

**LONGLEAF
COMMUNITY DEVELOPMENT DISTRICT**

September 17, 2009 Minutes of Meeting

Minutes of the Regular Meeting

The Regular Meeting of the Board of Supervisors for Longleaf Community Development District was held on Thursday, September 17, 2009 at 6:30 p.m. at Longleaf Town Hall, located at 3141 Deland Street, New Port Richey, Florida 34655.

1. CALL TO ORDER/ROLL CALL

Ms. Connor called the Regular Meeting of the Board of Supervisors of the Longleaf Community Development District to order on Thursday, September 17 at 6:30 p.m.

Board Members Present and Constituting a Quorum:

Paul Jenkins	Chairman
Jonathan Brewer	Vice Chairman
David Reid	Supervisor
Joanne Rein	Supervisor
Amanda Maucere	Supervisor

Staff Members Present:

Anthony Canorro	Assistant District Manager, District Management Services, LLC
Patrick Dooley	Community Attendant, District Management Services, LLC
John Vericker	District Counsel, Straley & Robin, PA
Steve Shaw	District Engineer, Johnson Engineering, Inc.
Bill Brammell	District Engineer, Johnson Engineering

Audience Members Present:

Residents

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. STAFF REPORTS

A. District Counsel

MOTION TO:	Place Fiscal Year 2009 and 2010 Assessments on the Tax Role
MADE BY:	Supervisor Jenkins
SECONDED BY:	Supervisor Brewer
DISCUSSION:	Summarized Below
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

Mr. Altman advised the Board to leave all Operations and Maintenance assessments on the tax role. Mr. Vericker stated that bondholder and developer negotiations had fallen through and that the District should operate as though they will not receive 25% of their operational budget.

MOTION TO:	Authorize foreclosure action on B Bonds contingent on funding of the action by Bondholders
MADE BY:	Supervisor Brewer
SECONDED BY:	Supervisor Rein
DISCUSSION:	None additional noted
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

B. District Engineer

MOTION TO:	Authorize the District Manager and District Counsel to reach an agreement with Nelson Construction to pay the full amount due under their contract, less any interest and penalties contingent on Nelson honoring the warranty portion of their contract. Additionally, any agreement reached with Nelson is to be structured to not release TBE Group from liability.
MADE BY:	Supervisor Jenkins
SECONDED BY:	Supervisor Reid
DISCUSSION:	Summarized Below
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

Mr. Altman reviewed Nelson's rebuttal letter and Mr. Vericker noted that he had received an additional letter threatening legal action in the event of continued non-payment. Mr. Shaw stated that he had met with the County and reviewed warranty conditions and sloping issues. He stated that the County approved the majority of the punchlist items in July of 2009. Mr. Shaw stated that he did not feel that the Board should withhold Nelson's remaining payment. Mr. Brewer requested that Mr. Shaw review County and FDOT standards on "bird-baths" or water ponding. Mr. Brewer provided a review of the original contract documents and brought up numerous points that supported further non-payment to Nelson. These items include: the Board had never conducted a final walk-through, the Board had never signed a certificate of completion, and that final payment would release liability. Mr. Vericker stated that if the Board did not pay Nelson, they would file suit and the District would need to hire a construction litigator. Mr. Jenkins stated that the issue came down to the fact that Nelson performed to TBE Group's specifications and that if there were issues with the final construction, then TBE Group would be the entity to seek restitution from. He stated that paying Nelson and holding them to their warranty would not let TBE Group off of the hook. At this point of the discussion, Mr. Brewer, while voting to release the retainage to Nelson Construction, wanted to again make clear, that this would not be the "final payment" as defined by the contract. In Mr. Brewer's opinion, neither the Contractor nor the Project Engineer have performed all the necessary steps to be qualified for "final payment".

(Mr. Vericker left the meeting in progress.)

4. BUSINESS ITEMS

A. Consideration of Landscape Maintenance Proposals (Tab 7)

MOTION TO:	Accept Nanaks' proposal and engage them as the District's Landscape Maintenance vendor
MADE BY:	Supervisor Reid
SECONDED BY:	Supervisor Brewer
DISCUSSION:	Summarized Below
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

Discussion ensued as to the ability of the competing firms to do the restoration work required to enhance Longleaf's level of landscaping. Paul Woods from OLM, via telephone, stated that all of the vendors that provided bids were fully capable of conducting restoration work. Mr. Canorro noted that each firm had provided line item unit pricing within each of their bids that showed what they charged for items such as sod replacement.

MOTION TO:	Terminate Vila and Son and the District's Landscape Maintenance vendor and direct Management to give them their 30 day notice
MADE BY:	Supervisor Reid
SECONDED BY:	Supervisor Jenkins
DISCUSSION:	Summarized Below
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

5. BUSINESS ITEMS

A. Consideration of the Minutes of the Board of Supervisors Meeting on August 20, 2009 (Tab 2)

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting on August 20, 2009.
MADE BY:	Supervisor Brewer
SECONDED BY:	Supervisor Maucere
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

6. BUSINESS ADMINISTRATION

A. Consideration of Operation & Maintenance Expenditures September, 2009 (Tab 3)

The Board reviewed the expenditures and commented on the following items:

MOTION TO:	Approve Operation & Maintenance Expenditures of September, 2009.
MADE BY:	Supervisor Jenkins
SECONDED BY:	Supervisor Reid
DISCUSSION:	Summarized Below
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

Supervisor Maucere requested that Management investigate into the partial payment of the water bill.

B. Consideration of Construction Requisitions Series 2006, September 2009 (Tab 4)

MOTION TO:	Approve the Construction Requisitions
MADE BY:	Supervisor Reid
SECONDED BY:	Supervisor Brewer
DISCUSSION:	Summarized Below
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

7. BUSINESS ITEMS (Continued)

A. Consideration of District Engineer Contract

This item was discussed earlier in the meeting.

MOTION TO:	Accept District Engineering contract as written.
MADE BY:	Supervisor Brewer
SECONDED BY:	Supervisor Jenkins
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0- Motion Passed

B. Discussion of Proposed Parking Policy (Tab 8)

MOTION TO:	Approve Parking Policy as amended.
MADE BY:	Supervisor Brewer
SECONDED BY:	Supervisor Jenkins
DISCUSSION:	The Board requested that Management remove the verbiage that strongly suggested residents to park their vehicles in their garages.
RESULT:	Called to Vote: Motion PASSED 5/0- Motion Passed

C. Discussion of Pool Renovation (Tab 9)

Mr. Canorro presented the Board with a proposal from Posh Pools and stated that he was continuing to receive more proposals for the interior resurfacing of the pool. The Board recommended National Pools of Pasco as a potential vendor

D. Discussion of Alarm Monitoring Proposals Tab 10)

Bill Seng from Envera Systems presented his company's "voice-down" system to the Board. Discussion ensued as to the lack of effectiveness of the current camera system. Mr. Seng noted that his proposal included upgrades to the existing cameras. Supervisor Rein cautioned the Board against spending \$5,100 for pool monitoring. The Board requested that Mr. Seng present a revised proposal to the Board at the next meeting that represented a cost savings for alarm monitoring and further upgrades to the camera system.

E. Consideration of Resolution 2009-11, FY 2010 Meeting Schedule

MOTION TO:	Approve Resolution 2009-11, FY 2010 Meeting Schedule
MADE BY:	Supervisor Brewer
SECONDED BY:	Supervisor Jenkins
DISCUSSION:	Supervisor Rein suggest that the District schedule some Saturday meetings as resident workshops.
RESULT:	Called to Vote: Motion PASSED 5/0- Motion Passed

F. Discussion of District Security (Tab 11)

Supervisor Rein indicated that the overall community response to the District engaging public or private security firms was split 50/50. Supervisor Jenkins stated that the Board should consider authorizing DMS to bring in Off-Duty Sheriff Patrols 3-4 times over the course of the last few months of the year during sensitive holiday times and send a letter to the community indicating the Board's course of action in that matter. There was discussion amongst the audience about the benefits residents simply locking their doors and trunks of their vehicles. Mr. Altman explained to the Board and audience that the District is

prohibited from exercising police powers over private property but can take necessary measures to preserve and protect District assets. The discussion was tabled.

G. General Matters of the District

F. **STAFF REPORTS**

A. District Manager

1. Financial Statement, Period Ending July 31, 2009 (Tab 12)
2. Operations Report (Tab 13)

The Board communicated their dissatisfaction with the current state of the aquatics maintenance within the District and directed Mr. Canorro to "place the pond company on notice". Mr. Canorro agreed and stated that he had noted several deficiencies. Supervisor Rein indicated that the recent wall painting was unsatisfactory. Mr. Jenkins provided Mr. Canorro with the contact information to Signature Painting, a firm that the District had previously contracted with for the wall painting. Supervisor Jenkins instructed Management to have all Crosland correspondence channeled through Management rather than the District Counsel in an effort to save money on attorney's fees.

G. **SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**

Discussion ensued as to the potential for budget shortfall in the event that no money is received from Crosland/Maricopa for Operations and Maintenance. Mr. Altman stated that DMS would provide a cash flow analysis that would project future needs in the event that there was a budget shortfall.

Carl Holden, a resident of Longleaf, presented a plan to the Board and audience for the Christmas decorations throughout the District. Following a description of the proposed plan, Mr. Holden stated that the town hall decorations would be completed from November 28-29 and the remainder of the community would be completed by December 5, 2009. All work would be done on a volunteer. Mr. Holden requested District funding not to exceed \$750. Supervisor Rein stated that the Longleaf Neighborhood Association would also be soliciting donations in this endeavor.

MOTION TO:	Approve funding for Christmas Decorations, Not to Exceed \$750
MADE BY:	Supervisor Rein
SECONDED BY:	Supervisor Brewer
DISCUSSION:	Summarized Above
RESULT:	Called to Vote: Motion PASSED 5/0- Motion Passed

Further discussion ensued regarding parking within the alleyways.

MOTION TO:	Install "No Parking" Signs at Alleyways adjacent to Fenceline Road, Not to Exceed \$200 apiece
MADE BY:	Supervisor Jenkins
SECONDED BY:	Supervisor Reid
DISCUSSION:	None additional noted
RESULT:	Called to Vote: Motion PASSED 5/0- Motion Passed

A. Communications

There were none.

H. RESIDENT COMMENTS ON AGENDA ITEMS

None additionally noted.


10. ADJOURNMENT

MOTION TO:	Adjourn the Meeting of the Longleaf Community Development District.
MADE BY:	Supervisor Jenkins
SECONDED BY:	Supervisor Brewer
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

**These minutes were done in 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 October 15, 2009



Signature

JONATHAN BREWER

Printed Name

Title:
 Chairman
 Vice Chairman



Signature

PETER A. ADAM

Printed Name

Title:
 Secretary
 Assistant Secretary

Recorded by Records Administrator



Signature

11/16/09

Date

