager- Leland Management, Inc.
19 Mary Fritzier Field Operation Manager- Leland Management, Inc.
20 Vivek Babbar District Counsel- Straley & Robin, PA (*via speakerphone*)
21 Tonja Stewart District Engineer

22
23 Various Audience Members Present

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25 **1. CALL TO ORDER/ROLL CALL**

26
27 **Vivian Carvalho called the Regular Meeting of the Board of Supervisors of the New River Community**
28 **Development District to order on Monday, March 20, 2017 at 11:07AM.**

29
30 **2. AUDIENCE COMMENTS ON AGENDA ITEMS**

31 **None**

32 **3. BUSINESS ADMINISTRATION**

33 **A. Consideration of the Board of Supervisors Meeting Minutes January 16, 2017- Section 1**

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35 *A motion was made by Eric Marks to approve the Board of Supervisors Meeting*
36 *Minutes from January 16, 2017. The motion was seconded by Stephanie Lerret.*

37 *No further discussion*

38 *All those in favor, the motion was carried unanimously.*

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40 **B. Consideration of the Operation and Maintenance Expenditures December 2016 & January**
41 **2017- Section 2**

42
43 *A motion was made by Stephanie Lerret to ratify the Operation and Maintenance*
44 *Expenditures for December 2016 and January 2017. The motion was seconded by*
45 *Eric Marks.*

46 *No further discussion*

47 *All those in favor, the motion was carried unanimously.*

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C. Review of Financial Statements Month Ending December 2016 & January 2017- Section 3

Vivian Carvalho recapped the amounts collected thus far from the tax collector which is approximately 80% of the Operation & Maintenance Budget. Lengthy discussion ensued on various items pertaining to the Financials. In addition, she stated that the Financial Statements is a Modified Account Method which recognize the Income when it is received and Accrue the Expenses.

Eric Marks had some questions in regards to the Financial Statements and requested management to follow-up accordingly. The list of items are as follows:

1. When did, the Assessment go on the tax roll? Was it in 2014 or 2015? There was a year in which certain units were not included on the tax collector so it was included the following year on the tax roll. Confirm with the previous management company that all assessment was collected accordingly.
2. District Manager account looks like is running over budget based on the amounts per the recent unaudited Financial Statements. Vivian Carvalho was going to follow-up with the Accounting Department accordingly as to what invoices are being classified to District Management.
3. Landscape Maintenance category is over budget what was being classified to that account? How much is the monthly Landscape Contract per the revised contract of the pocket parks being added. Vivian Carvalho stated that monthly amount of the landscape contract is \$10,812.50. The scope changed when the pocket parks were added to the District responsibility. Lengthy discussion ensued.
4. The Board of Supervisor requested management in preparation of the FY2017-2018 Proposed Budget to make sure to budget appropriately for contractual obligations and unforeseen items that may occur for the District throughout the year.

*A motion was made by Eric Marks to approve the Financial Statement Month Ending December 2016 and January 2017 subject to management following up on the items listed above and providing the information to Ross Halle accordingly. The motion was seconded by Stephanie Lerret.
No further discussion
All those in favor, the motion was carried unanimously.*

4. BUSINESS ITEMS

A. Consideration of Resolution 2017-04 Appointment of Treasurer for the District- Section 4

*A motion was made by Eric Marks to approve Resolution 2017-04 Appointment of Treasurer for the District. The motion was seconded by Stephanie Lerret.
No further discussion
All those in favor, the motion was carried unanimously.*

97 **B. Review & Consideration of Amending Fiscal Year 2015-2016 Budget- Section 5**
98

99 *A motion was made by Eric Marks to approve the Amendment of Fiscal Year*
100 *2015-2016 Budget. The motion was seconded by Erik Domenech.*

101 *No further discussion*

102 *All those in favor, the motion was carried unanimously.*

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104 **5. STAFF REPORTS**

105 **A. District Counsel-**

106 **i. Request for signs in the community- Section 6**
107

108 Vivek Babbar provided an overview of the deaf child sign to be installed near the
109 homeowner address. In addition, Tonya Stewart provided an overview how regulated
110 the District are with these types of signs. Vivek Babbar further explained that it
111 provides a false sense of security to the homeowner the installation of the sign. District
112 Staff recommended not to proceed with the installation. Eric Marks stated that due to
113 the circumstances pertaining to the request is there a possibility of the District
114 requesting the homeowner to sign of a waiver release form for the installation of the
115 sign. District Counsel stated that the District has Sovereign Immunity for any potential
116 lawsuit against the District. However, District Counsel stated certainly their office can
117 draft such document to request homeowner to sign.
118

119 *A motion was made by Eric Marks to approve to proceed with the deaf sign*
120 *installation near this homeowner address with the caveat that District Counsel will*
121 *draft a waiver release form for the homeowner to sign off upon installation of the*
122 *sign. The motion was seconded by Stephanie Lerret.*

123 *No further discussion*

124 *All those in favor, the motion was carried unanimously.*

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126 **ii. Review & Consideration of Conservation Easement and Tri-Party Agreement related**
127 **to Army Corps Permit- Section 7**
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129 Vivek Babbar provided an overview of the agreement being a perpetual and
130 that is complying and up to standard. District Counsel requesting the Board to
131 proceed with the approval of such agreement in substantial form.
132

133 *A motion was made by Eric Marks to approve the Conservation Easement Tri-*
134 *Party Agreement in substantial form with the caveat of the District Chairman*
135 *negotiating the agreement as it best suitable for the District and authorizing*
136 *District Chairman to execute the document accordingly. The motion was*
137 *seconded by Ross Halle.*

138 *No further discussion*

139 *All those in favor, the motion was carried unanimously.*

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141 **B. District Engineer-**

142 **i. Update on Repairs to Suncatcher Road & Change Order- Section 8**
143
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145 **Tonja Stewart provided an overview of the change order of \$840.00 for the hauling cost**
146 **and dumping fees associated with the clay content material underneath the road. Lengthy**
147 **discussion ensued on this topic. Tonja Stewart will follow-up with the contractor of this**
148 **fee since part of the initial report stated that there was a high content of clay associated**
149 **underneath the road.**

150
151 **Tonya Stewart reported a reclaim water leak between unit 5216 and 5220 Suncatcher Road**
152 **and requested the builder to address this area prior to the start of the road repair project.**

153
154 **In addition, Tonya Stewart requested the Board to consider the scope of services for the**
155 **District Engineer services as part of the preparation for the upcoming FY 17-18 Proposed**
156 **Budget process.**

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158 **ii. Review & Consideration of Proposal from Lake & Wetland- Section 9**
159 **Tonya Stewart requested that this proposal is deferred for consideration until next Budget**
160 **Cycle.**

161
162 **District Manager-**

163 **i. Review of Upcoming Compliance Items for the District-**
164 **The District will obtain the number of registered voters for the confines of the District.**
165 **In addition, the District will initiate the Proposed Budget Process and the Board of**
166 **Supervisor will be considering the Proposed Budget at the upcoming meeting scheduled**
167 **in May 2017.**

168
169 **C. Field Operations Manager-**

170 **i. Ratification of Proposal for the Landscape Improvement to the Entrance Area- Section**
171 **10**
172 **Mary Fritzler provided an overview of the proposals from Yellowstone for the entrance**
173 **area.**

174
175 *A motion was made by Ross Halle to ratify the proposals totaling \$995.00 and 225.00*
176 *from Yellowstone. The motion was seconded by Eric Marks.*

177 *No further discussion*

178 *All those in favor, the motion was carried unanimously.*

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180 **ii. Presentation from Yellowstone Landscape**
181 **Jon Souers with Yellowstone Landscape was present and provided an overview of the**
182 **turf condition within the community. Lengthy discussion ensued on this topic. Eric**
183 **Marks requested the cost for the replacement of the median along the Blvd. with St.**
184 **Augustine sod. Jon Souers will provide the information to Mary Fritzler accordingly.**

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186 **6. SUPERVISORS REQUESTS- no further request**

187
188 **7. AUDIENCE QUESTIONS, COMMENTS AND DISCUSSION FORUM- none**

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190 **8. ADJOURNMENT**

191 *A motion was made by Eric Marks to adjourn the meeting at 12:07PM. The motion was*
192 *seconded by Stephanie Lerret.*

193 *No further discussion*

194 *All those in favor, the motion was carried unanimously.*

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**These minutes were done in a summary format.*

**Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on _____.

Signature

Signature

Printed Name

Printed Name

Title:

- Chair
- Vice Chair

Title:

- Secretary
- Assistant Secretary

Recorded by Records Administrator

Signature

Date

