

**MINUTES OF MEETING
HERITAGE HARBOR
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Heritage Harbor Community Development District was held on Tuesday, December 18, 2012 at 6:00 p.m. at the Heritage Harbor Clubhouse, 19502 Heritage Harbor Parkway, Lutz, Florida.

Present and constituting a quorum were:

David Penzer	Chairman
Rich Gordon	Vice Chairman
Shelley Grandon	Assistant Secretary
Robert Rossi	Assistant Secretary

Also present were:

John Ricciardi	Manager
Tonja Stewart	Engineer
Greg Tamborello	Director of Operations
Jim Poertner	Golf Course Superintendent
John Panno	Pro Shop Manager
Residents	

The following is a summary of the discussions and actions taken at the December 18, 2012 Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Ricciardi called the meeting to order and roll was called.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the November 28, 2012 Meeting

- Each Board member received a copy of the minutes of the November 28, 2012 meeting and any additions, corrections or deletions were requested.

On MOTION by Mr. Gordon seconded by Ms. Grandon with all in favor the minutes of the November 28, 2012 meeting were approved.

NINTH ORDER OF BUSINESS

Audience Comments

- Mr. Henry Miller, who is a resident of Brightwater, requested permission to store some of his business equipment in the fenced-in maintenance area, which consists of two

concession trailers and a pick-up truck. He would like to lease the space long-term and feels it would be beneficial to the community by generating some income.

- Mr. Poertner explained there really is no space available and believes it will also create liability and insurance concerns. It was noted there are vandalism issues within the community and the fence enclosure is only 6 feet high.
- The Board apologized to Mr. Miller, but the consensus of the Board was to deny his request.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Golf Course

- Mr. Poertner noted the seed has come up. However, there currently is a fungus problem, which is also affecting other courses in the area.
- Fertilizer was put down on the golf course this week.
- Trees are being thinned out on the golf course to allow the sun to reach the grass.
- Mr. Ricciardi provided the Board with a Statement of Cash Flows for Enterprise Operating Accounts for Fiscal Year 2013, which was discussed.
- Ms. Grandon questioned the increase for the Pro Shop from \$5,919 in October to \$20,111 in November and Mr. Ricciardi will follow-up with Ms. Lusk.
- Mr. Ricciardi will provide this statement to the Board a week before the meetings and will include an explanation for any large increases in the Notes section.
- Mr. Panno reported the month of November was relatively dry and the course averaged over 130 players per day, totaling 3,913 rounds, which mirrored the numbers from last year at this time.
- All of the winter groups will be ready by the middle of January.
- Six tournaments are booked for the months of April and May, bringing in approximately \$15,000 to \$18,000 in revenue.
- Mr. Penzer commented there are problems with the stucco on some of the homes within the community and Lennar is making the repairs.

THIRD ORDER OF BUSINESS

Approval of Financial Statements

- In regard to the general fund, page two of the financial statements indicates \$43,373 was received from tax assessments and from a revenue standpoint, the District is under budget. Administrative and Field are both under budget as well.
- As for the enterprise fund, revenues were slightly under budget and expenditures were under by approximately \$13,000.
- The consolidated enterprise fund on page 16 indicates the total operating expenses were under budget to-date by \$26,173 and above in change of net assets by \$19,752.
- Mr. Tamborello commented that some planters were damaged by fireworks. The juveniles were not residents and their parents were called.

On MOTION by Ms. Grandon seconded by Mr. Gordon with all in favor the financial statements for the period ending November 30, 2012 were approved.

The record will reflect Ms. Stewart joined the meeting.

SIXTH ORDER OF BUSINESS

Engineer's Report

A. Reclaimed Water Connection Status

B. Well Pump Repair and Soccer Field Irrigation

- In regard to replacement of the Blue Water monument, Ms. Stewart noted the results of the survey indicated the wall is outside of the property boundaries and partially in the right-of-way. She provided the survey to the sign company so they can see where the trees are and verify where the monument will actually fit. She can now create the site plan and pull the permits.
- At the last meeting the Board questioned what the expenditures were actually for in a proposal submitted by Luke Brothers. After the meeting Mr. Tamborello sent an e-mail indicating the pump was not included in this proposal. The quote was only for installing the main line pump connection to the soccer field and the Heritage Harbor Parkway extension. He indicated there was an additional cost of \$6,958.24 to repair the well pump.
- It is now an approximately \$13,000 expenditure. The Board previously approved \$6,183 assuming it was the total cost of the project.

- It was the Board's understanding that the first expenditure was to connect the soccer field and also provide irrigation to Heritage Harbor Parkway, which was thought to be part of the reclaimed connection project approved some time ago.
- The Board asked Ms. Stewart to investigate and bring a report back to the Board as to what is needed. A well company was contacted and their quote was \$2,000 less than what Luke Brothers quoted.
- Mr. Penzer indicated he was under the impression that all of the common areas on Heritage Harbor Parkway were to be on reclaimed water. Mr. Ricciardi concurred and noted that our commitment to the County was to get as much common area on as we could and defer the golf course until we were pushed. It does not make any sense to him to connect the north extension of Heritage Harbor Parkway and the soccer field to a well, which contradicts what the District is trying to do with the County. It is the reason why Ms. Stewart is involved.
- Ms. Stewart read into the record the e-mail she sent to Mr. Ricciardi on December 7, 2012 discussing what her research determined in regard to the reclaimed water and irrigation issues. The e-mail will be made a part of the District's records.
- She explained there could be a temporary connection to the reclaimed water service installed where the golf course tap is and install a smaller temporary meter until the District can commit to a larger meter, which could be the point of service for the north end of Heritage Harbor Parkway and the soccer field.
- Mr. Ricciardi noted in order to install the larger meter the District would need to default on a bond payment.
- Ms. Stewart recommended contacting an irrigation expert to come in to explain the options available. She noted the District will not be able to install the small reclaimed water meter in the right-of-way and will need to determine where on CDD property it can be installed.
- Mr. Tamborello and Ms. Stewart will work on this issue together. She will obtain all the data and then submit an application to the County so at the next meeting the Board can take action. It will be placed on the January agenda.
- Mr. Poertner commented he does not believe the pump for the golf course needs to be fixed at this time and will let the Board know if he needs water.

- Ms. Stewart spoke with the County today regarding the repair of the reclaimed water line break at Cheval West. They indicated they are working on the issue and it will have a direct impact on the water pressure problems Heritage Harbor is experiencing.
- Severn Trent requested Ms. Stewart complete a certificate of completion for the 2008 refunding. She is in the process of obtaining the correct list of requisitions so she can state the project is complete.

FIFTH ORDER OF BUSINESS

Attorney's Report

- In regard to the Board's decision to close the construction account, Mr. Robin informed Mr. Ricciardi to make sure it is on the record that there is risk or exposure to a future claim by Lennar for the funds and that once the account is closed, any such claim will be the responsibility of the District to resolve from other funds.

The record will reflect Ms. Stewart and Mr. Poertner excused themselves from the meeting.

FOURTH ORDER OF BUSINESS

Staff Reports – Continued

B. Director of Operations

- In response to a question on whether Luke Brothers was providing better service, Mr. Tamborello responded they were doing a better job and replanted the flowers in front of the monuments as requested.
- Luke Brothers assured him they would complete the work at the gazebo tomorrow. They have 102 bales of pine needles and 60 yards of sod coming in.

The record will reflect Mr. Tamborello excused himself from the meeting.

SEVENTH ORDER OF BUSINESS

Manager's Report

- Mr. Ricciardi e-mailed the Board the restaurant gross revenue amount for the month of November, which was \$48,692 and of that \$9,386 was from the golf cart. Year-to-date was \$451,764, which is \$17,134 above last year at this time.
- In regard to the recommendation by the insurance company for the installation of a baffle plate in the restaurant's kitchen, he noted the loss control director is taking another look at it after they were provided with the fire marshal reports which never mentioned this being an issue.
- The bids for the sale of the tractor are due on December 21st at 4:00 p.m.

- Mr. Robin sent out a memorandum titled "Supervisor Participation and Voting at Board Meetings by Electronic Means" because there has been some controversy over it.
- Florida's Attorney General has opined that public officials may participate and vote by electronic means (without being physically present) only when extraordinary circumstances exist and a quorum of physically present Board members finds that extraordinary circumstances prevent the absent member from attending the meeting in person.
- Mr. Ricciardi will send a copy of the memorandum to the Board via e-mail and it will be made part of the District's records.
- CIS was advised of the parameters the Board determined at the last meeting, which means they can engage trespassers on the grounds of the Clubhouse and parking lot.
- The towing sign has finally been installed; however, it was put on a palm tree and not the post. They will be contacted and asked to install it on the post.

A. Consideration of Engagement Letter with Berger, Toombs, Elam, Gaines & Frank for Rebate Calculations on Recreational Revenue Bonds, Series 1997

- It was noted the fee for continuing the engagement with Berger, Toombs, Elam, Gaines & Frank is \$300 per calculation year.

On MOTION by Mr. Gordon seconded by Ms. Grandon with all in favor the engagement letter with Berger, Toombs, Elam, Gaines & Frank for rebate calculations on Recreational Revenue Bonds, Series 1997 was approved.

EIGHTH ORDER OF BUSINESS

Supervisor Requests

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Audience Comments

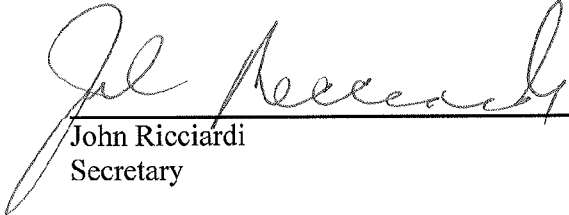
There not being any, the next item followed.

TENTH ORDER OF BUSINESS

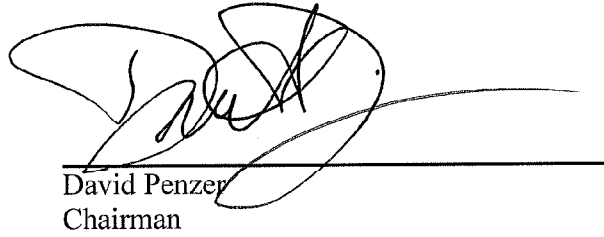
Adjournment

There being no further business,

On MOTION by Ms. Grandon seconded by Mr. Gordon with all in favor the meeting was adjourned.



John Ricciardi
Secretary



David Penzer
Chairman