#### MINUTES OF MEETING

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

# MEADOW POINTE IV COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Meadow Pointe IV Community Development District was held on Tuesday, April 10, 2012 at 11:33 a.m. at the Meadow Pointe IV Clubhouse, located at 3902 Meadow Pointe Blvd, Wesley Chapel, Florida 33543.

# Present and constituting a quorum:

Arlene Andrews

Sandra Bell **Board Supervisor, Chairman** Board Supervisor, Vice Chairman John Blakley Adam Bell Board Supervisor, Assistant Secretary (joined in progress via speakerphone) **Board Supervisor, Assistant Secretary** Joseph Andrews

# Also present were:

District Manager, Rizzetta & Company, Inc. Scott Brizendine Mark Straley

**Board Supervisor, Assistant Secretary** 

District Counsel, Straley & Robin

(via speakerphone)

District Engineer, WilsonMiller Stantec Tonja Stewart

(via speakerphone)

Construction Manager, DEVCO Mark Sifford

Clubhouse Manager Jeremy Crawford

Representative, Lerner Real Estate Advisors Leah Johnson

Bond Counsel, Squire, Sanders & Dempsey L.L.P. Dave Lapides

(via speakerphone)

Trustee Counsel, Greenberg Traurig Ken Neighbors Trustee Counsel, Greenberg Traurig Julie Aponte

(via speakerphone)

Trustee Counsel, Greenberg Traurig Warren Bloom

(via speakerphone)

Trustee Counsel, Greenberg Traurig Vanessa Lowry

(via speakerphone)

Representative, Complete Landcare Ed Evans Representative, Complete Landcare Jim Garrison

#### FIRST ORDER OF BUSINESS

## Call to Order

Mr. Brizendine called the meeting to order and performed the roll call.

## SECOND ORDER OF BUSINESS

# Consideration of Minutes of the Board of Supervisors' Meeting on March 13, 2012

On a Motion by Mr. Andrews, seconded by Mr. Blakley, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on March 13, 2012 as presented for Meadow Pointe IV Community Development District.

## THIRD ORDER OF BUSINESS

# **Consideration of Operation and Maintenance Expenditures for March**

Mr. Brizendine pointed out that the invoices from Cheaper Mulch have been paid and the playground is now ADA compliant and appears to be draining properly. A brief discussion ensued regarding the mulch.

On a Motion by Ms. Bell, seconded by Mr. Blakley, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for March totaling \$63,988.03 as presented for Meadow Pointe IV Community Development District.

## FOURTH ORDER OF BUSINESS

# **Consideration of Pay Applications**

Mr. Sifford presented requisitions #532 -#534. Mr. Brizendine asked if there were any questions regarding any of the requisitions. There were none.

Pay Application #	PAYEE	AMOUNT
#532	WilsonMiller, Inc.	\$270.00
#533	Straley & Robin	\$1,973.00
#534	DEVCO	\$2,703.41

On a Motion by Mr. Andrews, seconded by Mr. Blakley, with all in favor, the Board of Supervisors approved pay applications #532-#534 and authorized the Chairman to execute them for Meadow Pointe IV Community Development District.

#### FIFTH ORDER OF BUSINESS

# **Consideration of Items Related to Bond Restructuring**

Ms. Johnson spoke on behalf of Lerner regarding their role in the restructuring of the bonds and emphasized that they agree with Mr. Lapides regarding the need to protect the tax exempt status of the bonds throughout the process. She stated that a representative of Greenberg Traurig is in attendance at the meeting to address the questions that Mr. Lapides raised at the last meeting, should the Board want clarification.

Mr. Straley stated that he spoke with both Mr. Lapides and Warren Bloom, who serves as Trustee Counsel, and he understands that based on the relationship between the SPE, Trustee and Mr. Bloom that it makes some sense to have Mr. Bloom draft the necessary documents and render the tax opinion on this restructuring. However, it is also in the District's best interest to have Mr. Lapides be involved in the process based on his history with the whole Meadow Pointe development and he will be reviewing all of the documents on behalf of the District. Mr. Lapides confirmed that he and Mr. Bloom were in agreement on this matter.

The Board sought and received confirmation that Mr. Lapides would be involved in the preparation of the documents between now and the May 8<sup>th</sup> meeting and would be in attendance at that meeting to represent the District's best interest and ask the questions that the Board or residents may not know to ask. Ms. Johnson emphasized the time sensitive nature of the restructuring and the Board requested that all parties be prepared to address the concerns raised by Mr. Lapides at the previous meeting, so the Board will feel comfortable in approving the restructuring.

Mr. Lapides sought and received confirmation that the required notices to the landowners and advertisements have been completed.

#### SIXTH ORDER OF BUSINESS

# **Introduction of Complete Landcare**

Mr. Brizendine stated that at the last meeting the Board had authorized him to work with the Chairman in selecting a new landscaper based on the unresponsiveness of the prior firm and declining condition of the landscape material within the District. He stated that they had received a bid from Complete Landcare that was within the budget and the Chairman has executed the agreement with them. He introduced the two representatives of the new firm and Mr. Evans spoke briefly on the condition of the landscaping, reviewing the firms plans to bring the landscaping up to acceptable standards and his personal involvement in the process. Mr. Evans emphasized that there will undoubtedly be some plant loss based on the stressed condition of many of the plants. He also emphasized that his irrigation staff would be on site this week determining the extent of the irrigation issues and preparing any needed proposals to make repairs outside the normal maintenance included in the contract. A brief discussion ensued regarding not waiting until next month to approve the repairs and Mr. Brizendine stated that he would be approving any proposals under \$5,000 and would get with the Chairman to approve any that might come in above that threshold for her approval if necessary and bring them back to the Board for ratification at the next meeting. He stated that he would keep the Board informed of the costs as needed.

# (Mr. Bell joined the meeting in progress)

A brief discussion ensued regarding concerns with how things got to the point that they are at and what can be done to ensure that it doesn't happen again. The Board requested that better communication and follow-up occur with requests made by the clubhouse manager. Mr. Evans stated that based on soil conditions and rainfall amounts last year, he does not feel that the plants reached this condition over a long period of time, but it was a relatively quick process once the dry season started.

Both Staff and Mr. Evans emphasized that monthly inspections would be occurring, and the irrigation systems tested frequently to ensure that they are working properly once repaired.

## SEVENTH ORDER OF BUSINESS

# **Staff Reports**

# A. District Counsel

Mr. Straley informed the Board that the owner of parcels E & F is in default and has not paid either the debt service assessments or the O&M assessments for some time. He asked for authorization to send the landowner a demand letter as the first step in considering foreclosing on the property. Mr. Straley mentioned that there is a possibility that the landowner may be willing to deed the property over to the SPE, as it did with other property that it owned within the District, in lieu of going through the foreclosure process.

On a Motion by Mr. Blakley, seconded by Ms. Andrews, with all in favor, the Board of authorized District Counsel to send a demand letter to the owner of Parcel E & F who is currently in default for Meadow Pointe IV Community Development District.

A brief discussion ensued regarding revisions to the Plat for AA North that reflects a change from Villas to single family homes that may need to be approved prior to the next meeting. Mr. Straley asked that the Board authorize the Chairman to sign off on the Plat if needed.

On a Motion by Mr. Blakley, seconded by Mr. Andrews, with all in favor, the Board of authorized the Chairman to execute the revised Plat for Parcel AA North for Meadow Pointe IV Community Development District.

### B. District Engineer

Ms. Stewart informed the Board that she is in the process of pulling together a parcel map for the Board and should have it ready shortly.

A brief discussion ensued regarding the playground and ADA compliance. Mr. Crawford confirmed that the new drainage system in the playground appears to be working properly.

# C. Construction Manager

Mr. Sifford stated that the slope and easement language has finally been agreed upon and will be voted on by the BOCC during its April 24<sup>th</sup> meeting.

Mr. Sifford stated that he is still in the process of gathering all of the documents that have been requested by the Surety relating to the S.R. 56 project. He stated that he is waiting on a few items from King Engineering, but will be forwarding everything on to the team once it has all been collected.

# D. Amenity Management

Mr. Crawford asked if there were any questions on the report included in the agenda packet and a brief discussion ensued regarding the request to purchase street tires for the Mule. He explained that in the past they have always bought all-terrain tires, but have discovered that they do not wear well when used on the street and they do a large percentage of their driving on the community streets.

Mr. Crawford stated that the extravaganza went very well and they will be working with Brighthouse again on the next event planned for May.

# E. District Manager

Mr. Brizendine provided a brief overview of the financial report, stating that the District has collected \$281,927 of the \$298,851 placed on the assessment roll and is continuing to run under budget.

## EIGHTH ORDER OF BUSINESS

# **Supervisor Requests**

Mr. Blakley asked that another page of the report be added similar to what he receives for another District as it provides a better picture of where the District stands by account. Mr. Brizendine stated that he would be glad to include that page going forward. It was removed a few months ago when several of the Districts indicated that it was hard to follow.

#### NINTH ORDER OF BUSINESS

#### **Audience Comments**

There were no members of the general audience in attendance.

# TENTH ORDER OF BUSINESS

## Adjournment

On a Motion by Ms. Bell, seconded by Mr. Bell, with all in favor, the Board of Supervisors adjourned the meeting at 12:25 p.m. for the Meadow Pointe IV Community Development District.

Assistant Secretary

Chairman/Vice Chairman