

**MINUTES OF MEETING
CHEVAL WEST
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Cheval West Community Development District was held on Monday, May 19, 2014 at 8:30 a.m. at Greenacre Properties, 4131 Gunn Highway, Tampa, Florida.

Present and constituting a quorum were:

Lori J. Lencioni	Chairperson
Daniel Gallagher	Assistant Secretary
Scott Hostler	Assistant Secretary
Rohn Harmer	Assistant Secretary

Also present were:

Mark Vega	District Manager
Truett Gardner	Attorney
Tonja Stewart	Engineer (Via Telephone)
Shelly Bramm	Greenacre Properties
Mary Ann Luallen	Greenacre Properties
Larry Rhum	Greenview Landscaping
Earl Burley	Resident
Ron Hembree	Resident
David Hershman	Resident
Michael Miller	Resident
Sal Zichi	Cheval East Resident

The following is a summary of the discussions and actions taken at the May 19, 2014 Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Lencioni called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments on Agenda Items

There not being any, the next item followed.

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the
April 21, 2014 Meeting**

Ms. Lencioni stated each Board member received a copy of the minutes of the April 21, 2014 meeting and requested any corrections, additions or deletions.

Changes were made, which will be incorporated into the amended copy of the minutes.

On MOTION by Mr. Gallagher seconded by Mr. Hostler with all in favor the minutes of the April 21, 2014 meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Field Staff Reports

A. Community Services

The following was discussed:

- There are no incidents to report.
- Mr. Wills stated the roofs at the Lutz Lake Fern and Ramblewood gatehouses need to be cleaned. He found someone who will pressure wash both gatehouses entirely for \$175 each.
- US Securities is proposing a rate increase, which will total an additional \$26,366.17. The increase provided includes sales tax, which needs to be removed. The gate officers are currently making \$9.25 per hour and rovers are making \$9.75 per hour. Due to a decrease in unemployment he is losing quality personnel. Cheval East approved an increase two months ago.
- Mr. Hostler stated there is an issue with parking on Terrain de Golf Drive as well as residents' lawns damaged on Terrain de Golf Drive during the hours people pick up their children from school.
- Mr. Wills met with the head of security for Lake Carlton Arms. They are complaining about Cheval West adolescents jumping the wall into their community. Mr. Wills explained Cheval West has the same issue with adolescents from Lake Carlton Arms. Mr. Wills drove near the area bordering their community and people are dumping debris along the County road.
- An old vehicle was replaced with a newer vehicle. The District is not being charged for this.
- There was discussion regarding people not stopping at the stop signs at Savoy Circle. Mr. Wills noted drivers ignore stop signs all over the community.

B. Landscaper

Mr. Rhum reported the following:

- The bottle brush trees on Avenal Drive and TPC Boulevard are not growing properly. Mr. Rhum recommends cutting a foot off and seeing how they grow.
- Oleanders are being cut back.

- The weather is getting too hot for begonias. They will be pulled out within a couple of weeks.
- Mr. Hostler asked if approval was given to do maintenance on the problem house on Savoy Circle and Chemille Road. Ms. Lencioni responded not yet, but something needs to be done.
- Ms. Bramm showed pictures of the areas addressed in the Greenview Landscaping proposal to remove the oak trees. Mr. Rhum explained he needs to get permits from the County to remove the oak trees and he is not sure if the County will allow palm trees as replacements.
- Greenview Landscaping provided a proposal to clean up the Suncoast Parkway landscape area near Chemille Road and TPC Boulevard for \$600 and then provide maintenance of the area at \$200 per month.

On MOTION by Mr. Gallagher seconded by Mr. Hostler with all in favor an additional charge of \$200 per month to the monthly maintenance contract with Greenview Landscaping to maintain the Suncoast Parkway landscape area near Chemille Road and TPC Boulevard was approved.

- Ms. Lencioni authorized the one time cleanup of the above referenced area and requested it be done immediately.
- Mr. Rhum noted he did not receive authorization to do the second installation of pine straw mulch. He stated more areas needing mulch were added since the original contract was written.
- Mr. Rhum provided a quote of \$200 to de-boot the two Washingtonian palm trees at the Ramblewood gate. Ms. Lencioni authorized the de-booting of the trees.

C. Community Association Manager's Report

Ms. Bramm reviewed her report and the following was discussed:

- The next OLM inspection is scheduled for May 22, 2014. Ms. Lencioni stated they did not perform one of the inspections and they should not get paid. Because it is a fixed monthly payment, Mr. Vega will obtain a credit from OLM.
- A spreadsheet identifying some of the sidewalk trip hazards was provided to the Board. A full list will be ready for the next meeting.

- A homeowner expressed concern and sent photos regarding paving on Lourdes Way. This was forwarded to Ms. Stewart.

SIXTH ORDER OF BUSINESS

Attorney's Report

Mr. Gardner submitted his status report and the following was discussed:

- He was asked whether the District can go on a property to trim bushes blocking a stop sign. If the sign is on a right-of-way the District can access and trim the bushes.
- Due to Heritage Propane's unresponsiveness, Mr. Gardner suggested pursuing them more aggressively. He has easement agreements from the 1990s and early 2000s stating Heritage Propane is supposed to provide insurance indemnifying the District. The District should request all records showing they provided insurance and put them in a situation where they are in default.
- He is meeting with Mr. Higginbotham to discuss parking on 5512 W. Lutz Lake Fern Road. He requested photographs so he can present it at the meeting with Mr. Higginbotham.

FIFTH ORDER OF BUSINESS

Engineer's Report

The following was discussed:

- A final inspection of the paving work will be conducted.
- Ms. Bramm asked about the area the resident was complaining about. Ms. Stewart will have it looked at and will get back to Ms. Bramm by Friday.
- Mr. Hostler asked if there were any complaints regarding tacking. Ms. Stewart confirmed there have been no tacking complaints.

SEVENTH ORDER OF BUSINESS

Manager's Report

A. Follow Up Items

Mr. Vega reported Severn Trent Services will eliminate Federal Express charges associated with interoffice mailing and will reduce assessment roll services by \$2,123. The assessment roll services will be charged monthly instead of as a lump sum charge in January. The contract will be extended another 30 days so Mr. McClain can be present for contract renewal discussions.

B. Acceptance of Financial Audit for Fiscal Year 2013

Mr. Vega reviewed the financial audit and indicated it is a clean audit.

On MOTION by Mr. Gallagher seconded by Mr. Hostler with all in favor the financial audit was accepted.

Mr. Harmer asked what it means to have capital depreciation on land. Mr. Vega explained they are referring to all common area and assets such as the gates, gatehouses and tot lot.

C. Distribution of the Proposed Budget for Fiscal Year 2015 and Consideration of Resolution 2014-3 Approving the Budget and Setting the Public Hearing

The Board reviewed the proposed budget, which includes a five percent increase to set a high water mark to work with. The following changes were made:

- \$30,000 was added for US Securities.
- \$2,400 was added for the landscape maintenance contract.
- \$8,000 was added for mulching.
- Total increases to the proposed budget are \$40,400.

On MOTION by Mr. Hostler seconded by Mr. Gallagher with all in favor the proposed budget for Fiscal Year 2015 was amended to add \$40,400.

On MOTION by Mr. Gallagher seconded by Mr. Hostler with all in favor Resolution 2014-3, approving the proposed budget as amended and setting the public hearing for August 18, 2014 at 8:30 a.m. at the office of Greenacre Properties, was adopted.

D. Report on Number of Registered Voters – 1,448

This item is for informational purposes only.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

The following was discussed:

- Mr. Harmer discussed the intersection of Avenal Drive and TPC Boulevard. A sign was purchased for \$80. The trees need to be trimmed and an estimate is being obtained for the sidewalk.
- Ms. Lencioni discussed the cleaning of the guardhouses and asked if the Board wants to wait for more quotes. There was consensus that \$175 per guardhouse is reasonable.

On MOTION by Mr. Harmer seconded by Mr. Hostler with all in favor pressure cleaning of the guardhouses at a cost of \$175 per guardhouse was approved.

TENTH ORDER OF BUSINESS

**Approval of Financials Dated
April 30, 2014 and Greenacre Properties'
Invoice**

There being no questions or comments,

On MOTION by Mr. Hostler seconded by Mr. Gallagher with all in favor the financials and Greenacre Properties invoice were approved.

NINTH ORDER OF BUSINESS

Audience Comments

The floor was opened to audience comments:

- Mr. Burley suggested the Board visit a website called Nextdoor for Cheval West residents so they can see how residents feel. He expressed his opposition to the removal of stop signs. He spoke with Commissioner Sharpe's office, the County Attorney and the County Engineer regarding this issue. The County Engineer indicated removal of stop signs should be addressed with caution. Prior to the stop signs the roads were like speedways. He questioned why the Board voted to remove the stop signs.
- Mr. Harmer provided research data gathered by the TIC.
- Mr. Burley implored the Board to listen to residents living on the street where the stop signs are being removed.
- Mr. Miller asked the Board if the top three traffic control strategies will be implemented during the three month assessment period after the signs are removed.
- Mr. Gallagher stated FHP presence will be increased in the area.
- Mr. Harmer stated Mr. Wills and the rovers will be observing and providing data on the intersections. The three month assessment period is a maximum and if it is found to be a dangerous situation early on, the signs will be put back up.
- Mr. Miller asked if the District pays for FHP patrol and how much costs will increase with their presence in the area in question. It was explained FHP will be directed to concentrate in that area and there will not be additional patrol.

- Mr. Miller asked if the roads are public or private. Mr. Gardner responded they are District owned roads. The District is a governmental entity. The roads are “semi-public”.
- Mr. Miller asked what the liability is for the neighborhood as well as the Board if someone is harmed after the signs are removed. Mr. Gardner responded the District has sovereign immunity and there is no liability for the Board unless there is a case of fraud, which this does not fall under.
- Mr. Miller asked if Mr. Gardner and the Board feel the assessments and data support the removal of stop signs to the point that if there is an incident, the party will not have a case against the Board or anyone in the neighborhood. Mr. Gardner does not have an opinion on it, but will consider it.
- Mr. Harmer stated a warrant study was conducted for Cheval West and stop signs were not included in the study. Ms. Stewart provided the Board with the opinion that installation of stop signs goes against the warrant study. A traffic study was recommended, which cost \$10,000.
- Mr. Hostler stated if residents see inappropriate driving activity, they are encouraged to note the license plate number and file an incident report with Community Services.
- Mr. Hershman lives across from the park and serves on the ARC. He showed a picture of his 19 month old son and stated he has another child on the way. If the stop signs are removed, he will resign from the ARC. He and his son were almost hit by vehicles on two occasions. He witnessed three cars in a row speed through the table speed bumps.
- Mr. Hershman stated many residents feel the Board does not care about their opinions because they hold meetings at a time when most people cannot attend. He also implored the Board to reconsider removal of the stop signs.
- Mr. Burley requested the Board consider a motion to not act on removal of the stop signs until the annual meeting where residents can address the Board.

Mr. Hostler MOVED not to remove the stop signs prior to the annual CWCA meeting so residents can be provided with information and given a chance to provide input and Ms. Lencioni seconded it.

- Mr. Gallagher stated there should be a separate meeting scheduled to address this issue only.

Mr. Hostler MOVED to amend the previous motion to delay developing a timeline for removal of the stop signs until a town hall workshop is held at a time to be determined and Mr. Gallagher seconded it; with voice vote and all in favor the amended motion passed.

- Mr. Zichi provided an update on Cheval East. The shredding event was held with equal participation from Cheval East and Cheval West. Another 5K event will be held in September of 2014. They are in contract negotiations with Cheval Living. There was discussion regarding the lack of differentiation between Cheval East and Cheval West in the newsletter.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Hostler seconded by Mr. Harmer with all in favor the meeting was adjourned at 10:48 a.m.



Mark Vega
Secretary



Lori J. Lencioni
Chairperson