

RE: WESTCHASE COMMUNITY DEVELOPMENT DISTRICT

TRANSCRIPT OF: BOARD MEETING

DATE: January 8, 2013

TIME: 4:00 p.m. - 6:55 p.m.

PLACE: Westchase Community

Association Office

10049 Parley Drive

Tampa, Florida

REPORTED BY: Kimberly Ann Roberts

Notary Public

State of Florida at Large

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APPEARANCES:

WESTCHASE COMMUNITY DEVELOPMENT DISTRICT BOARD MEMBERS:

Mark Ragusa, Chairman

Greg Chesney

Brian Ross

Brian Zeigler

Bob Argus

ALSO PRESENT:

WESTCHASE COUNSEL:

Erin McCormick, Esquire

SEVERN TRENT SERVICES:

Andy Mendenhall, District Manager

DISTRICT ENGINEER:

Tonja Stewart

WESTCHASE STAFF:

Doug Mays

Sonny Whyte

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1 The transcript of the board meeting of  
 2 Westchase Community Development District, on the 8th  
 3 day of January, 2013, at the Westchase Community  
 4 Association Office, 10049 Parley Drive, Tampa,  
 5 Florida, beginning at 4:00 p.m., reported by  
 6 Kimberly Ann Roberts, Notary Public in and for the  
 7 State of Florida at Large.  
 8 \* \* \* \* \*

9 CHAIRMAN RAGUSA: Good afternoon, ladies  
 10 and gentlemen. My name is Mark Ragusa. I'm  
 11 chair of the Westchase Community Development  
 12 District. I would like the welcome all of you  
 13 to the January 13 -- January 8, 2013 meeting  
 14 of the community development district.  
 15 I would like to start by asking  
 16 Mr. Zeigler to lead us in the pledge of  
 17 allegiance.  
 18 (The Pledge of Allegiance was recited.)  
 19 CHAIRMAN RAGUSA: Technically the record  
 20 should you have reflected at the outset of the  
 21 meeting that all four currently seated  
 22 Westchase supervisors are present, that  
 23 being Messrs. Zeigler, Chesney, Ross, and  
 24 Ragusa.  
 25 We have one issue that we're going to

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1 have resident input on today, and we may have  
 2 to juggle some folks' schedules. I know  
 3 Mr. Allen is here. I also know that another  
 4 resident can't make it here until 4:15. When  
 5 do you have to leave?  
 6 MR. ALLEN: I've got to pick her up at  
 7 4:30, so I just need to say my piece and --  
 8 CHAIRMAN RAGUSA: Okay. Let me just run  
 9 through some very quick procedural issues,  
 10 then we'll let you speak, if that's okay.  
 11 MR. ALLEN: Perfect. Awesome. Thank  
 12 you.  
 13 CHAIRMAN RAGUSA: Let's jump to Agenda  
 14 Item Number Three, which is your consent  
 15 agenda, which is approval of the December 6th,  
 16 2012 meeting minutes, along with the financial  
 17 statements which were effective November 30,  
 18 2012.  
 19 I did not receive any input on the  
 20 minutes. I understand Andy has not received  
 21 at this stage also.  
 22 MR. MENDENHALL: Yes, sir.  
 23 CHAIRMAN RAGUSA: Does anybody else have  
 24 any input or suggestions on the minutes?  
 25 (No response.)

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1 CHAIRMAN RAGUSA: Motion to approve the  
 2 consent agenda would be appropriate if anyone  
 3 is so inclined.  
 4 MR. CHESNEY: Motion to approve the  
 5 consent agenda.  
 6 CHAIRMAN RAGUSA: Is there a second?  
 7 MR. ZEIGLER: Second.  
 8 CHAIRMAN RAGUSA: Second by  
 9 Mr. Zeigler. All in favor, please signify by  
 10 saying aye.  
 11 (All board members signify in the  
 12 affirmative.)  
 13 CHAIRMAN RAGUSA: Any opposition?  
 14 (No response.)  
 15 CHAIRMAN RAGUSA: None noted. That  
 16 motion passes four to nothing.  
 17 CHAIRMAN RAGUSA: I don't believe that  
 18 the Consent Agenda Item Number Two can be done  
 19 in short order.  
 20 So, Mr. Allen, do you want to go ahead  
 21 and start?  
 22 MR. ALLEN: Okay.  
 23 CHAIRMAN RAGUSA: Go ahead and -- if you  
 24 would just -- everybody is here. Great. If  
 25 you wish to speak on the issue, go ahead and

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1 just identify who you are and your resident  
 2 address, and we'll listen to anything you want  
 3 to say and we'll review anything you want to  
 4 provide us.  
 5 MR. ALLEN: Okay.  
 6 CHAIRMAN RAGUSA: And certainly if you  
 7 wants to answer questions, that may be  
 8 necessary or appropriate.  
 9 MR. ALLEN: Steve, do you want to  
 10 start?  
 11 MR. FOREHAND: I want to thank the board  
 12 for their time today, but I feel that I've  
 13 issued multiple emails and letters stating my  
 14 position, so I'm not sure what else is left to  
 15 say.  
 16 I'm mainly showing up because I respect  
 17 process. I'm here because I'd like to hear  
 18 what you guys have to say and see if we can  
 19 come to a meeting of the minds, because, at  
 20 this point, you still have the option of  
 21 having the movies in the park program  
 22 elsewhere without enforcement. But once we go  
 23 down that road, you won't have that option  
 24 anymore.  
 25 That's kind of where I'm at. I would

1 like to hear what you guys have to say.  
 2 CHAIRMAN RAGUSA: My nature is  
 3 adversarial, so I try not to be in this  
 4 setting.  
 5 MR. FOREHAND: Okay.  
 6 MR. ALLEN: Let me --  
 7 CHAIRMAN RAGUSA: Yes.  
 8 MR. ALLEN: -- let me just say my piece  
 9 and then give additional background and  
 10 insight.  
 11 My name is Jim Allen. I live at 10201  
 12 Millport Drive, Baybridge Park. Steve is my  
 13 neighbor. For the last several years, you  
 14 guys have had the venue Movies in the Park in  
 15 Baybridge Park. And I just kind of reached  
 16 the point where my opinion is there needs to  
 17 be a significant change.  
 18 And when it first started, I was like,  
 19 okay, everybody enjoys it, whatever, but it  
 20 has limited the quiet enjoyment of my house.  
 21 I can't sit on my porch patio with my wife,  
 22 have a glass of wine.  
 23 The blaring, the loudness of this movie  
 24 venue is deafening. It shakes the windows in  
 25 the house, it shakes the pictures on the

1 wall. My daughter is a swimmer. She gets up  
 2 at 5:30. She loses sleep because it's so  
 3 loud.  
 4 If this venue is next to anybody's house  
 5 who lives in this room, they would call for  
 6 enforcement of the noise ordinance. It's  
 7 totally, totally unreasonable.  
 8 I've gone out to the park several times,  
 9 and I visited with you --  
 10 MR. ARGUS: Yes.  
 11 MR. ALLEN: -- about the volume, the  
 12 loud, the bass. And so at this point, I don't  
 13 think there is any other option or choice but  
 14 to enforce what I perceive are the violations  
 15 of several issues.  
 16 First of all, I believe there is a  
 17 county noise ordinance, and the volume of this  
 18 event significantly is against the county's  
 19 noise ordinance. My understanding is that the  
 20 park hours of operations is dusk to dawn.  
 21 This is after dark.  
 22 A resident couldn't have any event in  
 23 the park at this time, but the CDD chooses to  
 24 operate the movie at a time when the park is  
 25 closed. But the other issue that breaks the

1 precedent in my mind was, Mark, I came to you  
 2 several years ago when the park first opened,  
 3 and you were gracious to work with the  
 4 location, and you said the electric in the  
 5 park and there would be a -- a -- no amplified  
 6 music.  
 7 Well, when the park first started having  
 8 parties, birthday parties and parties, during  
 9 the day, the music was just as bad as the  
 10 movie, if not worse. And the CDD stepped up  
 11 and stopped amplified music for parties during  
 12 the day. Is that correct? Yes.  
 13 (Ms. Stewart enters the room.)  
 14 MR. ALLEN: Okay. So my observation is  
 15 the CDD elected to violate its own ordinance  
 16 in sound and amplified music in having the  
 17 event.  
 18 I'm not against the event itself. If  
 19 people in Westchase want to have the event,  
 20 I'm against the location. And what I would  
 21 submit to the board is that there's other  
 22 locations within Westchase that allow everyone  
 23 to enjoy the movie.  
 24 The commercial district over at West  
 25 Park I believe is an allowable use in

1 location. Westchase Elementary, Davidson  
 2 Elementary, all these venues have bathrooms  
 3 and parking that allow the enjoyment of the  
 4 movie.  
 5 But to have it at Baybridge Park once a  
 6 year, twice a year, three times a year, guys,  
 7 it's unreasonable. You can't enjoy your  
 8 house. And, like I say, I would challenge  
 9 anybody to come over and sit in my lanai or  
 10 sit in my house and have the walls shake and  
 11 say that I'm wrong.  
 12 I put up with it for a couple of years.  
 13 I reached a breaking point. It's  
 14 unreasonable, flat unreasonable. And so I  
 15 would ask the board to change locations of the  
 16 venue and abide by its own bylaws for  
 17 amplified music, the hours of the application  
 18 of the park, and the county's ordinance on  
 19 noise.  
 20 There are other options for this venue.  
 21 I would hope that you guys take them. That's  
 22 my piece. I'm open to questions.  
 23 CHAIRMAN RAGUSA: Thank you. Let me ask  
 24 you, when does the movie end in terms of  
 25 amplified sound in the video itself?

1 MR. ALLEN: Probably 11:00 sometimes.  
 2 MR. FOREHAND: Yeah, it's been --  
 3 Herbie, the Love Bug, ran until almost 11:00  
 4 absolutely -- because not only does the movie  
 5 run, but then you have this exit music, which  
 6 is horrible.  
 7 CHAIRMAN RAGUSA: Tell me about the exit  
 8 music.  
 9 MR. FOREHAND: They play music and  
 10 there's screaming into the microphone --  
 11 interviewing children in microphones after the  
 12 movie. So, I mean --  
 13 MR. ALLEN: Mark, it goes on until after  
 14 11:00.  
 15 MR. FOREHAND: And I put that in emails,  
 16 too. From start to finish, you know, it's a  
 17 two, to two and a half hour process. Two  
 18 hours on a short movie, two and half on a  
 19 regular. Some of these longer movies even  
 20 longer than that.  
 21 MR. ALLEN: But being there from 8:00  
 22 until 10:00 and having this noise --  
 23 CHAIRMAN RAGUSA: The reason I ask that  
 24 is because that is later than what I have been  
 25 led to believe.

1 MR. ALLEN: You haven't been to the  
 2 venue.  
 3 MR. FOREHAND: The sun doesn't even set  
 4 until 8:00 in the summertime.  
 5 MR. CHESNEY: Well, it's just the summer  
 6 ones he's talking about, not the current --  
 7 CHAIRMAN RAGUSA: Correct.  
 8 MR. FOREHAND: it doesn't matter when  
 9 you violate the law. Whether it's early or  
 10 late, you're still violating the law.  
 11 MR. CHESNEY: Well, that's really not an  
 12 issue we -- I don't know that we've ever  
 13 determined that there's any law been  
 14 violated. Did the EPC come back and indicate  
 15 there's a law that's been violated?  
 16 MR. FOREHAND: I have their commitment  
 17 to come out to each and every movie, if I need  
 18 them to.  
 19 MR. CHESNEY: Okay.  
 20 MR. FOREHAND: So they may have not  
 21 violate it this month or the next month, but  
 22 eventually you're going to hit that magic 60  
 23 decibels, which is the conversation we're  
 24 having right now.  
 25 Do you think you can fill that park with

1 enough noise for everyone to hear --  
 2 MR. CHESNEY: You had indicated that we  
 3 are violating the law. I was unaware of  
 4 that. Then we have obviously --  
 5 MR. FOREHAND: In my opinion, we are.  
 6 And I've got the --  
 7 MR. CHESNEY: So it's just your  
 8 opinion. I just want to make sure. That's --  
 9 okay.  
 10 MR. ALLEN: We made a complaint -- Steve  
 11 made a complaint to an officer. The officer  
 12 failed to file the complaint or -- I don't  
 13 know what happened to --  
 14 MR. FOREHAND: Don't go down that road.  
 15 That's going to be an internal thing.  
 16 MR. ALLEN: Okay. But we have  
 17 validation from the police officers who come  
 18 to the house, and they agree that the noise is  
 19 an unreasonable level.  
 20 He stood in Steve's backyard, he stood  
 21 in Steve's house, and the walls were shaking.  
 22 CHAIRMAN RAGUSA: I'll get to you in a  
 23 second, Doug.  
 24 Understand the information that we've  
 25 been provided with from good sources is that

1 the sheriff's office does not believe that the  
 2 movie violate the Hillsborough County  
 3 ordinance.  
 4 We also understood that they have moved  
 5 it into the EPC process, and what the EPC has  
 6 said and what we've been told is that it does  
 7 not violate it. So I understand your  
 8 subjective standard may feel that it's been  
 9 violated, but what we're hearing from the  
 10 government at this stage is that the EPC does  
 11 not feel it's violative. And I also  
 12 understood the EPC was coming out for the next  
 13 one to test.  
 14 MR. ALLEN: And I think that's a valid  
 15 point, is that if you can tell me what decibel  
 16 level of sound that does not qualify as a  
 17 noise ordinance violation is, whatever that  
 18 level is, I would submit to you that in the  
 19 past it would have been grossly violated.  
 20 Mark, it's impossible at 500 yards, the  
 21 difference between the location of the movie  
 22 and my house, to shake the pictures on the  
 23 wall and shake the windows, that that  
 24 subjectively -- subjectively, to me, is a  
 25 violation of noise.

1 Now, I don't understand the decibel  
2 level that the county says is acceptable, but  
3 I would submit to you if that amount of noise  
4 was adjacent to your house, you would call and  
5 complain.

6 I've gone out, and I got a third party  
7 -- I got a third party here who can validate  
8 my comment.

9 CHAIRMAN RAGUSA: Well, let me just --  
10 and I speak for the rest of the other  
11 supervisors -- I recognize the difference  
12 between something adjacent to your home that  
13 impact your homes and it interrupts or  
14 interferes with the quiet enjoyment of your  
15 home. I see that, and I think everybody in  
16 this room does.

17 What the lawyer in me says, and you're  
18 alleging EPC violation, which is a completely  
19 different threshold and a completely different  
20 line of analysis, and so what I'm saying is, I  
21 have not heard anybody from the government  
22 tell me that I've got an EPC violation.

23 I do want to know if there is an EPC  
24 violation, but I'm a little skeptical knowing  
25 what it took at the Ask Gary Amphitheater to

1 get an EPC violation. And I'm also fairly  
2 familiar with the new one, the new reg.

3 MR. ALLEN: I would invite every board  
4 member here to stand in my living room at the  
5 next event at 10:00 at night and absolutely  
6 hear how loud it is. It's unreasonable.

7 You can me fight me from an attorney's  
8 standpoint on absolute decibel level. Okay?  
9 My understanding is that the park is closed.  
10 You guys have chosen to ignore that. Your own  
11 rule says no amplified music in the park.  
12 You've chosen to ignore that. Okay?

13 So I would like to have quiet enjoyment  
14 of my property. And my submission to you is  
15 not that the venue should cease, but is that  
16 there are other locations in Westchase that  
17 are commercially acceptable that have  
18 bathrooms and parking that are viable  
19 alternatives to have this event that work for  
20 everybody and that don't violate what I  
21 believe is a precedent in the park.

22 CHAIRMAN RAGUSA: Mr. Chesney.

23 MR. CHESNEY: Okay. Which goes into  
24 what my question was going to be, is -- I know  
25 the WCA. This is the venue that they

1 requested, and I saw him over there.

2 Is there a reason why we don't do it in  
3 West Park Village on the green there? There  
4 are bathrooms and it is a little bit farther  
5 away in parts.

6 MS. WHYTE: You're looking at me.

7 MR. CHESNEY: Well, I'm looking at  
8 someone that has an answer why they requested  
9 this location versus --

10 MS. WHYTE: I have no idea.

11 MR. CHESNEY: -- any other locations  
12 that we have, or, you know, I would imagine  
13 Glenclyff because there's not as much  
14 electricity.

15 CHAIRMAN RAGUSA: Did you hear the  
16 question?

17 MR. ARRILLAGA: Yes. I didn't want  
18 to --

19 MR. CHESNEY: Yes. I'm just curious why  
20 we selected Baybridge versus West Park Village  
21 greens or even Glenclyff.

22 MR. FOREHAND: Or under the power lines.  
23 That's zoned.

24 MR. ARRILLAGA: The power lines are Real  
25 Property. That's rental property that that's

1 on.

2 MS. WHYTE: That's not ours.

3 MR. ARRILLAGA: And I don't know how  
4 available it would be for us on a --

5 MR. CHESNEY: It's not a nice property  
6 -- piece of property. So I am curious. When  
7 we used to have --

8 MR. ARRILLAGA: We don't have bathrooms  
9 on our property. We would have to bring  
10 people into business bathrooms and --

11 MR. CHESNEY: Well, West Park Village,  
12 the Greens, and Glenclyff have bathrooms.  
13 That's why I was just curious as to why -- if  
14 there was any thought process on there.

15 Obviously Baybridge is very conveniently  
16 located to a large population. I mean, so is  
17 West Park Village.

18 MR. ARRILLAGA: I spoke with the  
19 residents of Baybridge -- not Baybridge, but  
20 Glenclyff, and I told them that we might move  
21 a couple of movies a year to their park. And  
22 I know that you guys are aware of the traffic  
23 and the noise.

24 MR. CHESNEY: Yeah. Glenclyff doesn't  
25 have as much parking.

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1 MR. ARRILLAGA: And they were receptive  
2 -- somewhat receptive to the movies over  
3 there.  
4 But it would be -- I guess our intention  
5 would be to have them in both places, not just  
6 over there and just here.  
7 MR. CHESNEY: Okay. You know, I'm just  
8 trying to understand because I mean -- I mean,  
9 I didn't know if it was just because of the  
10 location of Baybridge because it is very  
11 centrally located, but West Park Village is  
12 not that far. I just didn't know --  
13 MR. ALLEN: It's 100 yards. It's pretty  
14 close.  
15 MS. PITHERS: Hi, Dyan Pithers. I'm  
16 vice president of the WCA. I'm here on  
17 another matter. I can shed a little bit of  
18 light as well. I mean, part of the reason is  
19 because it is centrally located. The property  
20 managers are very involved in making it a  
21 success by making popcorn and bringing things  
22 down here, and it makes it, you know, very  
23 convenient.  
24 (Ms. McCormick enters the room.)  
25 MS. PITHERS: You know, we're certainly

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1 sensitive to what is being heard here. It is  
2 on the agenda for the January meeting to have  
3 a consideration of different areas. Joaquin,  
4 like he said, has approached Glenclyff about  
5 it.  
6 So there really -- you know, it makes it  
7 difficult to choose a location, because the  
8 only other central location would be the  
9 greens by the apartments, which has the band  
10 shell, which seems ideal, except there's no  
11 bathrooms there, and then --  
12 MR. CHESNEY: There are bathrooms by the  
13 band shell.  
14 MS. PITHERS: There are?  
15 CHAIRMAN RAGUSA: Yes.  
16 MR. CHESNEY: Yeah.  
17 MS. PITHERS: Oh, my --  
18 MR. CHESNEY: And that's kind of where  
19 I'm going is, I mean, we do have bathrooms  
20 there. A lot of people don't realize there  
21 are bathrooms there, but we can open those  
22 bathrooms at night.  
23 MR. ALLEN: Was Westchase Elementary a  
24 viable alternative?  
25 MR. CHESNEY: We don't -- those aren't

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1 our properties, and there's usually a fee for  
2 those.  
3 MS. PITHERS: And you can't use schools  
4 after hours generally.  
5 MR. CHESNEY: Yes. So I'm trying to  
6 still have the movie and --  
7 MS. PITHERS: Understand our thought  
8 process.  
9 MR. CHESNEY: -- and understand the  
10 issues here. And that's why it's not good to  
11 be adversarial in this thing when trying to  
12 figure it out, so --  
13 MS. PITHERS: The WCA has the same view  
14 points.  
15 MR. CHESNEY: So you guys are going to  
16 bring it up at the next meeting?  
17 MR. ALLEN: Well, help me understand a  
18 couple of issues. The park is closed because  
19 operation is dusk to dawn. The CDD says there  
20 is no amplified music in the park. Okay. So  
21 the movie --  
22 MR. CHESNEY: I mean, I don't --  
23 MR. ALLEN: -- doesn't conform to the  
24 existing precedent.  
25 MR. CHESNEY: -- want to dwell on that

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1 because we can leave the parks open at night.  
2 Technically we had the parks open at light for  
3 a while. That's why we installed lights in  
4 Baybridge in the walkway.  
5 MR. ALLEN: I understand. And all I'm  
6 saying is, if the rules are the rules, either  
7 change the rules or abide by the rules.  
8 MR. CHESNEY: And, again, I'm going to  
9 try to stay focused on actually trying to  
10 solve the problem here.  
11 CHAIRMAN RAGUSA: Mr. Ross.  
12 MR. ROSS: I'm sorry. What was your  
13 name again?  
14 MR. ALLEN: It's Jim Allen.  
15 MR. ROSS: Hey, Jim. To give you a  
16 different perspective, this first came to us  
17 with the assurance this was not going to  
18 bother any neighbors. So it wasn't that we  
19 looked at it in terms of waiving some rule or  
20 law or ordinance.  
21 It literally came to us as, "This is  
22 good for the neighborhood. It won't bother  
23 anybody."  
24 MR. ALLEN: I appreciate that. And I'm  
25 just curious. Mark, have you been to the

1 events?  
 2 CHAIRMAN RAGUSA: I have not.  
 3 MR. ALLEN: I'm sorry. I don't know  
 4 your name.  
 5 MR. CHESNEY: Greg Chesney. Yes, I  
 6 have. I went to one of the events briefly.  
 7 MR. ALLEN: Out at Baybridge?  
 8 MR. CHESNEY: At Baybridge, yes.  
 9 MR. ROSS: I've been to one of them,  
 10 yes.  
 11 MR. ZEIGLER: I've been to several.  
 12 MR. ALLEN: Okay.  
 13 MR. ROSS: So back to my point, that's  
 14 how it was originally presented to us. I guess  
 15 you had it now for two years or however long  
 16 it's been. Nobody has ever complained about  
 17 the noise to my knowledge until some emails  
 18 began to circulate from your neighbor, Steve.  
 19 I don't believe anybody has showed up at  
 20 our meeting and said, "This is an unreasonable  
 21 situation." So in certain respects, we're  
 22 sort of hearing the situation for the first  
 23 time --  
 24 MR. ALLEN: The first time.  
 25 MR. ROSS: -- today. And what makes it

1 -- and why I wanted to speak up is, I think  
 2 you perceive it as we're adversarial, that  
 3 we're against you. That's not the case at  
 4 all.  
 5 From my view point, I'm receiving  
 6 information that essentially is first time.  
 7 MR. ALLEN: First time. Okay.  
 8 MR. ROSS: I'm digesting it. And I'm  
 9 not disagreeing with your points or  
 10 observations. We're just sort of talking it  
 11 through, if you will.  
 12 MR. ALLEN: And I would submit to you --  
 13 and, there again, it's lack of communication,  
 14 because I have complained twice to -- I called  
 15 the substation up in Citrus Park for noise.  
 16 I've had an officer to my house once. This  
 17 was 18 months ago.  
 18 It's been a while. So this has been  
 19 ongoing, and it's festered for me. And I just  
 20 kind of reached a point where I need to  
 21 express my voice to you guys that this is a  
 22 problem, and I would hope to find a  
 23 resolution.  
 24 MR. ROSS: And I think --  
 25 MR. ALLEN: And with all respect to

1 Steve, I agree with Steve's position. And I  
 2 haven't been copied on his emails and I don't  
 3 know what has transpired 100 percent. I'm  
 4 speaking for me. I would like to see some  
 5 kind of change with this.  
 6 And I would -- I'll invite you next time  
 7 to my house, and I'll give you all a beer and  
 8 you can --  
 9 MR. ROSS: Two.  
 10 MR. ALLEN: -- okay -- two beers and  
 11 have your teeth rattled.  
 12 MR. ROSS: Well, let me go back to one  
 13 more thing. Again, I personally already know  
 14 what my position is and what my conclusion is,  
 15 and so I don't want you to think we're  
 16 necessarily adversarial.  
 17 But one of the point I would make is, we  
 18 don't operate the movies in the park. The CDD  
 19 doesn't. A third party came to us. It  
 20 happens to be the homeowners association.  
 21 They're the ones that came to us.  
 22 And so to your point that there may  
 23 be some communication breakdowns, there's EPC  
 24 out there, there's Hillsborough County  
 25 sheriff's officers out there, there's the HOA,

1 there's the CDD, we've got individual.  
 2 And so I understand the frustration, and  
 3 I'm just --  
 4 MR. ALLEN: I want to get it on the  
 5 table --  
 6 MR. ROSS: -- I've given you some more  
 7 information to --  
 8 MR. ALLEN: -- the point is to get it on  
 9 the table and get the information out so that  
 10 we can find a resolution.  
 11 CHAIRMAN RAGUSA: Okay. Mr. Argus, and  
 12 then we'll go to Ms. Edgerley.  
 13 MR. ARGUS: Okay. Thank you. We met --  
 14 you came up to me -- what? -- about four  
 15 months ago and mentioned the problem, and I  
 16 communicated it on to staff.  
 17 Have you noticed any change in the  
 18 volume in the last month or two?  
 19 MR. ALLEN: From inception of two years  
 20 ago to the last event, I would say that the  
 21 decibel level has gone down.  
 22 MR. ARGUS: In the last four months, has  
 23 it gone down?  
 24 MR. ALLEN: Yes.  
 25 MR. FOREHAND: But in the note that I

1 wrote to -- are you Mr. Arrillaga?  
 2 MR. ARRILLAGA: Yes, sir.  
 3 MR. FOREHAND: I wrote to you and said  
 4 that I could hear it from the front entrance  
 5 of my subdivision. That's it went from. It  
 6 went from --  
 7 MR. ALLEN: Guys, you don't understand  
 8 how loud it is.  
 9 MR. FOREHAND: -- a quarter of a mile  
 10 away from my house to being able to just hear  
 11 it in my house. I mean, it's relative. It  
 12 went from being ridiculously loud, concert  
 13 level, to just loud in my house.  
 14 And to answer your question -- is it  
 15 Mr. Ross? --  
 16 MR. ROSS: Uh-huh.  
 17 MR. FOREHAND: -- the reason I didn't  
 18 bring it up sooner is there was no noise  
 19 ordinance in place in Hillsborough County  
 20 until it was passed, which I wrote that in  
 21 multiple emails to different people.  
 22 So I didn't actually have anything I  
 23 could have called on, enforcement, because  
 24 there was no noise ordinance in place in  
 25 Hillsborough County.

1 As soon as that got in place, it seems  
 2 like it started enforcing that at street  
 3 level, that's when I reached out and tried to  
 4 get you guys to do something.  
 5 MR. ROSS: Well, I understand what  
 6 you're saying. A lot of us are familiar with  
 7 the noise ordinance, and so my understanding  
 8 may be different than yourself.  
 9 The other thing, remember, we're four  
 10 individuals, and we're each going to take our  
 11 own perspective differently. I personally  
 12 think that the noise ordinance has nothing to  
 13 do with it.  
 14 I feel like we should hold ourselves to  
 15 a higher standard myself, and I can talk more  
 16 about that if we ever got to a motion of such,  
 17 but I hear what you're saying, and I'll  
 18 respect your voice points.  
 19 MR. FOREHAND: And one of the reason I  
 20 put a lot of stuff in writing, I love it in  
 21 writing, the same reason that we're having it  
 22 recorded right now, it documents.  
 23 And so aside from the noise itself, you  
 24 know, we touched on the fact that you guys  
 25 agreed that in the community restrictions

1 guarantees our right to quiet enjoyment. And  
 2 if you read it close, it says, "Anything that  
 3 will cause a noise or other condition that  
 4 will or even might disturb the peace, safety,  
 5 comfort, quiet, serenity of occupants and  
 6 surrounding property," so even if it might  
 7 disturb my peace and tranquility in my home,  
 8 you guys are breaking your own ordinance.  
 9 It goes on to say that "No noxious,  
 10 illegal, offensive activity shall be carried  
 11 on any portion of the property, nor shall  
 12 anything be done there tending to cause  
 13 embarrassment, discomfort, annoyance or a  
 14 nuisance to any other person on the  
 15 properties."  
 16 So the noise ordinance aside, that on  
 17 itself seems like it would be a slam dunk,  
 18 that you guys are going, "Look, we're really  
 19 ticking off the residents in our own  
 20 subdivision. Let's do something about it."  
 21 MR. ROSS: Again, you're confusing --  
 22 the documents you're reading from has nothing  
 23 to do with this organization. It has to do  
 24 with the homeowners association, but not us.  
 25 And then with respect to us, or really

1 more respect to the HOA, there are certain  
 2 exceptions to that, and there's case law on  
 3 it. And so I -- Mark's a lawyer, I'm a  
 4 lawyer, and maybe you're an attorney as well  
 5 -- I don't know.  
 6 MR. FOREHAND: Not at all.  
 7 MR. ROSS: But there are some black-and-  
 8 white documents that govern how the HOA  
 9 proceeds, there are some documents that govern  
 10 how we proceed, but there's exceptions.  
 11 So, for example, do the HOA documents  
 12 apply to the commercial properties? I think  
 13 some people would say, no, they don't apply to  
 14 the commercial properties.  
 15 So it even gets more nebulous and vague,  
 16 and lawyers arguing this and lawyers arguing  
 17 that. So I appreciate what you're saying, but  
 18 it actually would be directed to the HOA  
 19 representatives in the room and not to us.  
 20 MR. ALLEN: Okay. From my perspective  
 21 following your points, my understanding is  
 22 that this is a venue to get the ball rolling  
 23 to get this issue addressed.  
 24 CHAIRMAN RAGUSA: It is.  
 25 MR. ALLEN: And so to your point to how

1 -- if you can -- provide direction as to the  
 2 process, or if there is another committee that  
 3 has to hear this, then I need help in  
 4 understanding that process.  
 5 MR. ROSS: Well, since I've been  
 6 talking, I can just tell you real quick that  
 7 I'm personally of the view that your first  
 8 person to begin with would be the HOA.  
 9 And I am personally of the belief that  
 10 the HOA has made a misstep, that they made the  
 11 assurances to us that nobody would be  
 12 disturbed. Obviously people are being  
 13 disturbed.  
 14 And what they've unintentionally done is  
 15 they have now potentially exposed our CCR to  
 16 be initiated by them proceeding with this. So  
 17 my note to you would be, you need to be  
 18 talking with the HOA.  
 19 I personally think that the HOA should  
 20 not be engaging in this activity. It could be  
 21 somebody like the Westchase Charitable  
 22 Foundation, the Rotary, you've got the  
 23 Westchase Dads, the PTA, whatever, and now all  
 24 of a sudden, then we have taken it out of the  
 25 whole HOA CCR analysis --

1 MR. ALLEN: Are you equating yourself to  
 2 a third party who's having the venue --  
 3 MR. ROSS: Pardon?  
 4 MR. FOREHAND: It's a frustration level  
 5 that we're having because there are so many  
 6 different organizations, and everyone is  
 7 pointing their finger back and forth.  
 8 I talked to the first organization, that  
 9 didn't move it. I was told by the police  
 10 department that you guys are the people to  
 11 talk to, because at the end of the day, you  
 12 guys pull the purse strings and make all the  
 13 major decisions that these other people  
 14 supersede to your decisions.  
 15 Am I completely wrong on this? It is so  
 16 frustrating on a homeowner's level that we  
 17 don't know who to talk to.  
 18 MR. ROSS: Yes, and just -- remember, I  
 19 exchanged a couple of emails with you, and you  
 20 refused to answer my questions. And so --  
 21 MR. FOREHAND: No. What I said is, I've  
 22 answered them. Please talk to the people.  
 23 What I didn't want to do is duplicate ten  
 24 emails.  
 25 MR. ROSS: I tried to be helpful to you,

1 and you declined to communicate with me.  
 2 That's your right. You don't have to  
 3 communicate with me, but to the extent you  
 4 have frustration about it, okay, I believe you  
 5 that you're frustrated, I believe it that you  
 6 don't necessarily understand the lay of the  
 7 land.  
 8 I can only assure you that from my  
 9 viewpoint, one of four CDD supervisors, is, I  
 10 think we need to be good neighbors with each  
 11 other. I don't believe our HOA should be  
 12 engaging in any conduct that's accused to be  
 13 violative of our CCRs. I believe that  
 14 community functions are a good thing for our  
 15 community. And we're all smart people and  
 16 ought to be able to figure it out.  
 17 And I thank you and appreciate you guys  
 18 coming down and talking with us and sharing  
 19 with us your view point, and I guess we'll  
 20 just need to continue on with the  
 21 conversation.  
 22 CHAIRMAN RAGUSA: Mr. Chesney.  
 23 MR. ROSS: Sorry I'm taking so long.  
 24 MR. CHESNEY: No. No. First of all --  
 25 that summed it up in the beginning --

1 MR. ALLEN: That's --  
 2 MR. CHESNEY: -- I just have some  
 3 procedural or understanding question. I'm  
 4 trying to get some understanding.  
 5 When was the last approved event that we  
 6 have approved? Last month?  
 7 CHAIRMAN RAGUSA: (Moves head up and  
 8 down.)  
 9 MR. CHESNEY: So we have not approved  
 10 any for this year. Is that correct?  
 11 MR. ROSS: (Moves head up and down.)  
 12 MR. CHESNEY: I'm assuming we have a  
 13 request for this year. Do we? I'm assuming  
 14 that's usually coming, a request.  
 15 MR. ARRILLAGA: (Moves head up and  
 16 down.)  
 17 MR. CHESNEY: So what is your request?  
 18 MR. ARRILLAGA: Well, our request is to  
 19 hold six movies in the park during the year,  
 20 January, February, March, and I think it's  
 21 October, November.  
 22 One of the measures we took was to move  
 23 the speakers around and also not hold anything  
 24 that goes past -- I believe it's 9:00 or so.  
 25 So we're -- we're scheduling the movies in a

1 month that it gets dark earlier, so the movies  
 2 don't extend to, you know, certain times.  
 3 We had the county that came here and  
 4 gave us some orientation on noise and how to  
 5 -- a little bit of ideas, but also they're  
 6 talking about doing their study themselves to  
 7 see what the noise is.  
 8 We're trying to accommodate everything.  
 9 The fact is that it's a great activity.  
 10 Hundreds of people in Westchase take advantage  
 11 of this. We're finally giving back to the  
 12 community, and what we're trying to do is to  
 13 accommodate this activity so they don't have  
 14 to stop.  
 15 MR. CHESNEY: Okay.  
 16 CHAIRMAN RAGUSA: Do you have another  
 17 question?  
 18 MR. ALLEN: So selection of the venue.  
 19 MR. CHESNEY: Yeah, so I did -- you  
 20 mentioned something -- or at least they had  
 21 mentioned something about you are going to re-  
 22 look at the venue.  
 23 So what is your request? Is your  
 24 request for any CDD venue, or is it specific  
 25 just to Baybridge now or --

1 MR. ARRILLAGA: It would be for four  
 2 movies here, and one -- and two at the  
 3 Glenclyff Park.  
 4 MR. CHESNEY: Okay.  
 5 MR. FOREHAND: I --  
 6 MR. CHESNEY: Just let me finish. I  
 7 mean -- okay. Then you guys don't like the  
 8 West Park Village on the green thing? I'm  
 9 just curious.  
 10 MR. ARRILLAGA: We're trying to  
 11 accommodate the residents that are hundreds of  
 12 feet away, and we're going to put them on the  
 13 median, that we have residents 50 feet of  
 14 speakers, and I don't think that we're doing  
 15 anything better than what we have here.  
 16 MR. CHESNEY: Yeah, I just --  
 17 historically we've just had -- we used to at  
 18 one time just have --  
 19 MR. ALLEN: You just validated my point.  
 20 Absolutely.  
 21 MR. CHESNEY: Let me finish.  
 22 CHAIRMAN RAGUSA: I'm sorry. I will  
 23 give you a chance to say whatever you want,  
 24 just don't interrupt a speaker.  
 25 MR. CHESNEY: Okay.

1 MR. ARRILLAGA: What I'm saying is --  
 2 MR. CHESNEY: No. No. No. Let me --  
 3 okay. Just answer my question. Okay. So I'm  
 4 just curious, because we historically, you  
 5 know, when I -- you know, I've been here a  
 6 long, long time.  
 7 So, historically, we used to have all  
 8 kinds of events there. Some, I remember  
 9 getting lots of letters about, like our fair  
 10 that we had with the ferris wheels and all of  
 11 that, but, you know, we continued to have  
 12 them.  
 13 And I never really get a lot of negative  
 14 feedback when we have events there, just my  
 15 personal sitting on this board for a long,  
 16 long time. So I'm, you know, just throwing  
 17 that out there for thoughts, but --  
 18 CHAIRMAN RAGUSA: Ms. Edgerley.  
 19 MS. EDGERLEY: Hi, my name is Susan  
 20 Edgerley, and I'm a resident of the Fords.  
 21 And I'm listening to all this, and I totally  
 22 understand where you're coming from because I  
 23 do remember somebody having a party just down  
 24 the street and going over and saying, "The  
 25 music is loud. My daughter's going to wake

1 up."  
 2 So I totally understand what you're  
 3 saying. I also appreciate that you all are  
 4 trying to turn the volume down. My solution  
 5 to this is, we have three venues. We have the  
 6 Baybridge Park, we've got the greens, we've  
 7 got Glenclyff. There are six movies. Two,  
 8 two and two. rotate them around, so that way  
 9 it gives them a break, people in Glenclyff a  
 10 break, people in West Park Greens a break.  
 11 And a little bit of a change, in my  
 12 opinion, is good. Maybe people on the west  
 13 side can now walk to the movies instead of  
 14 drive and vice versa. So if you're looking  
 15 for a solution, that would be my solution,  
 16 along with continuing to work with the volume,  
 17 the times, and maybe even the type of movie  
 18 that you're showing so that aren't explosions  
 19 or whatever, movies that aren't extremely high  
 20 decibel. That would be a solution to the  
 21 problem as I see it.  
 22 CHAIRMAN RAGUSA: I'll get to you.  
 23 Doug, is the EPC scheduled to come out?  
 24 MR. MAYS: Yes. We spoke with the EPC a  
 25 couple of weeks ago. They're scheduled to

1 come out on that particular night. So, yes,  
 2 they're --  
 3 CHAIRMAN RAGUSA: Mr. Allen.  
 4 MR. ALLEN: One of the challenges about  
 5 the park venue that I understand from the  
 6 operator is the location of the electric.  
 7 And so the issue of where he can put his  
 8 amplifier and where he can point the speakers  
 9 has to be in a certain direction so that there  
 10 is ample seating. Okay. And so we had  
 11 requested that you put the screen next to the  
 12 preserve and we shoot it across Linebaugh to  
 13 the Greens instead of length-wise.  
 14 And so there's probably some  
 15 investigation as to minor electrical changes  
 16 or outlets that allow him to create a  
 17 configured seating that -- in each venue that  
 18 kind of go along with your two, two, two.  
 19 Personally I would like to see it out of  
 20 Baybridge at the best. Worst case, if it's  
 21 two, two, two, the configuration and noise, if  
 22 that can be addressed, that could help.  
 23 MR. FOREHAND: They did try that.  
 24 MS. PITHERS: My understanding that was  
 25 done.

1 MR. FOREHAND: It did make a  
 2 difference, Jim.  
 3 MR. CHESNEY: Did they ever try going  
 4 the other way? The other thing about West  
 5 Park Village is you can shoot it toward the  
 6 clubhouse in the back.  
 7 MS. EDGERLEY: Towards the railroad  
 8 tracks.  
 9 MR. CHESNEY: Yeah, towards the railroad  
 10 tracks. Did you ever try to shoot it across  
 11 the nature preserve? You know what I mean.  
 12 MR. ARGUS: He shoots it to the west  
 13 because the electrical outlet is in that  
 14 pavilion, but there is no electrical in the  
 15 other pavilion to shoot it toward the east.  
 16 CHAIRMAN RAGUSA: Hold on, Bob. Every  
 17 outlet --  
 18 MR. MAYS: There's not enough electric.  
 19 MR. ALLEN: There's not enough electric  
 20 there to run it --  
 21 CHAIRMAN RAGUSA: The sound is directed  
 22 to your house?  
 23 MR. FOREHAND: Yes.  
 24 MR. ARGUS: No.  
 25 MS. PITHERS: No.

1 MR. FOREHAND: For 22 months it was  
 2 directed at our house.  
 3 CHAIRMAN RAGUSA: Okay. As I  
 4 understood, what we were told, that they  
 5 changed the direction of the speakers, which  
 6 dropped the volume some.  
 7 MR. ALLEN: It has some.  
 8 MR. FOREHAND: Some.  
 9 CHAIRMAN RAGUSA: Let me ask the two of  
 10 you. If the movie in Baybridge Park ended at  
 11 9:00 p.m., would that work for you one time?  
 12 MR. FOREHAND: One time?  
 13 CHAIRMAN RAGUSA: One time.  
 14 MR. FOREHAND: You're talking about this  
 15 Friday?  
 16 CHAIRMAN RAGUSA: Is it this Friday?  
 17 MR. CHESNEY: Yes, this Friday.  
 18 CHAIRMAN RAGUSA: I want the EPC to come  
 19 out. For my own curiosity, I want them to  
 20 test it.  
 21 MR. CHESNEY: I don't know that they'll  
 22 be available this Friday.  
 23 MS. WHYTE: Is it this Friday or next  
 24 meeting? He just said he was going to try to  
 25 be here --

1 MR. FOREHAND: I asked them. They could  
 2 come out to each and every movie if they need  
 3 to. I've got that.  
 4 MS. WHYTE: We met with them already  
 5 this past week.  
 6 CHAIRMAN RAGUSA: This isn't going to  
 7 solve the problem.  
 8 MR. ALLEN: I understand.  
 9 CHAIRMAN RAGUSA: It will alleviate one  
 10 whole issue.  
 11 MR. ALLEN: I have a comment to that,  
 12 though. Individual testing by the operator,  
 13 if he knows the EPC is going to be there,  
 14 he'll turn it down.  
 15 MR. FOREHAND: And he's going to turn  
 16 down different bands and frequencies.  
 17 MR. ALLEN: He'll turn down the base.  
 18 There's ways to manipulate the sound system  
 19 that he can comply. But when that EPC  
 20 operator or tester is not there, then the  
 21 volume that has historically been there, there  
 22 is nothing that will keep him from turning it  
 23 back up.  
 24 MR. MAYS: The community can stop that.  
 25 MS. EDGERLEY: The community.

1 CHAIRMAN RAGUSA: Mr. Chesney.  
 2 MR. ALLEN: But there's not a rule in  
 3 place --  
 4 MR. CHESNEY: Can I ask you a question?  
 5 Is there -- I mean, can we add outlets to  
 6 where they need to be? Is that a complex  
 7 thing?  
 8 MR. MAYS: No. It's just money.  
 9 MR. ZEIGLER: What if you rent a  
 10 generator instead of --  
 11 MR. MAYS: The generator is too loud, I  
 12 guess.  
 13 MR. FOREHAND: Yeah, you listen to a  
 14 generator for two hours --  
 15 MR. CHESNEY: I mean, but -- I mean,  
 16 running a couple extra outlets, that can't be  
 17 but a few hundred dollars -- a thousand  
 18 dollars.  
 19 MR. MAYS: All the way to Number Four is  
 20 probably a couple thousand dollars because  
 21 you've got to go from the breaker box.  
 22 MR. ARRILLAGA: There's always the magic  
 23 of extensions. So we'll do whatever it takes  
 24 to accommodate. I'm personally kind of  
 25 excited to listen to what the county has to

1 say in what the levels are, and maybe give us  
 2 some direction on, "Hey, take this measurement  
 3 -- this measures to alleviate the problem."  
 4 CHAIRMAN RAGUSA: Well, I'm going to  
 5 talk aloud here. I'm going to suggest -- and  
 6 if anybody makes a motion, let's hear it --  
 7 but I'm going to suggest that if we have the  
 8 EPC test it, I still want to know what the  
 9 results are, even though you guys are  
 10 suspicious of the operator and the volume  
 11 levels.  
 12 I don't know if they're digitizing their  
 13 audio here. I'd like to know what the EPC  
 14 says, because that will put the whole issue to  
 15 bed one way or the other.  
 16 I also want the HOA, the WCA, and the  
 17 CDD, through staff, to make recommendations on  
 18 how we can conduct this event with minimum  
 19 impact. I think it's impossible to have no  
 20 impact on some residents in this community.  
 21 There's no way -- if this goes over to  
 22 Glenclyff, we're not going to have two  
 23 residents here. We're going to have 20.  
 24 That's my take on my 17 years in Westchase  
 25 with dealing with Glenclyff. That's what

1 we're going to see. And we're going have  
 2 traffic, we're going to have noise, and we're  
 3 going to have every other problem with them.  
 4 We need to address the issue. We need  
 5 to eliminate the impact -- the negative impact  
 6 that it's having on the residents. I think we  
 7 can probably pull it off with either WCA or  
 8 CDD property. We can make this work, but it's  
 9 going have to -- we're going to have to juggle  
 10 a lot of things to do it.  
 11 So I want to -- me, I would want to go  
 12 ahead and do it on Friday. If you're telling  
 13 me you're going to end at 9:00, that's  
 14 different than I just heard you guys were  
 15 playing exit music till 11:00, and in my book,  
 16 that's absolutely too late.  
 17 MR. ARRILLAGA: It would be in mine,  
 18 too.  
 19 CHAIRMAN RAGUSA: My mindset is, you can  
 20 live with noise until about 9:00, you're going  
 21 to really annoy me at 10:00, and it's  
 22 absolutely unacceptable at 11:00. That  
 23 bothered me a little bit, so --  
 24 MR. ALLEN: If I can supplement your  
 25 comments, because I think it's right on, you

1 would also investigate the multiple venue  
 2 options.  
 3 CHAIRMAN RAGUSA: Oh, we are.  
 4 Everything is open.  
 5 MS. PITHERS: It's on the agenda.  
 6 CHAIRMAN RAGUSA: Yes, all items -- all  
 7 location are on the agenda, and they're open,  
 8 but I think we've hit on the Glenclyff and  
 9 West Park Village that are larger venues that  
 10 could really accommodate -- and interestingly  
 11 enough, West Park Village has gotten the  
 12 perception that they're more tolerant of large  
 13 events in the green there. Right or wrong,  
 14 that's just what it seems to be.  
 15 MR. ALLEN: I appreciate everybody. I  
 16 have to go and pick my daughter up.  
 17 CHAIRMAN RAGUSA: Thank you.  
 18 MR. ALLEN: Thanks for the  
 19 consideration.  
 20 MR. CHESNEY: The other thing is, I  
 21 would like to add to that, that we investigate  
 22 the cost to add whatever necessary electricity  
 23 to the back pavilion to shoot it this way. I  
 24 mean --  
 25 CHAIRMAN RAGUSA: Does staff have any

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1 other comments? No? Tonja?  
 2 MS. STEWART: (Moves head up and down.)  
 3 MS. WHYTE: Not at this time.  
 4 MR. CHESNEY: I would like to make a  
 5 motion that we approve the WCA's use of the  
 6 CDD facilities for movie night.  
 7 CHAIRMAN RAGUSA: For what date?  
 8 MR. CHESNEY: For their request, six --  
 9 whatever he just said.  
 10 MR. ARRILLAGA: Yes, six times for the  
 11 first three and the last three months of the  
 12 year.  
 13 CHAIRMAN RAGUSA: Is there a second?  
 14 MR. ZEIGLER: Is this going to be with  
 15 the existing facility if --  
 16 MR. CHESNEY: Well, I left it very  
 17 general, subject -- we would make CDD  
 18 facilities available to the WCA for movie  
 19 night once a month on whatever those six  
 20 months were.  
 21 MR. ZEIGLER: I second.  
 22 CHAIRMAN RAGUSA: Any discussion?  
 23 Mr. Ross.  
 24 MR. ROSS: I know it's not our job to do  
 25 the WCA's job, but I strongly, strongly feel

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1 they're making a misstep here. I'll give you  
 2 an example why.  
 3 If this movie was at the house next door  
 4 to you, you would be screaming, screaming,  
 5 "Why is this activity going on?" And you'd  
 6 say to the HOA, "Enforce your own CCRs."  
 7 Right?  
 8 Your neighbor will have a defense now to  
 9 say, "Wait a second. I'm merely doing exactly  
 10 what the HOA is doing, no different." The  
 11 location is different, so we get into all  
 12 those sub arguments, is it on park  
 13 properties, this is residential.  
 14 But the whole issue with CCRs is, you  
 15 never want to hand the argument to the  
 16 homeowner to potentially -- and I emphasis  
 17 potentially -- unintentionally initiate the  
 18 enforceability of the CCR. And we talk about  
 19 selective enforcement and such.  
 20 Now that we have a residential complaint  
 21 about it, I personally believe the HOA really  
 22 needs to step back and look at whether they're  
 23 risking this CCR enforcement, because I heard  
 24 the issue couched as, are we going to let a  
 25 few neighbors ruin it for 200, 250 people?

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1 And the issue really is, are we going to  
 2 ruin it for 3500 property owners? So I am  
 3 just giving me you my reason why I'm going to  
 4 oppose your motion.  
 5 MR. CHESNEY: Well, let me clarify my  
 6 understanding, though. So we're giving them  
 7 approval. They agreed to look at all the  
 8 venues. They have agreed to, you know, have  
 9 the EPC testing and do whatever, because, you  
 10 know me, I understand selective enforcement;  
 11 that's why we get into all these little  
 12 property issues all the time. So, you know,  
 13 I'm a fan of being even.  
 14 And they're -- so they're reviewing all  
 15 of that. We can always revoke it if we want  
 16 to. I mean, it's good until it's revoked. So  
 17 it's not really our issue, the sound part,  
 18 which is what I'm gathering from you.  
 19 I mean, why do we need to be in their  
 20 deal with the sound? And we're just making  
 21 some possibilities with additional venues.  
 22 And also I really think that we've asked staff  
 23 to investigate the cost of, you know, maybe  
 24 adding some electricity, though, it may be  
 25 further mitigated if they deem that it would

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1 be helpful. So that's kind of my  
 2 understanding.  
 3 I don't know how clear that came out,  
 4 because I was kind of jagged in there. It's  
 5 not our deal. It's not our event.  
 6 MR. ROSS: I may not fully respond to  
 7 your point. I do agree with you that it is  
 8 not our role to do the HOA's job. We're two  
 9 separate legal entities with very different  
 10 purposes, and we all agree upon that.  
 11 MR. CHESNEY: Right.  
 12 MR. ROSS: Once you move beyond the  
 13 issue of whether one, as I do personally  
 14 believe, that the HOA shouldn't be doing this,  
 15 there's still further analysis. So let's say  
 16 the HOA said -- they went to their lawyer and  
 17 they said, "Oh, my gosh. You're right. We  
 18 stepped in the dog poop. We need to get out  
 19 of this. But it's still great for the  
 20 community. We're going to recruit Westchase  
 21 Dads to now do this." Then we can have all  
 22 the arguments or analysis that talks about  
 23 this, is have we taken all the steps to  
 24 minimize the adverse impact? Is it  
 25 appropriate for us to be having this kind of

1 function after dark?  
 2 Another example is, do we hold ourselves  
 3 to a higher standard than whether it's  
 4 violative of EPC regulations? So I think all  
 5 of those points that you're raising are very  
 6 valid. I'm just sort of saying there is a  
 7 threshold issue in front of it that, to me,  
 8 makes it a no brainer as to why the HOA should  
 9 not be pursuing it. And I'm not saying I'm  
 10 right.  
 11 MR. CHESNEY: But that's the HOA's deal.  
 12 I mean, this is -- you and I have always  
 13 differed a little, because prior to your entry  
 14 on the board, we had a philosophy where as  
 15 long as events met certain criteria that we  
 16 had set up, then they were pretty much  
 17 automatically approved, which, you know,  
 18 created a few interesting scenarios at times.  
 19 And when you came on, and we voted and  
 20 we've agreed to be -- each event we approve  
 21 now. So, you know -- but we've never really  
 22 -- never really talked about a standard set of  
 23 criteria anymore because we just approve  
 24 them.  
 25 Some we approve -- I mean, generally we

1 haven't -- the only one that we're really kind  
 2 of hard and fast is if it's a for-profit  
 3 endeavor, you know, that's going to -- you  
 4 know, we generally don't let facilities for  
 5 profit making --  
 6 MR. ROSS: I'll make one more stab at it  
 7 so that we don't dominate the room here.  
 8 There are other people.  
 9 MR. CHESNEY: Yeah. Right.  
 10 MR. ROSS: We all agree that there are a  
 11 set of covenants that bind us called the  
 12 CC&Rs. That's sort of a minimum standard.  
 13 Above that, we have a covenant of just being  
 14 good neighbors to one another.  
 15 MR. CHESNEY: I agree with the second  
 16 part, not necessarily the first. We're not --  
 17 MR. ROSS: But we live here, and I think  
 18 we have a covenant to be good neighbors to one  
 19 another, and we don't need to apologize for  
 20 that or back off that.  
 21 I know you're not saying that, but in  
 22 many respects, that's what governs almost  
 23 everything I do in the community. Are we  
 24 holding ourselves to a high standard of being  
 25 a good neighbor, whether that's defined by the

1 CCR or the EPC or some other governing  
 2 document?  
 3 And so from my viewpoint, things may  
 4 have changed since I've been on, but I think  
 5 as long as we keep our governing mission, so  
 6 to speak, properly focused, then that's okay  
 7 if sometimes we say no.  
 8 If we think someone is not being a good  
 9 neighbor, even if it's not within our  
 10 jurisdiction and purview, why not give our two  
 11 cents?  
 12 MR. CHESNEY: Okay. Well, saying it  
 13 like that, I agree with you a hundred percent  
 14 on we should be acting like a good neighbor,  
 15 but I don't know that we're coming to the same  
 16 conclusion --  
 17 MR. ROSS: That's fine. That's fine.  
 18 MR. CHESNEY: -- yes -- because, in my  
 19 mind, you know, we can still be a good  
 20 neighbor and still have the movies.  
 21 MR. ROSS: I --  
 22 MR. CHESNEY: I don't know for sure -- I  
 23 haven't heard enough for myself today that  
 24 they're not -- there's not a solution to make  
 25 it an appropriate event.

1 MR. ROSS: I agree with that, and I will  
 2 be disappointed if we, as a community, can't  
 3 come up with a solution for it. That would  
 4 indicate to me someone is being a little bit  
 5 rigid in their position, but I don't want to  
 6 pre-judge the process.  
 7 MR. CHESNEY: Right.  
 8 MR. ROSS: I'm simply saying, on your  
 9 motion --  
 10 MR. CHESNEY: So why wouldn't we just --  
 11 MR. ROSS: Because you're voting that  
 12 the WCA would be allowed to do something that  
 13 in my heart and in my mind I personally  
 14 believe they're jeopardizing the  
 15 enforceability of at least one section of our  
 16 CCR. That's my own view. You may not agree  
 17 with it, but I believe that --  
 18 MR. CHESNEY: That's really the  
 19 difference there.  
 20 MR. ROSS: Yeah.  
 21 MR. CHESNEY: Okay. I'm glad we always  
 22 come to some type of agreement.  
 23 CHAIRMAN RAGUSA: All right. Here's my  
 24 discussion. This motion is going to fail. I  
 25 know Mr. Ross is going to vote against it.

1 I'm going to vote against it. I'm not in  
2 favor of granting six movies, and I don't  
3 care whether -- actually it's the WCA's  
4 request, and I want to think that through, the  
5 WCA issue as well.

6 I see it, I understand it, but you're  
7 voting no purely because of the WCA side. Me,  
8 as long as a responsible community  
9 organization is hosting that movie night, I  
10 don't care who does it.

11 So I would be inclined to approve the  
12 one, the upcoming one, and then take them on a  
13 month-by-month basis. But certainly what I  
14 would expect to have happen between today and  
15 one in February, we would have a much better  
16 understanding what's the best location, what  
17 can we do to modify parks, if we need to, how  
18 are we going to minimize, if not eliminate,  
19 any disruption to residents.

20 And maybe they come back and tell us --  
21 everybody says, "It's got to be in West Park  
22 Village," or "It's got to be in Glenciff  
23 Park." I would then, the following month,  
24 approve a different location and a different  
25 time. I don't want to do six right now.

1 That's just me.

2 MR. CHESNEY: So we can do one of two  
3 things. From what he said, we can -- someone  
4 else might get appointed to the board, and we  
5 can vote again. We can take his suggestion  
6 and just approve the one, and then that would  
7 pass or -- yeah.

8 MR. ZEIGLER: No pressure. I think, you  
9 know, going back to the -- from the good  
10 neighbor and overall goodness this provides  
11 to the community versus affecting the few that  
12 obviously it affects in an adverse way, I  
13 would really look forward to seeing some  
14 conclusive data from the EPC that will give us  
15 a lot more guidance to move ahead.

16 I am surprised that with the very rigid  
17 stance that was taken by Mr. Allen, and I  
18 didn't hear any feedback from you on the two,  
19 two, two idea, but Mr. Allen conceded rather  
20 quickly to two, two, two, when before, it  
21 sounded like an absolute "I don't want this in  
22 my back yard."

23 I would be surprised that if -- and I'm  
24 not a sound expert -- there would be enough of  
25 an accommodation to make windows not shake or

1 anything, for that matter, no matter how much  
2 you change or alter the audio, but I would  
3 find it reasonable that we maybe change the  
4 venue in a way that would allow us to conclude  
5 earlier, like we talked about, bring the  
6 volume down, configure the sound differently,  
7 so we would have a happy medium with the  
8 residents, because I agree.

9 I mean, I wouldn't want that annoyance  
10 in my house if that was my thing. So I -- I  
11 tend to now agree with the idea of maybe  
12 limiting the number of approved upcoming  
13 movies with finding out what this data is  
14 going to conclude for us on the very next  
15 one.

16 CHAIRMAN RAGUSA: Let me vote the  
17 motion. All in favor of that motion please  
18 signify by raising your hand.

19 MR. CHESNEY: Hold it. The original --

20 CHAIRMAN RAGUSA: The original one.

21 MR. CHESNEY: Well, I can just amend it.

22 CHAIRMAN RAGUSA: Amend it or withdraw  
23 it. I want to move along beyond that motion.

24 MR. CHESNEY: Okay. I'll just amend it  
25 to one, one event.

1 CHAIRMAN RAGUSA: Okay.

2 MR. CHESNEY: I mean, you don't want to  
3 do it for next month? That's the only  
4 problem. How about two, this month and next  
5 month? We don't know for sure the EPC person  
6 is going to be there.

7 MS. WHYTE: Can I just -- I would  
8 suggest, simply because we're going to have --  
9 the EPC did say they were going to come to  
10 this month and possibly next month, but we  
11 also have -- they have to give notice to their  
12 vendor, as well as we have to -- our board  
13 meeting is February --

14 MR. MAYS: 5th.

15 MS. WHYTE: 5th. When is the next  
16 movie?

17 MS. PITHERS: The 11th.

18 MS. WHYTE: Okay. I don't know if  
19 that's enough time to cancel that. It would  
20 be really tight.

21 CHAIRMAN RAGUSA: All right. I don't  
22 want this to -- the movies must end by  
23 9:00 p.m.

24 MR. CHESNEY: Yeah. Well, I think -- if  
25 they agree --

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1 CHAIRMAN RAGUSA: Start it on time, no  
 2 exit music, it has to end at 9:00 p.m.  
 3 MR. ZEIGLER: Shut the mikes down. I  
 4 have heard where kids will get on there, so,  
 5 yeah, shut them down.  
 6 MR. CHESNEY: I will say I did go to one  
 7 movie, but I actually just went for the food  
 8 trucks, so I didn't actually watch the movie.  
 9 But anyway, so two events. Okay. All right.  
 10 CHAIRMAN RAGUSA: We have a motion to  
 11 approve the WCA's request to conduct movie  
 12 night in Baybridge Park January and February.  
 13 MR. CHESNEY: Yes. Leave it up to them.  
 14 CHAIRMAN RAGUSA: Okay. In January and  
 15 February with the event, and all live music  
 16 and amplified sound to end no later than  
 17 9:00 p.m.  
 18 MR. CHESNEY: Correct. Just to clarify  
 19 for the court reporter, we make use of the  
 20 CDD's facilities, if they want to change it --  
 21 CHAIRMAN RAGUSA: Okay.  
 22 MR. CHESNEY: All right.  
 23 CHAIRMAN RAGUSA: Okay. You seconded.  
 24 MR. ZEIGLER: I seconded.  
 25 CHAIRMAN RAGUSA: Any further

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1 discussion?  
 2 (No response.)  
 3 CHAIRMAN RAGUSA: All in favor of that  
 4 motion, please raise your hand.  
 5 (Board members signify in the  
 6 affirmative.)  
 7 CHAIRMAN RAGUSA: Okay. That motion  
 8 passed three to one, with Supervisor Ross  
 9 voting against.  
 10 MR. CHESNEY: And final direction to  
 11 staff, you will look into the electricity and  
 12 if -- and talk with the vendor if that would  
 13 make any -- would help.  
 14 MR. MAYS: Yes. I'll be here this  
 15 Friday, because I want to see the EPC and meet  
 16 with them EPC also.  
 17 CHAIRMAN RAGUSA: Okay. Anything else on  
 18 that issue?  
 19 (No response.)  
 20 CHAIRMAN RAGUSA: Thank you all.  
 21 Mr. Forehand, thank you for coming.  
 22 MR. FOREHAND: Thank you. I appreciate  
 23 your time, and hopefully we can work through  
 24 it.  
 25 CHAIRMAN RAGUSA: Thank you.

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1 Organizational matter Number Two, appointment  
 2 of supervisor to Seat Number Three. I  
 3 understand we have two individuals that would  
 4 like to throw their name in the hat for  
 5 consideration for the supervisor Seat Number  
 6 Three which was made available by Ernie  
 7 Sylvester's resignation last month or so. Is  
 8 that correct?  
 9 MS. EDGERLEY: I'm one.  
 10 CHAIRMAN RAGUSA: I know that. We have  
 11 Susan Edgerley and Keith Heinemann.  
 12 MR. HEINEMANN: Yes, sir.  
 13 CHAIRMAN RAGUSA: Anybody else?  
 14 MR. ARGUS: The two that were --  
 15 CHAIRMAN RAGUSA: I have not eliminated  
 16 Mr. Payne and Mr. Argus from consideration.  
 17 MR. ARGUS: Thank you.  
 18 CHAIRMAN RAGUSA: I'm talking new  
 19 people. And, Keith and Susan, I don't know if  
 20 you saw the minutes and what happened. I know  
 21 -- I think the WOW wrote about it.  
 22 We gave both of those potential  
 23 candidates last month an opportunity to say  
 24 outside the presence of the other why they  
 25 thought they should be appointed to the

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1 position, and they could say anything they  
 2 wanted, and then they answered some questions  
 3 of the supervisors.  
 4 Unless someone tells me otherwise, I  
 5 think that's probably the best way of going  
 6 about continuing this process. Mr. Argus is  
 7 not going to have another say, I don't think.  
 8 So if one of you wants to go first, I just ask  
 9 the other to step out as we historically did.  
 10 MS. EDGERLEY: I'll step out.  
 11 CHAIRMAN RAGUSA: And, again, tell us  
 12 what you want and if you would, you know, be  
 13 prepared to answer a couple questions.  
 14 MR. HEINEMANN: Certainly.  
 15 MR. ARGUS: Close the door.  
 16 (Ms. Edgerley exits the room.)  
 17 CHAIRMAN RAGUSA: You want to identify  
 18 yourself?  
 19 MR. HEINEMANN: Yeah. I'm Keith  
 20 Heinemann. I'm a resident of Radcliffe. I  
 21 guess I should also admit I'm one of the  
 22 directors on the HOA. Interesting  
 23 discussion.  
 24 Yeah, I read what came up in the WOW  
 25 last month. Back in May, Editor Barrett asked

1 me if I was going to run again when the actual  
2 election came up, and at that time personal  
3 issues and whatever, the time line against  
4 when you have to file and the fact that I was  
5 -- I have been a supervisor of elections, a  
6 precinct clerk since 2002. I had just  
7 assembled my team, and not being arrogant  
8 about it, I wanted to work with my team for  
9 this -- that cycle, and so I decided I would  
10 opt out.

11 Bob took a different tack, and he did  
12 what you have to do. You can't be -- you  
13 can't serve and run for the office, so --  
14 whatever. I guess you folks you've heard --  
15 my background is real quick.

16 Why do I think I would do something  
17 here? I have an economics degree. I have an  
18 MBA. In my life, I've moved 22 times all  
19 around the world until I got here. I retired  
20 and I love Westchase.

21 I had the opportunity to do a five-month  
22 stint as a guest host, fill-in supervisor a  
23 year and a half ago. In that little bit of  
24 time, just whet my appetite for the policy  
25 issues that you folks get involved with.

1 I like to think a lot of policy things  
2 are what I'm trained -- I'm not an attorney,  
3 I'm not an accountant, I'm not a finance  
4 major, but I think I understand the financial  
5 aspects.

6 My time, I'm still -- I'm retired, yet  
7 I'm still working, probably another year.  
8 After that, I would have less -- I would have  
9 less complications in my life, just like I  
10 know you folks have to do. You have to cut  
11 away from your professions to attend these  
12 important meetings. And I'm willing to do  
13 those same things again.

14 I've probably been through every  
15 management and leadership fad you can think  
16 of, whether it was Demming model installation  
17 programs, you know, Lean Sigma Six, all  
18 those kind of things. I like to think I'm  
19 adaptable and flexible to management of what  
20 comes up.

21 I have -- you know, I admire everything  
22 that you folks have done. I know you guys do  
23 a whale of a good job. And, I guess, lastly,  
24 I would say you've got good candidates, so  
25 you're not going to lose if you pick Susan or

1 Bob or -- I apologize -- the third candidate  
2 who I don't know. Any one of them would be  
3 super.

4 So I guess to say, ask me a question, if  
5 you've got any.

6 CHAIRMAN RAGUSA: Gentlemen.

7 MR. ROSS: (Moves head from side to  
8 side.)

9 MR. CHESNEY: Well, I was going to ask  
10 you the same questions as to the other two,  
11 but I couldn't find them on that WOW website.  
12 Make that thing easier to -- you said you  
13 moved -- I'll just ask some other -- obviously  
14 I know you pretty well. Both of these two  
15 candidates I know a lot.

16 But I am curious. You said you moved 22  
17 times. What kind of --

18 MR. HEINEMANN: The Air Force moved me  
19 around all kind of places.

20 MR. CHESNEY: The other thing is, the  
21 management method you selected -- you named  
22 was the Demming management --

23 MR. HEINEMANN: The Demming system,  
24 continuous improvement and --

25 MR. CHESNEY: I'm very familiar with

1 it. I'm curious to where you worked with it.

2 MR. HEINEMANN: Well, the Air Force  
3 probably like to think they worked with it.  
4 Back in the mid '90s, it was probably the  
5 topic du jour, if you want to call it that.

6 I'm at the post office now and facing to  
7 be infatuated with, you know, Lean Sigma Six  
8 on some things. So, you know, I've been there  
9 and done --

10 MR. CHESNEY: So it was the Air Force  
11 you used Demming?

12 MR. HEINEMANN: Yes.

13 MR. CHESNEY: Okay. I was actually part  
14 of a team that we won the Demming prize in the  
15 '80s when I was a punk kid, so --

16 CHAIRMAN RAGUSA: That hasn't changed.

17 MR. CHESNEY: Actually it was probably  
18 '91, but I can't --

19 MR. HEINEMANN: I say that tongue in  
20 cheek, but continuous improvement, I think  
21 many of you demonstrate that all the time.  
22 You're looking for better ways to do thing.  
23 Nobody wants to sit on their laurels.

24 MR. CHESNEY: I don't have any further  
25 questions.

1 CHAIRMAN RAGUSA: Keith, I'll ask you  
2 the question I asked Bob. I've known you for  
3 a while, and I know you've been very active in  
4 the community, both Radcliffe and Westchase.  
5 You did -- I thought you served more than five  
6 months, though.

7 MR. HEINEMANN: It was kind of like June  
8 to October I walked the plank, I think.  
9 Yeah.

10 CHAIRMAN RAGUSA: All right. Tell us  
11 what we don't know about you. Tell us what we  
12 may not have already gathered from our contact  
13 with you that would make you the right person  
14 to select as a supervisor.

15 MR. HEINEMANN: What you don't know  
16 about me. Oh, that would be something  
17 important I can think of. Silly little  
18 things, I supposed. I'm a lousy bowler. I'm  
19 not a very good softball player and things  
20 like that. I'm not a smooth orator, such as  
21 you folks up here. How about -- self-  
22 inflicted.

23 Long ago, during the reign of Mr. Ross  
24 when he was the HOA president and I was a  
25 lowly VM down there, he ran a pretty good

1 ship, but I always didn't agree with him,  
2 didn't like his style necessarily at that  
3 time.

4 And he went off the board, and I said,  
5 "Okay. Well, that's fine and dandy." But he  
6 came back, and then I got the opportunity to  
7 work with him. And I felt he had -- he  
8 provided what I would say a conscience, if you  
9 will, sometimes of our board, and that he  
10 always would have -- on the other hand, he  
11 could look at things different ways. He  
12 talked to me a lot. I gained a lot of respect  
13 for what he does in that way.

14 We don't know each other very well, but  
15 I know he's very insightful, as are you.  
16 Three times ago you were our VM when I first  
17 moved here, and I irritated you a couple of  
18 times, and lo and behold, after you moved on  
19 to bigger and better things, I followed in  
20 your footsteps in the neighborhood-type  
21 things.

22 In terms of what you need to know about  
23 me here, I know my family is here, but they're  
24 not here. I have a daughter in Lakeland. She  
25 works for FedEx. I have a son who is a

1 sheriff's deputy in a neighboring  
2 jurisdiction.

3 I don't know -- I'm trying to think if  
4 you want something secret about me.

5 CHAIRMAN RAGUSA: Okay.

6 MR. HEINEMANN: Don't know.

7 MR. CHESNEY: Well, Mark found the  
8 questions for me. And, I mean, some of them  
9 are good questions here.

10 Do you feel there is a skill set on our  
11 board that might be missing?

12 MR. HEINEMANN: If this is the Argus  
13 question, I guess I repeat, no, I can't be a  
14 female. I can't represent --

15 MR. CHESNEY: Argus question.

16 MR. HEINEMANN: -- the renters. And  
17 maybe Mark has told me once in the past, you  
18 know, you've been around here a long time.  
19 Thank you. You've done some nice things, et  
20 cetera. But we want to see some new faces,  
21 too.

22 CHAIRMAN RAGUSA: When did I say that?

23 MR. HEINEMANN: The last time I ran for  
24 appointment -- and I think he's right. I  
25 think you do you need to reach out and --

1 again, like I said, I didn't pay much  
2 attention to it back last May when the filing  
3 deadline was up, but then since you had a  
4 little bit of a stalemate here in the short  
5 term, I dialed up Sonny and asked her what was  
6 going on, and she said, "Well, you can throw  
7 your hat back into the ring." So I can do  
8 that.

9 MS. WHYTE: It's my fault.

10 MR. HEINEMANN: I enjoy the time, but  
11 I'm sure maybe these other people can do just  
12 as well. I would like to be that person, and  
13 I love Westchase.

14 MR. CHESNEY: Okay. Is there anything  
15 that -- you know, I'm paraphrasing these  
16 here.

17 Is there any decisions that we --  
18 anything that we did that you strongly  
19 disagree or agree with, something we like or  
20 something we didn't like? That would be a  
21 better way --

22 MR. HEINEMANN: Well, I'd be beating  
23 myself up, I guess, in that I guess when I was  
24 on the board, I helped vote for -- what do you  
25 call them? -- the screens on the bleachers,

1 and we got a little bit of flack, as I recall,  
 2 from that decision.  
 3 I guess in hindsight maybe I would agree  
 4 with what the residents had to say. Maybe we  
 5 could -- maybe, you know, we shouldn't have  
 6 done that, but, you know, I'll say live and  
 7 learn, but, you know, that -- I think I made  
 8 that mistake.  
 9 MR. CHESNEY: Okay.  
 10 MR. HEINEMANN: If you call --  
 11 MR. CHESNEY: What would you say you've  
 12 done well? I would like to hear that.  
 13 MR. HEINEMANN: What have I done well?  
 14 Let's see.  
 15 MR. CHESNEY: No. What have we done  
 16 well?  
 17 MR. HEINEMANN: Oh. What have you done  
 18 well? Well --  
 19 MR. CHESNEY: The CDD.  
 20 MR. HEINEMANN: -- the big -- hard to  
 21 get your hands around the issue. The fact  
 22 that you went to the merged board. I think  
 23 that was the brightest thing you've ever  
 24 done. You made it -- you just cut -- you  
 25 know, we've all been downsizing and doing

1 things smarter, better, leaner, more agile,  
 2 all those kind of things.  
 3 I think that's what it is now with a  
 4 five-person board. There didn't need to be  
 5 this distinction between the east side and  
 6 west side. You've got the best -- you put the  
 7 best people out there, and it's impressive.  
 8 You lost some good people too, so --  
 9 MR. CHESNEY: Yeah.  
 10 MR. HEINEMANN: -- that's been a good  
 11 move.  
 12 MR. CHESNEY: What about the one thing  
 13 in here -- and this will be the last one I  
 14 ask. So the last question is, we've had half  
 15 a decade of cost cutting.  
 16 Do you think there are any assets --  
 17 should we do another capital improvement  
 18 program? Are there any assets that you think  
 19 should be changed?  
 20 MR. HEINEMANN: Capital improvements, I  
 21 say yes. I admit, I haven't thought all that  
 22 hard about it. I would use the example as a  
 23 Joe Radcliffe resident. When the CDD took on  
 24 rebuilding the bridge, at first, I thought we  
 25 didn't need to do that, and there was a lot of

1 heat from a lot of people around. "You know,  
 2 they don't need that stupid bridge. You know,  
 3 we can certainly do it cheaper. Why do we  
 4 need to do that?"  
 5 And yet, every time I walk by there,  
 6 that's a pretty good deal. It's not  
 7 Radcliffe. It's Westchase.  
 8 MR. CHESNEY: I'm sorry. We're all  
 9 chuckling, because I originally wanted to get  
 10 rid of that bridge, and someone --  
 11 MR. HEINEMANN: To blow it up.  
 12 MR. CHESNEY: -- and someone was like,  
 13 "No, we're not going to do it." And we get  
 14 more compliments over that bridge.  
 15 MR. HEINEMANN: Well, that certainly --  
 16 MR. CHESNEY: That's funny that that's  
 17 the issue.  
 18 MR. SNIZIK: My wife and I call that the  
 19 Rialto Bridge.  
 20 MR. CHESNEY: The guys that just left  
 21 wanted to know if we would support a sound  
 22 wall on the back of -- all right. That's it.  
 23 MR. HEINEMANN: Okay.  
 24 MR. CHESNEY: Those are all the  
 25 questions.

1 CHAIRMAN RAGUSA: Are you going to  
 2 questions? Mr. Barrett.  
 3 MR. BARRETT: Yes. It's a little  
 4 awkward because he appoints my boss to the WOW  
 5 board. One of the things I think that is  
 6 going to be a key thing going forward is where  
 7 -- what people's kind of fiscal approach to  
 8 spending money.  
 9 And I have sat here for a decade and  
 10 watched some supervisors vote no every single  
 11 capital expenditure -- or almost that, and  
 12 then I've seen supervisors, you know, every  
 13 addition, as long as it's, you know, kind of  
 14 worth making.  
 15 And one of the things that sticks in my  
 16 mind, is I have trouble pegging you, Keith,  
 17 because I know you led the opposition to this  
 18 building, the structure that we're in, and --  
 19 MR. HEINEMANN: I led the opposition  
 20 based on my neighborhood, yes.  
 21 MR. BARRETT: And so I have that in my  
 22 mind. And I have other times on the CDD board  
 23 and the WCA where you've been very supportive  
 24 of capital improvement projects.  
 25 So I guess, you know, where do you fall

1 -- what is your litmus test for capital  
 2 improvement projects?  
 3 MR. HEINEMANN: I'm probably a taste  
 4 great, less filling type of person. I don't  
 5 know if you could peg -- obviously it's a  
 6 silly answer. I'm for any smart improvement.  
 7 We can't sit on what we've got.  
 8 You know, at least as our board now  
 9 we're trying to make things that are better to  
 10 keep the infrastructure of Westchase better to  
 11 keep us a premier community. That's what we  
 12 want to do.  
 13 Obviously against frivolous, I suppose,  
 14 and I'm not saying that those shade things  
 15 were frivolous, but that -- I mean, maybe that  
 16 wasn't the best thing that I ever signed up to  
 17 participate or vote for at one time.  
 18 If we have -- we can't sit still. I  
 19 mean, we can decline. If we don't do  
 20 anything, we can start to rot away and let the  
 21 paint go bad and this and that, but we can't  
 22 stay where we -- we just can't stay static.  
 23 We have to improve. And thank you for  
 24 the compliment. But, no, I don't choose your  
 25 director. It's a board decision. I'm just an

1 assembler of resumes and will lead the  
 2 discussion.  
 3 MR. BARRETT: That's good. I'll ask the  
 4 same of Susan, you know --  
 5 CHAIRMAN RAGUSA: Keith, don't worry.  
 6 The last paragraph of his article in this  
 7 month's WOW, he knows you're the member, and  
 8 you're not on this current CDD board.  
 9 MR. HEINEMANN: Okay.  
 10 CHAIRMAN RAGUSA: He'll have to think  
 11 about that one.  
 12 MR. CHESNEY: Now you got me thinking.  
 13 I'm trying to remember.  
 14 CHAIRMAN RAGUSA: (Inaudible) Anything  
 15 else?  
 16 (No response.)  
 17 CHAIRMAN RAGUSA: Okay. Thank you,  
 18 Keith.  
 19 (Ms. Edgerley enters the room, and  
 20 Mr. Heinemann exits the room.)  
 21 MS. EDGERLEY: Does anybody need my  
 22 resume? As all of you all know, my name is  
 23 Susan Edgerley, and when I found out that this  
 24 position became available, I wanted to take  
 25 the opportunity to run.

1 As you know, I've sat on the board for  
 2 over eight years. I'm a founder and president  
 3 of Upper Tampa Bay Alliance. Both Mr. Argus  
 4 and I -- I was also treasurer and also founder  
 5 of the Robinson IB link, which is the parents  
 6 organization.  
 7 I've been a member and resident for 14  
 8 years. So I've done a lot for this  
 9 community. I love this community. And I  
 10 really love sitting on this board, and I made  
 11 a difference.  
 12 One of the first things that I did when  
 13 I came aboard, if you all remember, was I  
 14 brought to the attention the ponds, the lakes,  
 15 the retention ponds, and how they needed to be  
 16 cleaned up. That was my priority for first  
 17 coming on to the board. And we've tackled  
 18 that head on and took care of it.  
 19 My other priority was getting the  
 20 sheriff's patrols, which we also got back. I  
 21 consider myself a fiscal moderate. I'm not  
 22 extreme on one side. I'm not extreme on the  
 23 other. I believe in what's best for the  
 24 entire community.  
 25 Even when I was on the Westchase East, I

1 never focused solely on the Fords or even the  
 2 East. I really feel it's all about the whole  
 3 community. I know you're going through some  
 4 issues right now with Bridgeton again.  
 5 I sat on the East when we went through  
 6 that back in '05, so I think I could be a  
 7 value with that, with the easement issues  
 8 going on there in Stonebridge. What can I  
 9 tell you? I really, really enjoyed my time. I  
 10 know I can make a difference. I'm a voice of  
 11 reason, as I've been told. And I guess that's  
 12 it.  
 13 You all really know me, and you know my  
 14 work, and you know who I am. And I am  
 15 passionate, but I'm also a problem solver, and  
 16 I don't believe in debating things to death.  
 17 I believe we get to the point, we solve the  
 18 problem, we move on.  
 19 And I'd really like to be back on this  
 20 board. I really missed it. Anybody have any  
 21 questions?  
 22 CHAIRMAN RAGUSA: Mr. Chesney.  
 23 MR. CHESNEY: I'm sorry. I'm still  
 24 looking, trying to figure out your vague  
 25 reference.

1 MS. EDGERLEY: Would you like me to  
 2 repeat it, Greg?  
 3 MR. CHESNEY: No. So I'm going to go  
 4 through -- I'm going to start with the one I  
 5 like the best, which is, what do you -- on  
 6 this board --  
 7 MS. EDGERLEY: Yes.  
 8 MR. CHESNEY: -- what do you think we've  
 9 done that's been bad, and what do you think  
 10 that we've done that's pretty good?  
 11 What's --  
 12 MS. EDGERLEY: As overall, the board, I  
 13 would say that the things that this board  
 14 tends to do -- and unfortunately I've not been  
 15 able to make meetings since we've merged -- we  
 16 tend to debate things, I think, too much,  
 17 almost to the point where we repeat ourselves  
 18 over and over and over again.  
 19 And that's one thing that I think the  
 20 board can get a little better at, is not  
 21 repeating themselves.  
 22 What do we do that's strong? We listen  
 23 to each other. We listen to the  
 24 residents, which is extremely important. We  
 25 take everything the residents say to heart,

1 and because we are residents, so -- and we  
 2 care, and we use a very much of a common-sense  
 3 approach.  
 4 MR. CHESNEY: So CDD has had a --  
 5 experienced nearly half a decade of cost  
 6 cutting. Other than pond erosion, the  
 7 district has undertaken minimal capital  
 8 improvements.  
 9 Should the district consider another  
 10 capital improvement program; and, if so, what  
 11 assets would be improved? I'm just reading  
 12 it.  
 13 MS. EDGERLEY: Well, I know the capital  
 14 improvements that we've done in the past, a  
 15 lot the HOA has undertaken. I think what we  
 16 are doing -- I don't think we need to  
 17 undertake any capital improvement. I think  
 18 what we did with the irrigation was extremely  
 19 important.  
 20 As a matter of fact, I still call in  
 21 from time to time when I see errant  
 22 sprinklers because unclaimed water is a  
 23 available resource, and I don't want it wasted  
 24 on the street or into a conservation area.  
 25 I think the flooding and erosion is

1 extremely important, and I think we're  
 2 tackling that head on. Other than that, I  
 3 don't see any capital improvements that need  
 4 to be made.  
 5 MR. CHESNEY: Okay. Those were the two  
 6 ones I asked him.  
 7 CHAIRMAN RAGUSA: Well, I'll ask you my  
 8 standard question.  
 9 MS. EDGERLEY: Okay.  
 10 CHAIRMAN RAGUSA: You are a long-serving  
 11 CDD East supervisor, and you, to your word,  
 12 resigned when the board merged, and you have  
 13 been thanked, and you should be thanked again  
 14 for doing that, as Mr. Argus and a number of  
 15 other supervisors did.  
 16 From a government standpoint, not  
 17 necessarily personal, I'm not looking to -- I  
 18 don't know -- I'm not looking for personal  
 19 information or anything to -- tell us  
 20 something about you that would be applicable  
 21 to you serving on the CDD board that we don't  
 22 know or may not know based on our experience  
 23 working with you.  
 24 MS. EDGERLEY. Politically?  
 25 CHAIRMAN RAGUSA: (Moves head side to

1 side.)  
 2 MS. EDGERLEY: Well, like I said, I'm a  
 3 moderate, which tends to be, I guess -- I  
 4 don't know if it's a bad word or not --  
 5 there's not many of us anymore, moderates.  
 6 I'm not a -- I don't pinch pennies like  
 7 Lewis did, but I'm not a free spender either.  
 8 I'm sorry. I did say that.  
 9 What don't you know about me? Gosh,  
 10 I've been on this board for eight years. You  
 11 all know me pretty well. I'm passionate -- I  
 12 have a daughter who is graduated and left.  
 13 I'm an empty nester. I'm not involved  
 14 in any other organizations within Westchase,  
 15 so there's no conflicts of interest as far as  
 16 I may serve on too many boards. So my  
 17 interests are not in too many places. I'm  
 18 very focused.  
 19 When I -- I'm very loyal. I think I'm  
 20 an open book. I think you guys probably know  
 21 a lot about me. I do a lot of volunteering  
 22 outside of Westchase through my krewe. I have  
 23 -- I'm a diehard football fan. You know, I  
 24 love the Seminoles. I'm a native.  
 25 MR. CHESNEY: Which krewe are you in? I

1 didn't know you were in a krewe.  
 2 MS. EDGERLEY: Krewe of Augustina. And  
 3 we are the krewe with the largest number of  
 4 volunteer hours of all Gasparilla krewes. I'm  
 5 a native. I own my own company, called  
 6 Seem Investments. I think that's -- that's  
 7 it --  
 8 CHAIRMAN RAGUSA: Okay. Well, thank you.  
 9 MS. EDGERLEY: -- that I can think of.  
 10 CHAIRMAN RAGUSA: Chris, do you have any  
 11 questions?  
 12 MR. BARRETT: Actually I think that in  
 13 your answers you kind of managed to address  
 14 them anyway, so I'm good.  
 15 CHAIRMAN RAGUSA: Okay.  
 16 MS. EDGERLEY: Okay. Have a good day.  
 17 CHAIRMAN RAGUSA: You can stay.  
 18 MS. EDGERLEY: Okay. Thank you.  
 19 MS. WHYTE: I'll get Keith.  
 20 (Mr. Heinemann enters the room.)  
 21 CHAIRMAN RAGUSA: All right. We have  
 22 now received input from and we have been asked  
 23 -- our four individuals to consider us -- or to  
 24 give consideration by this board to appointing  
 25 them to the Seat Three for the Westchase CDD.

1 We have heard from Joseph Payne, Robert  
 2 Argus, Susan Edgerley and Keith Heinemann. At  
 3 this stage, I think it's an open forum in  
 4 terms of what we do. Obviously we have some  
 5 history of how we handled it last week, but,  
 6 really, any motion from a supervisor would be  
 7 appropriate.  
 8 MR. CHESNEY: Oh. Well --  
 9 CHAIRMAN RAGUSA: Mr. Ross.  
 10 MR. ROSS: Last month we sort of did, I  
 11 believe, a straw vote, and I like that  
 12 approach because I think we all recognize the  
 13 outstanding candidate slate we have, and what  
 14 I would hope is, if it turns out that the  
 15 straw vote went three-one in favor of a  
 16 candidate, the one would join in the other  
 17 three and we would have a unanimous motion to  
 18 appoint that person. So I personally like the  
 19 approach of the straw vote where you ask, "All  
 20 for this person, raise your hand, all for  
 21 person, raise your hand, all for this person,  
 22 raise your hand."  
 23 MR. CHESNEY: Okay. Last month I made a  
 24 motion to appoint Mr. Argus because, you know,  
 25 based on he had run previously and has shown a

1 continuing interest in the position, and it  
 2 was two to two, if I remember correctly, so --  
 3 MR. ROSS: I stand corrected then.  
 4 CHAIRMAN RAGUSA: But then it led to an  
 5 open discussion and a straw.  
 6 MR. ROSS: Maybe that's what I was --  
 7 MS. EDGERLEY: May I add something to  
 8 that that you may not know? During qualifying  
 9 period, I did not qualify because my mom  
 10 passed away. So just FYI so you guys know  
 11 that's why I did not run.  
 12 CHAIRMAN RAGUSA: Well, I'll leave it up  
 13 to you guys in terms of procedurally how you  
 14 want to go about this.  
 15 We obviously -- my impression was from  
 16 the straw vote we had, two votes -- the votes  
 17 for the two candidates who appeared last month  
 18 were split among the four supervisors. We now  
 19 have two new individuals expressing an  
 20 interest, both of whom have served on the  
 21 CDD.  
 22 You know, I guess we need to have a  
 23 frank discussion now where people are meeting  
 24 and see if we have a consensus and see if  
 25 anything has changed since last month.

1 MR. CHESNEY: I mean, I would be willing  
 2 to make the same motion again just because I  
 3 made it prior. I don't know if there would be  
 4 any support of that, although, you know, we  
 5 have done straw votes lots of times before,  
 6 so, you know, I'm don't mean to be wishy washy  
 7 here.  
 8 CHAIRMAN RAGUSA: What would you prefer?  
 9 MR. ZEIGLER: Is there any precedence to  
 10 this?  
 11 MR. CHESNEY: We have done it both  
 12 ways.  
 13 CHAIRMAN RAGUSA: Yes. We have a lot of  
 14 latitude. It's difficult because you're doing  
 15 it in public, but --  
 16 MR. ZEIGLER: Right.  
 17 CHAIRMAN RAGUSA: -- I can honestly say  
 18 all four of those people would be great  
 19 supervisors, and I will vote for one of them,  
 20 so --  
 21 MR. CHESNEY: And, quite frankly, when I  
 22 threw you under the bus earlier, you did a  
 23 great job.  
 24 MR. ZEIGLER: So if we all choose each a  
 25 different person, where do we go from there?

1 MR. CHESNEY: You just have to keep  
 2 doing it until -- usually someone will fold  
 3 out. I mean, if you do it by motion -- or  
 4 that's why we have done it -- when we have  
 5 been very divided, we have done a straw vote  
 6 thing, because there have been times when --  
 7 MR. MENDENHALL: Just as a suggestion, I  
 8 was talking to Erin earlier as we were hearing  
 9 some of the presentations, one of the things  
 10 you might consider doing, I think, as  
 11 referenced by your Chair, you have some  
 12 latitude here, you can have a person nominate  
 13 all four candidates for consideration.  
 14 Basically, you know, each of you  
 15 individually write down who you choose on a  
 16 piece of paper, turn it in. Those pieces of  
 17 paper become public record, but it kind of  
 18 takes the uncomfortableness out of kind of  
 19 hashing out, going over each candidate, each  
 20 of you voting, that sort of thing. So it's  
 21 something to consider.  
 22 MR. CHESNEY: Appreciate you bringing  
 23 that up right away.  
 24 MR. MENDENHALL: Yes, I didn't want to  
 25 interrupt your comments.

1 MR. CHESNEY: When does your contract  
 2 come up?  
 3 MR. MENDENHALL: Wanted you to get your  
 4 thoughts out.  
 5 MR. CHESNEY: Sure. We actually have  
 6 done it that way, too. I remember it.  
 7 MR. MENDENHALL: Yes. When we merged,  
 8 we did it that way, or at least a version of  
 9 that.  
 10 MS. McCORMICK: Right.  
 11 MR. ZEIGLER: So do that --  
 12 MR. CHESNEY: Sure. Yeah. Okay.  
 13 MR. ZEIGLER: -- and then we narrow it  
 14 down from there?  
 15 MS. McCORMICK: Yes. And just thinking  
 16 about that, it's really kind of a straw vote  
 17 concept, so maybe as opposed to making a  
 18 motion right now, everybody just take a piece  
 19 of paper and write down who they want to --  
 20 who would be their first choice to appoint,  
 21 and then we can have a formal motion after  
 22 that. That's one way to do it.  
 23 MR. MENDENHALL: Sure.  
 24 MR. ROSS: Do we put our name on our  
 25 piece of paper?

1 MR. MENDENHALL: I don't think so. I'll  
 2 defer to Erin.  
 3 (Multiple speakers speaking at once.)  
 4 MR. ROSS: Just paper.  
 5 MR. MENDENHALL: Thanks.  
 6 MR. CHESNEY: I'm really at a loss.  
 7 MR. MENDENHALL: Well, this will be  
 8 easy. You have a tie: Two votes for  
 9 Mr. Payne and two votes for Mr. Argus.  
 10 MR. CHESNEY: Okay. All right. What  
 11 are the chances of that?  
 12 MR. MENDENHALL: You needed Doug's vote  
 13 for the tie breaker.  
 14 MR. BARRETT: I'm sorry. I didn't hear  
 15 it.  
 16 MR. MENDENHALL: I'm sorry. It was  
 17 basically the same as last meeting, two for  
 18 Mr. Payne and two for Mr. Argus.  
 19 MR. CHESNEY: Well, you know, I've heard  
 20 of a CDD that flipped a coin.  
 21 MR. MENDENHALL: Yes, that did happen.  
 22 MR. CHESNEY: Was that yours?  
 23 MR. MENDENHALL: That was not mine.  
 24 That was --  
 25 MR. CHESNEY: Someone else.

1 MR. MENDENHALL: -- somebody else. I  
 2 believe that was Hillsborough County, the  
 3 other side of Hillsborough County.  
 4 MR. CHESNEY: Come on. I'll let you be  
 5 chairman. Make these tough calls.  
 6 MR. MENDENHALL: I mean, typically you  
 7 keep going. You know, like any tie vote, you  
 8 keep going until somebody changes their minds,  
 9 I mean, whether today or another day or --  
 10 CHAIRMAN RAGUSA: Well, I have a concern  
 11 with us continuing to have the possibility of  
 12 two-two failures.  
 13 MR. MENDENHALL: Sure.  
 14 CHAIRMAN RAGUSA: I would rather have  
 15 five members on this board go forward. And I  
 16 said it before, I voted for one person. I  
 17 think we have four great candidates. I think  
 18 to try to move this process along, I will  
 19 change my vote to Bob Argus.  
 20 MR. MENDENHALL: Okay. So that would  
 21 mean --  
 22 CHAIRMAN RAGUSA: Mr. Ross.  
 23 MR. ROSS: I make a motion that we  
 24 appoint Bob Argus to fill the empty seat.  
 25 CHAIRMAN RAGUSA: Okay. Do we have a

1 second?

2 MR. CHESNEY: Second.

3 CHAIRMAN RAGUSA: Any further

4 discussion? All signify by raising your hand.

5 (All board members signify in the

6 affirmative.)

7 CHAIRMAN RAGUSA: That motion passes

8 four to nothing.

9 (Motion passes.)

10 MR. MENDENHALL: Okay.

11 MS. STEWART: Congratulations.

12 MR. MENDENHALL: Bob, I have the oath of

13 office with me, if you would like me to swear

14 you in, Bob. So, Bob, you have the option to

15 join the board today. I can swear you in if

16 you'd like.

17 MR. ARGUS: Yes.

18 MR. MENDENHALL: So if you could just

19 affirm when I'm done reading. Do you solemnly

20 swear or affirm that you will support, protect

21 and defend the Constitution and the Government

22 of the United States and of the State of

23 Florida, that you are duly qualified to hold

24 office under the Constitution of the state

25 and that you will well and faithfully perform

1 the duties of a Westchase CDD supervisor?

2 MR. ARGUS: I so affirm.

3 MR. MENDENHALL: Okay. Welcome to the

4 board.

5 MR. ARGUS: I'd like to suggest to take

6 a break for the fingers.

7 CHAIRMAN RAGUSA: Bear with me -- Susan,

8 Keith, thank you. With all seriousness, you

9 guys were great supervisors. I think you

10 would do a great job going forward. It's not

11 easy for you to come in a room like this and

12 put it out there on the table and look for a

13 position, and you did -- you're wonderful

14 people, and you guys are great for the

15 community. And thank you for coming out.

16 Ready to take a break?

17 THE REPORTER: Sure.

18 (Recess from 5:33 p.m. to 5:40 p.m.)

19 CHAIRMAN RAGUSA: We have an issue. Can

20 you identify yourself?

21 MR. SNIZIK: Good afternoon, my name is

22 David Snizik. I live on Rochester Way in

23 Castleford. I've been a Westchase resident

24 for five, five and a half years.

25 I figure when we go through meetings and

1 those types of things, it always helps to

2 bring pictures to bring clarity to a issue.

3 And on one of the vacation days over the

4 holidays, I decided to throw a little

5 presentation together.

6 What I'd like to propose to the CDD is

7 for a fence extension along the retention pond

8 in Castleford and -- okay. Just from

9 visualization, here's Linebaugh. I'm actually

10 right up the street here.

11 And right now what is occurring is, this

12 has become a pedestrian pathway along this

13 fence line, and then residents and other folks

14 have been using between these two houses is a

15 shortcut to go into Castleford and points

16 beyond.

17 My home is this one here. And what

18 we're proposing is that we put a fence across

19 here, and I wanted to show you a similar

20 solution in Radcliffe that already exists.

21 There's actually a fence right here. The

22 7-Eleven is right here. It provides some

23 perspective as to where this is.

24 And, again, you could kind of see the

25 distance between where Radcliffe is and where

1 our issue is right here. This is the

2 Radcliffe site. And as you can see, the fence

3 comes along the brick and down to the water.

4 And this is a view kind of standing from here,

5 looking this way.

6 And what propose in Castleford is, this

7 issue right here, there's about five feet

8 between the edge of this fence to the water.

9 And -- and what's interesting here is the

10 grade. The grade here is probably 15, 20

11 percent grade, and along in here, there's a

12 lot of cypress stumps. And so if you get a

13 child or an adult that's walking through here,

14 generally if they slip on the bicycle, they're

15 in the water and they're walking through my

16 yard, but it's become -- it's a convenient

17 shortcut for folks.

18 We've had a couple challenges over the

19 years. First and foremost, there's the safety

20 issue, and somebody winds up in the pond,

21 that's not a desirable thing. We've had three

22 eight-foot alligators removed from our back

23 yard in the five years we've been here. You

24 know, we followed the process and called for

25 the permit, and Julie, the gator person, comes

1 out, and have gotten to know Julie fairly well  
2 over the last five years.

3 The issue with the theft and the  
4 properties in the cul-de-sac being robbed last  
5 year, that was my house. And I'll show you.  
6 What happened was, if you kind of look --  
7 whoever broke into our house literally cut a  
8 hole through our lanai, went in through here  
9 and busted open the sliding glass doors and  
10 robbed the house, and then went, whoosh,  
11 whoosh, whoosh, and then off they went.

12 And nobody out front here saw it. And  
13 my wife actually came home in the middle of  
14 the theft. And so we know they went out that  
15 way just because, you know, she came through  
16 the front of the house. Not a desirable  
17 position.

18 The other thing that happens from a  
19 wildlife perspective is, as the deer are  
20 moving around through Westchase, they actually  
21 run through here, and then run through the  
22 yards. I don't necessarily have an issue with  
23 the deer running through the yards.

24 It's, you know, more of the people  
25 challenge than anything else. And then you

1 get other four-legged friends that they're  
2 running through Westchase, such as raccoons  
3 and the occasional coyote runs through there.

4 CHAIRMAN RAGUSA: David, on that  
5 picture, where does that fence that was in the  
6 shrubbery end?

7 MR. SNIZIK: The fence would go right  
8 here, and it's literally -- if I move a couple  
9 slides forward --

10 CHAIRMAN RAGUSA: Keep going. There's a  
11 fence in the right picture, in the lower --

12 MR. SNIZIK: Right. This ties into the  
13 retention wall that is -- there's a similar --

14 MR. CHESNEY: That's it.

15 MS. WHYTE: No.

16 MR. SNIZIK: There's a wall that comes  
17 along here --

18 MS. WHYTE: A brick wall.

19 MR. SNIZIK: -- on the north side of  
20 Linebaugh, and there is a fence that parallels  
21 the bushes in my backyard.

22 CHAIRMAN RAGUSA: Aluminum fence.

23 MR. SNIZIK: It's steel.

24 MR. MAYS: It's wrought iron.

25 MR. SNIZIK: It's metallic. I know that

1 much.

2 CHAIRMAN RAGUSA: Okay.

3 MR. SNIZIK: There's kind of two ways I  
4 think we can do this from a design  
5 perspective. You know, the one would be, you  
6 know, we could sink a piece of rebar or  
7 concrete in here, and you can see it as it  
8 over time, depending on the depth of the  
9 retention pond, you know, this could either be  
10 an eyesore or it's not an issue.

11 The other issue -- the other perspective  
12 that could potentially happen is, if we put it  
13 -- hung this out 90 degrees and cantilevered  
14 it with a strong enough piece of steel that's  
15 architecturally compatible, and just have it  
16 hang out, and whether or not we want to have  
17 the ability to be fixed or flexible. I'm  
18 certainly open to that. But I'm just trying  
19 to pick our way through a barrier here.

20 Kind of the low-cost solution here  
21 potentially might be a bush. You know, if we  
22 built a bush big enough, I think the majority  
23 of the traffic would disappear, and if the CDD  
24 was open to that.

25 MR. CHESNEY: Putting a bush in?

1 MR. SNIZIK: A big bush.

2 MR. CHESNEY: Well, it --

3 CHAIRMAN RAGUSA: Sure.

4 MR. SNIZIK: My preference would be a  
5 fence.

6 MR. CHESNEY: I mean, have you looked  
7 into how much the fence is going to cost you?

8 MR. SNIZIK: I haven't, in that, first  
9 off, I'm not sure of the ownership of the  
10 current fence behind me, which I think is a  
11 CDD property and --

12 MR. CHESNEY: That's a CDD fence there?

13 CHAIRMAN RAGUSA: Yes.

14 MR. CHESNEY: Oh, I see.

15 MR. SNIZIK: Yes, the CDD owns this  
16 already. And I'm not really sure how to move  
17 forward here. That's why --

18 MR. CHESNEY: The Radcliffe guy, the  
19 gentleman -- excuse me -- he paid for -- he  
20 reimbursed us for the fence. We paid -- it is  
21 our fence, but he reimbursed us the cost of  
22 the fence.

23 I mean, I wouldn't -- if we plant some  
24 bushes there, that's usually an insignificant  
25 expense.

1 CHAIRMAN RAGUSA: Do you have more of  
 2 your presentation?  
 3 MR. SNIZIK: There's the alligators in  
 4 the backyard just in case anybody wanted to  
 5 see.  
 6 Again, what I petition the group is to  
 7 consider extending the current fence 90  
 8 degrees to the retention pond to restricting  
 9 the access, and if there's a -- you know, I'm  
 10 certainly willing to work with the group to  
 11 figure out what's -- you know, what balances  
 12 what -- what everybody's intentions as to what  
 13 would be the best way to do this.  
 14 My preference would be to be a fence.  
 15 If there is a challenge with that either  
 16 economically or there's just -- they want to  
 17 go in a different direction and it's some  
 18 sort of architecturally friendly obstruction  
 19 would be helpful.  
 20 CHAIRMAN RAGUSA: Can you go back to the  
 21 aerial photo of your house and the one besides  
 22 you?  
 23 MR. SNIZIK: Yes.  
 24 CHAIRMAN RAGUSA: One more.  
 25 MR. SNIZIK: Here. Yes.

1 CHAIRMAN RAGUSA: I guess, Doug, we have  
 2 the land that is between the fence and the  
 3 lake. Correct?  
 4 MR. MAYS: Yes.  
 5 CHAIRMAN RAGUSA: And we obviously have  
 6 the fence.  
 7 MR. MAYS: Yes.  
 8 CHAIRMAN RAGUSA: Do we have the  
 9 shrubbery on the right-hand side as we're  
 10 looking at that photo of the fence?  
 11 MR. MAYS: No.  
 12 CHAIRMAN RAGUSA: That's the  
 13 homeowners.  
 14 MR. MAYS: That's the homeowners.  
 15 MR. SNIZIK: Yeah, that's mine.  
 16 CHAIRMAN RAGUSA: So we have land that  
 17 would go all the way around that retention  
 18 pond?  
 19 MR. MAYS: Yes.  
 20 CHAIRMAN RAGUSA: Do we have any egress  
 21 or access between those two homes? Do we have  
 22 a right of way or anything in there?  
 23 MR. MAYS: I'm not sure if there's a --  
 24 MS. WHYTE: Water drain.  
 25 MR. MAYS: -- water drain, drainage in

1 between those two houses, then we would. I'm  
 2 not sure on that one. Is there one of those  
 3 drainage inlets in front of your house?  
 4 MR. SNIZIK: I don't believe so.  
 5 MS. STEWART: I don't see it.  
 6 MR. MAYS: I don't see one either.  
 7 MS. STEWART: I don't see it.  
 8 MR. CHESNEY: And that's what I failed  
 9 to ask is, I mean, would we still have access  
 10 if he puts the fence in?  
 11 MR. MAYS: Well, we really -- yes, we  
 12 would, because you can go around -- because  
 13 most of the time to mow back there, we go  
 14 around by the medical center anyway.  
 15 MR. CHESNEY: Go back.  
 16 MR. MAYS: On the north side of the  
 17 pond.  
 18 MR. SNIZIK: Yeah, the medical center is  
 19 right here.  
 20 MR. MAYS: We go around the north side  
 21 to maintain all that.  
 22 MR. SNIZIK: Yes.  
 23 MR. MAYS: At this time, I believe the  
 24 residents maintain most of it anyway. They  
 25 probably go all the way down to the pond. We

1 may take a weed eater back there in that area,  
 2 but it's not big enough -- you can't get a  
 3 mower through that.  
 4 CHAIRMAN RAGUSA: No, you can't get a  
 5 mower through that gap.  
 6 Tonja, have you looked at this?  
 7 MS. STEWART: No.  
 8 CHAIRMAN RAGUSA: What's the staff say?  
 9 MR. MAYS: It's similar to the issue  
 10 that we had at Radcliffe, but the homeowner  
 11 did pay for the fence, but it's just a lot  
 12 smaller. So it's not going to affect us  
 13 maintenance-wise.  
 14 Bushes would be good, because that's  
 15 bush that he has on the back side is called a  
 16 viburnum hedge. And viburnum grows quick.  
 17 It's cheaper than the fence. It would be  
 18 probably a good way to try it first.  
 19 MR. SNIZIK: Quite honestly, I cut it on  
 20 the back side, so --  
 21 MR. MAYS: Yes, it's on his side, so  
 22 he's maintaining that hedge so --  
 23 MS. WHYTE: The kids will get through --  
 24 MR. MAYS: -- either way. But, yeah, my  
 25 biggest fear would be that if we put bushes,

1 that the kids would damage them before they  
 2 had a chance to get large enough to make that  
 3 block, so I would think the fence would be  
 4 better.  
 5 CHAIRMAN RAGUSA: Sonny, did you look at  
 6 this?  
 7 MS. WHYTE: Yes.  
 8 CHAIRMAN RAGUSA: What are your  
 9 thoughts?  
 10 MS. WHYTE: Either way, I mean, I don't  
 11 know -- I personally think a bush would be a  
 12 problem, as you said, because we've done that  
 13 over in the Stonebridge area. Am I correct?  
 14 MR. MAYS: Yes.  
 15 MS. WHYTE: We added a shrub and the  
 16 kids just went around the shrub.  
 17 CHAIRMAN RAGUSA: Well, I guess one of  
 18 the questions I have is, is there -- if  
 19 someone were to walk off of Linebaugh, walk  
 20 behind that house and the other house, is  
 21 there anywhere else to go besides cutting  
 22 between the two lots?  
 23 MS. WHYTE: There's just homes back  
 24 there. How many are there? I think there's  
 25 three.

1 MR. SNIZIK: There's three on the  
 2 water.  
 3 MS. WHYTE: There are three on the  
 4 water, turnaround on the curb. So one, two  
 5 and three.  
 6 MR. SNIZIK: Yeah. One here, here and  
 7 here. There is a separate pond to the two  
 8 homes -- the pond, this way, goes like this.  
 9 MR. MAYS: That's really not a bad  
 10 location for them to go, unless they go all  
 11 the way around by the medical center.  
 12 MR. SNIZIK: Yeah. And generally what  
 13 -- what, you know, folks do is, you know, they  
 14 sneak back through here, they come across  
 15 here, and then they head somewhere into the  
 16 Fords --  
 17 MR. MAYS: Into the Fords, right.  
 18 MR. SNIZIK: -- versus going all the way  
 19 down to Gretna Green and then coming up.  
 20 CHAIRMAN RAGUSA: Does staff have a  
 21 recommendation?  
 22 MR. MAYS: Well, I mean, the homeowner  
 23 did it before in Radcliffe. Our  
 24 recommendation would be that the homeowner is  
 25 allowed to put that fence in that location,

1 matching the black wrought iron fence.  
 2 CHAIRMAN RAGUSA: I look at this as  
 3 different than the Radcliffe situation.  
 4 That's an easement. That's an access issue.  
 5 I look at it as different. This is much  
 6 tighter and more restricted.  
 7 MR. MAYS: Mr. Richey, his complaint was  
 8 that people were doing the same thing.  
 9 CHAIRMAN RAGUSA: I understand that  
 10 they're cutting the corner, but physically I  
 11 look at it a little differently.  
 12 Did they offer to have us contract --  
 13 put the fence in at your expense?  
 14 MR. SNIZIK: I understand that's the  
 15 arrangement. I would like to kind of talk  
 16 through -- I don't know if this is fifty  
 17 dollars or five million dollars.  
 18 CHAIRMAN RAGUSA: Neither.  
 19 MR. SNIZIK: You know, it's -- I think  
 20 if we can -- you know, if we can work together  
 21 on what this is going to cost and it's  
 22 architecturally compatible --  
 23 MR. MAYS: It's probably a couple  
 24 hundred dollars.  
 25 MS. WHYTE: Under five hundred probably.

1 MR. CHESNEY: Under five hundred.  
 2 MS. WHYTE: The post and concreted into  
 3 the --  
 4 MR. ZEIGLER: Would it make more sense  
 5 that to not put the fence that far -- that  
 6 extending piece that far over that it would  
 7 allow someone to go up to that and still slip  
 8 into pond, I mean, because you have all those  
 9 tree stumps?  
 10 MS. WHYTE: Bring it up --  
 11 MR. ZEIGLER: Why not bring it up a few  
 12 more sheets of fence so that no one tries to  
 13 get by?  
 14 MR. SNIZIK: Yeah, you're thinking  
 15 further up towards --  
 16 MR. ZEIGLER: Yeah, because this is --  
 17 MR. SNIZIK: -- this is Linebaugh, right  
 18 here.  
 19 MR. ZEIGLER: If they come up to this  
 20 point here, fooling around or fishing or  
 21 whatever they're doing, they're still going to  
 22 fall in.  
 23 MR. SNIZIK: I mean, there's the  
 24 likelihood of falling in.  
 25 CHAIRMAN RAGUSA: Are you talking about

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1 extending it back toward the second house?  
2 MR. ZEIGLER: No. Back towards  
3 Linebaugh.  
4 (Multiple speakers speaking at once.)  
5 MR. MAYS: One at a time.  
6 MR. SNIZIK: The distance here is five  
7 feet, and if you were to move up the walkway  
8 here, you would be looking at, you know, 20 to  
9 22 feet of fence up there, you know, moving up  
10 there.  
11 And I'm looking at this and saying, if  
12 we cantilever a piece of fencing right here, we  
13 don't even have to put a post in the ground  
14 here.  
15 MS. WHYTE: You have to support it in  
16 case the kids go around it.  
17 CHAIRMAN RAGUSA: The kids are going to  
18 swing around it.  
19 MR. SNIZIK: They're going to go around  
20 it anyway.  
21 MR. MAYS: Unless you go out a little  
22 further, like he says, put a post in. Let it  
23 hang over the edge.  
24 CHAIRMAN RAGUSA: Go back to the aerial  
25 of the two homes.

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1 MR. SNIZIK: (Complying.)  
2 CHAIRMAN RAGUSA: Where does your  
3 property line end?  
4 MR. SNIZIK: I believe it's right at the  
5 bush line here, and then it's kind of where  
6 the red line is, the division between my  
7 neighbor and here.  
8 CHAIRMAN RAGUSA: And I take it your  
9 neighbor doesn't have a fence behind his  
10 house.  
11 MR. MAYS: No.  
12 MR. SNIZIK: He doesn't, but he's got --  
13 you really can't walk back here because his --  
14 the bushes back here go all the way to the  
15 water line.  
16 CHAIRMAN RAGUSA: Have you talked to  
17 your neighbor about extending that fence back  
18 through to his lot, the existing wrought iron  
19 fence all the way to his property?  
20 MR. SNIZIK: I have not. I guess I  
21 looked at this as this is the short and simple  
22 answer to fixing this versus extending the  
23 fence out this way.  
24 Again, I don't own the fence, so I'm  
25 looking at this as kind of one -- you know, a

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1 piece of fence the size of an interior door  
2 versus do we really want to extend this out  
3 there.  
4 I would offer if the CDD is willing to  
5 to go that way, you know, it's open for  
6 discussion.  
7 MR. CHESNEY: I'm just curious. Doug,  
8 you said you go around the other side to go --  
9 how do you go all the way there with all those  
10 bushes at his neighbor's house?  
11 MR. MAYS: We don't. That's why I say  
12 the homeowner maintains most of that.  
13 MR. CHESNEY: Oh.  
14 MR. SNIZIK: If you look at the next  
15 door neighbor's yard, he has bushes that are  
16 between his pool and the water line. And so  
17 there is no access that way.  
18 MR. MAYS: We basically maintain the  
19 north side of that property.  
20 CHAIRMAN RAGUSA: All right. Erin, do  
21 you have any comments?  
22 MS. McCORMICK: No, I don't -- Tonja,  
23 are there any permit issues with putting  
24 anything in that area that close to the edge  
25 of the pond?

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1 MS. STEWART: No.  
2 MS. McCORMICK: Then I don't have any  
3 issues that I see with, you know, if you were  
4 to go ahead and put a fence in there to extend  
5 where the water starts in the pond.  
6 CHAIRMAN RAGUSA: Okay. What do the  
7 supervisors -- anybody have a motion or  
8 suggestion?  
9 MR. ARGUS: Could you go to the next  
10 slide, please?  
11 MR. SNIZIK: (Complying.)  
12 MR. ARGUS: Thank you.  
13 MR. SNIZIK: This is Radcliffe.  
14 MR. ARGUS: Never mind. Go back to the  
15 other one then.  
16 MR. SNIZIK: Okay.  
17 MR. CHESNEY: I'll make a motion.  
18 MR. SNIZIK: This is the west cul-de-sac  
19 in Rochester Way right here, and then  
20 Rochester Way runs parallel to Linebaugh  
21 here.  
22 MS. WHYTE: I'm just pulling it up on  
23 Google Maps.  
24 CHAIRMAN RAGUSA: Mr. Chesney.  
25 MR. CHESNEY: I make a motion to allow

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1 the homeowner to reimburse us for putting a  
 2 fence extension along the narrower part of our  
 3 property line. I don't know if I said that  
 4 correctly. You get the idea.  
 5 CHAIRMAN RAGUSA: With fencing material  
 6 consistent with the existing fence?  
 7 MR. CHESNEY: Yes, like us putting the  
 8 fence up.  
 9 CHAIRMAN RAGUSA: Okay.  
 10 MR. CHESNEY: Only if the homeowner  
 11 agrees to reimburse us for the full cost of  
 12 the fencing.  
 13 CHAIRMAN RAGUSA: Would we do that  
 14 in-house or --  
 15 MR. MAYS: Yes, we can do that.  
 16 CHAIRMAN RAGUSA: Okay.  
 17 MR. MAYS: We have a place to order the  
 18 fence from.  
 19 CHAIRMAN RAGUSA: Do we have a second?  
 20 MR. ARGUS: I'll second it as long as it  
 21 doesn't infringe on any permitting or, you  
 22 know, legally everything is allowable. I'll  
 23 second it.  
 24 CHAIRMAN RAGUSA: You have heard the  
 25 motion. Do you want to talk about it?

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1 MR. SNIZIK: Yeah. I guess in a perfect  
 2 world I -- you know, no surprise here. I'd  
 3 prefer for the CDD to pay for this, but if  
 4 that's -- you know, I mean, it's -- is there  
 5 any way that we can work it that way or --  
 6 CHAIRMAN RAGUSA: The motion is to have  
 7 you reimburse us.  
 8 MR. SNIZIK: Yes.  
 9 MR. CHESNEY: What did he say? I didn't  
 10 hear him.  
 11 MR. SNIZIK: My preference would be that  
 12 the CDD pays, but that's no big surprise.  
 13 MR. CHESNEY: That's not going to happen.  
 14 We've never done that.  
 15 MR. SNIZIK: Okay. Can we at least work  
 16 together -- like I said, I don't want to  
 17 commit to something and find out I have a  
 18 thousand dollar bill.  
 19 CHAIRMAN RAGUSA: You will have the --  
 20 if it comes to \$2,000, you have the right to  
 21 say, "I don't want it."  
 22 MR. CHESNEY: Yes.  
 23 CHAIRMAN RAGUSA: We're not going to  
 24 force it on you.  
 25 MR. SNIZIK: Okay.

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1 MR. ARGUS: And I believe we heard that  
 2 staff will be providing the labor, so that's  
 3 saving you money right there.  
 4 MR. SNIZIK: As long as we can work  
 5 together, I think we can make it work.  
 6 MR. MAYS: I can get an estimate and  
 7 bring it to your house and show it to you.  
 8 MR. CHESNEY: We're just being good  
 9 neighbors. Excuse me. I'm going to go back  
 10 here.  
 11 MR. SNIZIK: Yeah.  
 12 MR. MAYS: The labor is going to be no  
 13 cost. There's no cost in labor, that's why,  
 14 so --  
 15 MR. SNIZIK: Okay.  
 16 MR. MAYS: -- we can do that in-house.  
 17 MR. SNIZIK: Okay. As long as we can  
 18 figure out a way that we can be involved in  
 19 the process, I'd be happy to make that happen  
 20 that way.  
 21 MR. MAYS: Sure.  
 22 CHAIRMAN RAGUSA: Any further  
 23 discussion?  
 24 (No response.)  
 25 CHAIRMAN RAGUSA: All in favor of the

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1 motion, please raise your hand.  
 2 (All board members signify in the  
 3 affirmative.)  
 4 CHAIRMAN RAGUSA: That motion passes  
 5 five to nothing.  
 6 (Motion passes.)  
 7 CHAIRMAN RAGUSA: Thank you.  
 8 MR. SNIZIK: Thank you. Appreciate your  
 9 time.  
 10 CHAIRMAN RAGUSA: Engineer's report.  
 11 Let's get the high-paying people out of here.  
 12 MS. STEWART: And I'm really highly  
 13 paid, let me tell you.  
 14 I have just two things. Number one, I  
 15 have the contract for the paving company.  
 16 I've been working with them since the last  
 17 meeting, trying to get them scheduled.  
 18 Mr. Chairman, could you please sign  
 19 this? It's the same contract that we used in  
 20 the previous ones.  
 21 Do you mind passing that down?  
 22 CHAIRMAN RAGUSA: What's the dollar?  
 23 MS. STEWART: 128,000, blah, blah, blah,  
 24 whatever was approved at the last meeting.  
 25 MR. ROSS: When will the work occur?

1 MS. STEWART: I requested that they give  
2 me a schedule so that we can notice the  
3 residents and he can give me his performance  
4 and payment bond. I haven't heard back from  
5 him.

6 MR. ROSS: Do you know what month or  
7 what quarter?

8 MS. STEWART: He told me just after the  
9 first of the year when I was talking to him  
10 during the holidays. So I would anticipate we  
11 should commence prior to the next meeting.

12 (Chairman Ragusa signs the contract.)

13 CHAIRMAN RAGUSA: The record should  
14 reflect that I executed that contract on  
15 behalf of the CDD.

16 MS. STEWART: I'll send you the  
17 original, Andy.

18 MR. MENDENHALL: Thanks. I appreciate  
19 it.

20 MS. STEWART: The other item I have is  
21 in regard to the bid documents for the street  
22 lights.

23 MS. McCORMICK: Yes.

24 MS. STEWART: I don't know, Erin, if you  
25 want to take lead on that and just have me

1 provide support information.

2 MS. McCORMICK: Yes, I think so. I'm  
3 going to pass out a request for proposals.  
4 Tonja, did you see the revised document --

5 MS. STEWART: I did.

6 MS. McCORMICK: -- that I sent you.

7 MS. STEWART: I did.

8 MS. McCORMICK: Okay. I'm just going to  
9 pass this around to the board members, and we  
10 need to talk about the proposal process, about  
11 the schedule that we're looking at for the gas  
12 lamp conversion and how the proposal is going  
13 to be evaluated.

14 Initially what we are trying to do is to  
15 go ahead and start the proposal process, which  
16 would mean we would advertise and notice in  
17 the newspaper on Friday and the project  
18 manual, including the contract documents and  
19 the drawings and specifications for the gas  
20 lamp conversion would be available for  
21 contractors that are interested in bidding on  
22 this project to pick up on Friday, and then we  
23 could try to set this up so that the proposals  
24 would be due by January 28th.

25 That would meet the 21-day requirement

1 that we have in our rules for the time period  
2 that they have to submit sealed bids. It  
3 would be a very tight time frame, though,  
4 because the proposals would be due back to the  
5 district on January 28th, and then our next  
6 CDD meeting that we would be having in -- I'm  
7 sorry -- they would be due on Friday, February  
8 1st, and then we would potentially have the  
9 board consider those proposals and rank them  
10 on February 5th of 2013.

11 If you recall, we had the drawings for  
12 this project done. We had those completed.  
13 The contractor that put together the drawings  
14 also put together a proposal package that  
15 Tonja reviewed, and then she sent me proposed  
16 evaluation criteria for selecting the  
17 contractor that's actually going to do this  
18 work.

19 And I'm not sure that these are the  
20 selection criteria that we ultimately want to  
21 use, so this is an issue that I wanted to  
22 discuss with the board. Because what was in  
23 -- and I don't know if this came from you,  
24 Tonja, or if it came from the contractor that  
25 did the drawings for this project --

1 MS. STEWART: It was drafted up by the  
2 designer, that's correct.

3 MS. McCORMICK: Okay. So the designer.  
4 So that proposal would be that these would be  
5 evaluated based on 75 percent of the weight  
6 being given for price, 20 percent for  
7 contractor experience and personnel and  
8 references, and then 5 percent based upon the  
9 completeness of the proposal, essentially that  
10 they've met all of the requirements of the  
11 proposal.

12 You know, there's other things --  
13 there's other factors you may want to consider  
14 when you're awarding this contract. You may  
15 want to think about the schedule. That could  
16 be one of the criteria that you would look  
17 at. You may want to look at the understanding  
18 of the scope of the work.

19 MR. CHESNEY: Well, a lot of times with  
20 bids we've set selection -- I mean, we put  
21 some requirements in here, but we set the  
22 scoring after we received the bids, so, I  
23 mean --

24 MS. McCORMICK: Well, you would, I  
25 think, have to determine how you're going to

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1 evaluate the bids, these proposals, in  
 2 advance, but you would actually score them  
 3 after you received the proposals.  
 4 And, you know, different CDDs do this  
 5 different ways. Sometimes they have the board  
 6 just rank these proposals, and sometimes  
 7 they'll set up a committee that might be  
 8 comprised of the district engineer and one  
 9 board member to rank the proposals and make a  
 10 recommendation to the board, and then the  
 11 board has the ultimate decision about that.  
 12 You might want, you know, your field  
 13 staff to be on that committee, too. So there  
 14 are different ways that you can do this  
 15 process, but this is -- this is a very fast  
 16 track, I think, ambitious schedule, if we're  
 17 going to try to award this in February. So  
 18 definitely, you know, take some more time  
 19 before we award this proposal.  
 20 I think the issue, my understanding from  
 21 talking to Tonja and Sonny, is that we're  
 22 trying to -- we may want to get this work done  
 23 before the rainy season starts, and it could  
 24 be that this is going to be a 90- to 120-day  
 25 project. Is that right, Tonja?

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1 MS. STEWART: That is correct. The  
 2 contractor or the designer has expressed to  
 3 Sonny and Doug that it's a minimum of 90 days,  
 4 and 120 days if we have rain delays.  
 5 And one of the things I would like to  
 6 note, in the bid documents, we very clearly  
 7 separated out any restoration work, because I  
 8 believe that Doug will want to handle  
 9 restoration work because we wanted to do it to  
 10 a level of quality that the residents are  
 11 going to deem acceptable.  
 12 So we very specifically said what  
 13 restoration work they will be responsible for  
 14 and what Doug would be responsible for. So  
 15 one of the reasons we get into this rainy  
 16 season is that restoration costs can go up,  
 17 there is a lot of disruption. So if we can  
 18 get, you know, just on the edge of that rainy  
 19 season, I think we will have less restoration  
 20 issues.  
 21 CHAIRMAN RAGUSA: Explain what you mean  
 22 by restoration issue.  
 23 MS. STEWART: Sod replacement,  
 24 irrigation repair, sidewalk repair --  
 25 MR. MAYS: Plants.

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1 MS. STEWART: -- landscaping.  
 2 CHAIRMAN RAGUSA: Okay. Well -- go  
 3 ahead.  
 4 MR. CHESNEY: Maybe I don't understand,  
 5 but, I mean, this is very general, the  
 6 proposal evaluations.  
 7 MS. McCORMICK: This is not my proposed  
 8 criteria. This was what the designer proposed  
 9 for the evaluation criteria.  
 10 What I was actually suggesting is that  
 11 you may not want -- you may not want to weigh  
 12 price that heavily. You may want to give some  
 13 weight to another issue, such as the schedule,  
 14 for this project because that may be an  
 15 important issue for you to think about.  
 16 CHAIRMAN RAGUSA: Didn't we specify a  
 17 guaranteed maximum time?  
 18 MS. STEWART: It states in the draft  
 19 contract that it has to be done within 120  
 20 days. If you want to change it to 90, we  
 21 could. I don't know how comfortable the  
 22 contractors will feel about that, but, I  
 23 guess, we can limit it to 90, and then they  
 24 have to have the staff to be able to  
 25 accomplish the 90.

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1 CHAIRMAN RAGUSA: Well, can it be done  
 2 in 90?  
 3 MS. STEWART: Doug.  
 4 MR. MAYS: Pretty close, yeah. Most of  
 5 of the stuff is going to be the underground  
 6 wiring, you know, the jetting of the driveways  
 7 -- the borings of the driveways. Excuse me.  
 8 MS. STEWART: Are there any material  
 9 ordering issues? Is there a lag time for  
 10 materials at all?  
 11 MR. MAYS: There were some equipment --  
 12 some material issues still in question.  
 13 That's why he put his proposed bid in such a  
 14 wide range, like 350 to 9 dollars on certain  
 15 things.  
 16 MS. STEWART: What about -- is there  
 17 like material that takes three weeks to order  
 18 that would affect our ability to initiate --  
 19 MR. MAYS: He didn't mention any of  
 20 that. The biggest thing he said he had to  
 21 buy, is that they would have to buy the spools  
 22 that cover 3,000 feet. He said that's not an  
 23 issue.  
 24 MS. STEWART: Okay.  
 25 CHAIRMAN RAGUSA: Can I step back and

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1 make a comment about timing? This has been  
2 around for -- what? -- three and a half years?  
3 MR. MAYS: Somewhere around there.  
4 CHAIRMAN RAGUSA: I don't want to ram  
5 this down the residents' throats right before  
6 our Harbor Links meeting. Do you know when it  
7 is?  
8 MS. WHYTE: It's next Monday.  
9 CHAIRMAN RAGUSA: I was going to say  
10 it's next week. I would be inclined to push  
11 the schedule back 30 days.  
12 MS. STEWART: Okay.  
13 CHAIRMAN RAGUSA: Put it in front of the  
14 residents who show up for the meeting, let  
15 them know we're getting ready to go to bid.  
16 MR. MAYS: Okay.  
17 CHAIRMAN RAGUSA: And make sure that  
18 they're all in agreement and they fully  
19 understand that once that thing goes out to  
20 bid and if we get proposals back that are  
21 acceptable and we waive them, we're going to  
22 be incurring expenses on their behalf.  
23 I don't want to do this and then go to  
24 them and tell them, "Hey, we did this." I'd  
25 rather get the input from a timing

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1 perspective.  
2 Now, whether you just push this back two  
3 weeks or 30 days, I don't know, because  
4 fundamentally if the supervisors are in  
5 agreement with moving forward, maybe we do  
6 just move the schedule back two weeks to avoid  
7 the --  
8 MS. STEWART: I don't think two weeks is  
9 going to make a difference. I mean, we don't  
10 know what Mother Nature is going to do. So  
11 far, she's -- we're in a wet dry season so  
12 far.  
13 So if the past two years are any  
14 reflection, we may not have a reasonable dry  
15 season. So we're going to be up against the  
16 weather anyway, so it's just a shot in the  
17 dark.  
18 CHAIRMAN RAGUSA: Well, if we're all in  
19 agreement tonight, we wouldn't need to come  
20 back for another meeting to approve anything  
21 in the contract, unless the residents  
22 uniformly say no.  
23 MS. STEWART: Okay.  
24 MR. MAYS: That's all going to really  
25 depend on the price, which is what they're

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1 looking for, so --  
2 CHAIRMAN RAGUSA: We can't get them --  
3 MR. MAYS: -- we've kind of got to give  
4 them an RFP first -- I mean, we probably have  
5 to do that first so we can give them the  
6 pricing.  
7 MS. WHYTE: Do we have to accept pricing  
8 on an RFP?  
9 MR. MAYS: We don't have to take it.  
10 CHAIRMAN RAGUSA: Based on that, I  
11 agree, you're right, we don't have to take  
12 it. I'm inclined to move this schedule back  
13 two weeks to accommodate the Harbor Links  
14 meeting. Keep them in the chain, let them  
15 know what's going on, explain that process to  
16 them.  
17 MR. MAYS: Right.  
18 CHAIRMAN RAGUSA: At least let them know  
19 it's going out next week. Does anybody  
20 disagree with the timing?  
21 MR. CHESNEY: No. I'm still kind of  
22 hung up, I guess --  
23 CHAIRMAN RAGUSA: The criteria we need  
24 to hash out, but if you're telling us we're  
25 ready to go out to RFP and you've signed off

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1 on it and you're comfortable with the plans  
2 and everything else, then we might as well do  
3 it. Let the residents know we're doing it the  
4 next week, not last week --  
5 MS. STEWART: For the record, I did have  
6 our electrical engineers take a look at the  
7 plans, and they were very complimentary. They  
8 said they were an excellent set of plans. So  
9 I did review the bid documents and made many,  
10 many modifications myself, so I worked to  
11 solidify the documents.  
12 CHAIRMAN RAGUSA: Okay. Now, do we need  
13 to address the bid criteria separately?  
14 MS. McCORMICK: I think what we need --  
15 I think we need to decide who is going to be  
16 evaluating these, if you're going to set up a  
17 committee that will include some of your  
18 staff, or if you, as a board, are going to  
19 take these proposals and then rank them and  
20 also what criteria you want to use, if you  
21 want to do -- if you want to heavily weigh  
22 price when you're evaluating those or you  
23 want to look at, you know, experience of the  
24 contractors and schedule and the understanding  
25 of the scheduled work.

1 And when I talk about schedule, I mean,  
2 I think you would look at that from an  
3 evaluation ranking standpoint by saying,  
4 "Okay. We want the bidders to give us a  
5 schedule of what the milestones are going to  
6 be, that they're going to be accomplishing to  
7 make sure that they get us to that 90-day or  
8 120-day time period."

9 CHAIRMAN RAGUSA: In a short period,  
10 though, a schedule isn't something you  
11 typically weight. That's my experience.

12 MS. McCORMICK: Okay.

13 CHAIRMAN RAGUSA: If you're looking at a  
14 90-day construction schedule, the milestones  
15 can't be that divergent. If you're looking at  
16 a three-year project, absolutely.

17 MS. McCORMICK: Well -- and this  
18 residential construction project that I'm  
19 seeing now scheduled is a significant  
20 consideration, and it can be, you know, a  
21 phase of a planned development community where  
22 there was no schedule.

23 CHAIRMAN RAGUSA: And I don't know if  
24 you guys looked at those criteria. I looked  
25 at it -- I'd want to know the contractor's

1 financial condition.

2 MS. McCORMICK: Okay.

3 MR. CHESNEY: I was going to --

4 CHAIRMAN RAGUSA: I'm just throwing out  
5 other criteria we need to talk about.

6 MR. CHESNEY: -- that's funny you said  
7 that, because, well, we are going to require a  
8 bond?

9 MS. STEWART: Yes.

10 MS. WHYTE: That's already listed in the  
11 RFP.

12 MR. CHESNEY: Oh, is it?

13 CHAIRMAN RAGUSA: Because these are  
14 almost a unique design build product. And I  
15 want to make sure that whoever is building  
16 them and is going to extend a warranty to us  
17 has the financial ability to support them two,  
18 three, five years down the line.

19 And I know there is no magic guarantee  
20 in this economy, who's going to be in business  
21 tomorrow. You know, I can list 25 items here,  
22 but I just don't know that we really need to  
23 go to that level of detail on terms of  
24 weighting them.

25 MR. CHESNEY: And that's where I was

1 going earlier. I mean, can we make this kind  
2 of general for the document? I mean, do we  
3 always have to -- I know you have to give them  
4 some -- what they're going to be judged on,  
5 but --

6 MS. McCORMICK: What they're going to be  
7 looking for.

8 MR. CHESNEY: The best.

9 MS. McCORMICK: Well, to the extent that  
10 you could put certain weights on each of these  
11 items, it's going to give you then a mechanism  
12 so that each board member, when they fill out  
13 their score sheet that gets tabulated, we'll  
14 be able to say, "Okay. We give them one out  
15 of 20 points for experience, and I give them,  
16 you know, 1 out of 20 points for understanding  
17 the scope of the work," and then you take  
18 those ranking sheets and you tabulate them.

19 If you don't have any evaluation  
20 criteria that you're using and you just say,  
21 "Well, we're going to look at these different  
22 factors, but, you know, we'll let each board  
23 member weight that based on whatever they want  
24 to give," you know, as far as weighting of  
25 that, and we'll just have them rank those

1 contractors, then you can do it that way, but  
2 I think it makes it a lot more subjective  
3 process, because you don't know, you know, if  
4 one board member is looking at it the same way  
5 another board member is looking at it.

6 CHAIRMAN RAGUSA: Can I ask, the  
7 completeness of proposal with the five  
8 percent, does that in and of itself say that  
9 we don't -- we won't reject any incomplete  
10 proposal?

11 MS. McCORMICK: I've never seen -- I  
12 mean, like I said, this came from the  
13 designer. This was the proposed -- this was  
14 the evaluation criteria. I've never seen that  
15 before.

16 CHAIRMAN RAGUSA: No.

17 MS. STEWART: We can take it out.

18 MR. CHESNEY: Yeah. And then I agree  
19 with Mark. I mean, we don't have anything for  
20 -- I don't know -- quality of contractors,  
21 what I like to refer to it as.

22 I mean, I don't know if that was covered  
23 in contractor's experience. That's not  
24 really, I mean --

25 CHAIRMAN RAGUSA: That's financial

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1       wherewithal, unless you're going to require  
2       financials.  
3       MS. STEWART: Based on what you're  
4       requesting, I believe we're going -- we'll  
5       have to add some information on getting some  
6       financial history.  
7       CHAIRMAN RAGUSA: Yeah, because the  
8       worst thing in the world is they start tearing  
9       things up and they go belly up two months in.  
10      MS. STEWART: And we can also ask for  
11      references, that might help --  
12      CHAIRMAN RAGUSA: Well, that's in  
13      there.  
14      MR. CHESNEY: I mean, I like the idea of  
15      a schedule, though, but, I mean, if a schedule  
16      is in there, then are we going to ask for  
17      damages if they don't meet the schedule?  
18      MS. STEWART: Okay.  
19      MS. WHYTE: I think you keep that in  
20      their contract.  
21      MR. MAYS: He did mention that the  
22      normal is -- for jobs like this is, I think,  
23      he said a thousand dollars a day over the  
24      120-day --  
25      MS. McCORMICK: For liquidated damages.

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1       MS. STEWART: I think I took all that  
2       out. I think he used the AIE contract, and I  
3       threw all that out and I put in our standard  
4       contract. We can put in a thousand dollars a  
5       day damages.  
6       MS. WHYTE: If they don't complete the  
7       project, they -- you know, because you don't  
8       want the resident to be --  
9       MR. CHESNEY: Okay. So, I mean, I guess  
10      what's the next step? I mean, can we get a  
11      revised proposal evaluation? Do we have to  
12      accept this tonight?  
13      MS. McCORMICK: No, we don't have to  
14      accept it. And if we're not going to -- so  
15      are we going to go ahead and have the project  
16      manuals be picked up before the February  
17      meeting then? Do you have a desire to do  
18      that, or do you want to wait until --  
19      MR. CHESNEY: If we don't agree on  
20      proposal evaluation, then we can't pass the  
21      rest of it --  
22      MS. McCORMICK: Right, because we want  
23      that to be in the project manual, so --  
24      MR. CHESNEY: It has to be,  
25      MS. McCORMICK: Yeah. I mean --

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1       CHAIRMAN RAGUSA: We're going to have to  
2       wait until February.  
3       MS. STEWART: I guess what we can do is,  
4       I can work on revising these documents within  
5       a week or so, and then redistribute it so that  
6       you all have adequate time to review  
7       everything and then can contact me directly  
8       with any changes individually, and then I can  
9       redistribute another draft so that you will  
10      have something approvable in February.  
11      CHAIRMAN RAGUSA: But you will run that  
12      by Erin first?  
13      MS. STEWART: Oh, yeah.  
14      CHAIRMAN RAGUSA: Okay.  
15      MS. STEWART: Erin and I work together.  
16      CHAIRMAN RAGUSA: And I know no one has  
17      a crystal ball. But how many contractors are  
18      are going to respond?  
19      MS. STEWART: Not many, I believe.  
20      MS. WHYTE: A very unique project.  
21      CHAIRMAN RAGUSA: Are we on a single  
22      source?  
23      MS. STEWART: It's possible.  
24      CHAIRMAN RAGUSA: But we don't expect  
25      that?

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1       MS. STEWART: To be honest with you, I  
2       can't answer that.  
3       CHAIRMAN RAGUSA: Okay.  
4       MS. STEWART: That's why tightening up  
5       the criteria may complicate things.  
6       MR. CHESNEY: I mean, tightening up the  
7       criteria. A proposal -- I mean, the proposal  
8       evaluation is not tightening the criteria.  
9       It's determining what we're going to use to  
10      judge something. So, I mean, even if it is  
11      just one, we still have to say why we accepted  
12      them. We have to have a fiduciary duty to say  
13      why.  
14      CHAIRMAN RAGUSA: Is everybody in  
15      agreement? Do we know where we're going?  
16      MR. CHESNEY: (Moves head up and down.)  
17      CHAIRMAN RAGUSA: Staff and counsel and  
18      the engineer are going to work to tighten up  
19      the proposal to include some of the things we  
20      discussed, the liquidated damage provisions,  
21      the schedule, we're going to work on some of  
22      the evaluation criteria, we're going to go to  
23      the Harbor Links meetings next week, explain  
24      to them that this is going to happen in the  
25      next 30 days, and then I take it we'll bring

1 this back to the February 5 meeting.  
 2 MS. McCORMICK: Uh-huh. Uh-huh.  
 3 CHAIRMAN RAGUSA: Is everybody good with  
 4 that?  
 5 MR. CHESNEY: Yeah. When is next Harbor  
 6 Links meetings?  
 7 MS. WHYTE: January 15th, next Monday.  
 8 MR. CHESNEY: So, I mean, they just have  
 9 an annual meeting?  
 10 CHAIRMAN RAGUSA: Yes.  
 11 MR. CHESNEY: So we're not going to get  
 12 -- I mean, like Doug says, I mean, they're  
 13 really interested in the price. I mean --  
 14 CHAIRMAN RAGUSA: They can communicate  
 15 the price. They can have a special meeting.  
 16 MR. MAYS: Yeah.  
 17 CHAIRMAN RAGUSA: I hope they would if  
 18 they're going to incur this expense.  
 19 MR. ZEIGLER: How is the RFP going to be  
 20 published or --  
 21 MS. McCORMICK: It would be -- it would  
 22 be advertised in the newspaper, in Tampa  
 23 Tribune or the St. Pete Times, and then they  
 24 would pick up the packages from -- well, I  
 25 think the way it's set up is they would pick

1 up the packages from here. The pre-proposal  
 2 meeting would be here, and then they would  
 3 submit the proposals to Andy's office.  
 4 CHAIRMAN RAGUSA: And just out of --  
 5 Andy --  
 6 MR. MENDENHALL: Yes.  
 7 CHAIRMAN RAGUSA: -- you work for Severn  
 8 Trent Environmental Services, Inc.?  
 9 MR. MENDENHALL: Yes. That's our parent  
 10 company basically.  
 11 CHAIRMAN RAGUSA: Okay. That's  
 12 different than I have seen in everything else.  
 13 MR. MENDENHALL: Oh, it's -- yeah, we're  
 14 a division of Severn Trent --  
 15 CHAIRMAN RAGUSA: Okay. Anything else  
 16 on that issue?  
 17 MR. ARGUS: No.  
 18 CHAIRMAN RAGUSA: Anything else, Tonja?  
 19 MS. STEWART: Just real quick. On the  
 20 paving, I do want to let you all know that  
 21 there are some permanent survey markers on  
 22 Whitmarsh for the abutting commercial  
 23 properties. So I had the surveyor out, and  
 24 he's going to locate them, and then after  
 25 we're done, come back and put them in place.

1 So I just wanted to let you know to  
 2 protect those abutting property owners from  
 3 any survey problem. That's it. Happy New  
 4 Year.  
 5 CHAIRMAN RAGUSA: Thank you.  
 6 MR. ARGUS: Happy New Year.  
 7 MS. WHYTE: Thanks.  
 8 CHAIRMAN RAGUSA: Erin.  
 9 MS. McCORMICK: That's the only thing I  
 10 had.  
 11 CHAIRMAN RAGUSA: Okay. What else do we  
 12 have?  
 13 MR. CHESNEY: That's the only thing you  
 14 had? What about the soccer agreement?  
 15 MS. McCORMICK: Oh, I'm sorry. Yes, I  
 16 have the soccer -- thank you. We have the  
 17 soccer agreement that I transmitted to the  
 18 board members before this meeting that is for  
 19 the spring season.  
 20 It's exactly the same format as we've  
 21 done in the previous soccer seasons, and I  
 22 think the season is starting in February. So  
 23 this is our last board meeting that we're  
 24 going to be having before the soccer season  
 25 would start.

1 MR. CHESNEY: Okay.  
 2 MR. ARGUS: Move to approve it.  
 3 MR. MAYS: Actually the last meeting is  
 4 -- the soccer season starts the 23rd. They  
 5 have assessments.  
 6 MS. WHYTE: They have assessments on the  
 7 3rd, and then their season starts the 23rd.  
 8 MS. McCORMICK: Of January?  
 9 MS. WHYTE: February.  
 10 MS. McCORMICK: Yeah, but they  
 11 assessments February 2nd and 3rd, so that's --  
 12 MR. MAYS: My bad.  
 13 CHAIRMAN RAGUSA: Do you have the  
 14 contract here?  
 15 MS. McCORMICK: I did not bring a copy  
 16 of it with me.  
 17 MR. CHESNEY: Do you want a copy?  
 18 MS. McCORMICK: I don't think it was in  
 19 my agenda package.  
 20 MR. MENDENHALL: No. It was emailed  
 21 out, I believe.  
 22 MS. McCORMICK: Yes.  
 23 CHAIRMAN RAGUSA: Does someone have it?  
 24 MS. WHYTE: I don't.  
 25 MR. CHESNEY: Not printed out.

1 MS. WHYTE: I can get it to you  
 2 tomorrow, Mark.  
 3 MR. CHESNEY: I thought you all you  
 4 lawyers are on the iPad now.  
 5 CHAIRMAN RAGUSA: We have, but I leave  
 6 it on my desk, though.  
 7 Yeah, can you get me a good copy? I  
 8 will swing by and execute it.  
 9 MS. WHYTE: I'll get you a hard copy.  
 10 CHAIRMAN RAGUSA: Do we need a motion?  
 11 MS. McCORMICK: Yes.  
 12 CHAIRMAN RAGUSA: Mr. Ross.  
 13 MR. ROSS: I think Mr. Argus made the  
 14 motion. I'll second it.  
 15 CHAIRMAN RAGUSA: Oh, I'm sorry.  
 16 I missed the motion. Thank you. What was the  
 17 motion?  
 18 MR. ARGUS: To approve it.  
 19 CHAIRMAN RAGUSA: Okay.  
 20 MR. ROSS: Second.  
 21 CHAIRMAN RAGUSA: All in favor, please  
 22 raise your hand.  
 23 (All board members signify in the  
 24 affirmative.)  
 25 CHAIRMAN RAGUSA: That motion passes

1 five to nothing.  
 2 (Motion passes.)  
 3 CHAIRMAN RAGUSA: Anything else to  
 4 remind counsel of?  
 5 MR. CHESNEY: No. I'm good.  
 6 CHAIRMAN RAGUSA: You're good.  
 7 MR. CHESNEY: I didn't look at my list,  
 8 quite frankly, though.  
 9 CHAIRMAN RAGUSA: You can come back in.  
 10 Field manager's report.  
 11 MR. MAYS: Mine or district?  
 12 MS. PITHERS: I'm sorry. I feel like  
 13 I've been skipped maybe.  
 14 MR. ARGUS: You have.  
 15 CHAIRMAN RAGUSA: Yeah, we ignored you.  
 16 MS. PITHERS: Is there any chance that  
 17 maybe I could go in order?  
 18 CHAIRMAN RAGUSA: Yes, you actually -- I  
 19 did skip you. You're up.  
 20 MS. PITHERS: I've been here for 2  
 21 hours and 24 minutes to about my --  
 22 CHAIRMAN RAGUSA: I'm sorry. I missed  
 23 you, Dyan. Come on up.  
 24 MS. PITHERS: I was like, what number  
 25 are we on? Thank you.

1 I'm here on behalf of the Westchase  
 2 Community Association. I'm Dyan Pithers,  
 3 current vice president.  
 4 We are respectfully requesting -- there  
 5 have been new posts installed for the banners  
 6 that are on the median between Sheldon and  
 7 Linebaugh and Countryway and Linebaugh, which  
 8 are fabulous. I love the way they flop right  
 9 into those poles now.  
 10 We would like to request that we can put  
 11 a banner up one week before registration of  
 12 youth and tennis -- adult tennis programs to  
 13 try to boost participation in those programs,  
 14 similar to what we do for boosting  
 15 participation in summer camp.  
 16 It was a massive success. We had the  
 17 best summer camp participation in years. As  
 18 you know, I'm also chair of the master plan  
 19 committee, which we just approved, and we're  
 20 working very, very hard to increase  
 21 participation by residents and provide value  
 22 for the amenities in the community.  
 23 So this is part of our plan to be able  
 24 to raise awareness for those. We currently do  
 25 have them in the WOW. We just don't seem to

1 be getting the kind of saturation that we want  
 2 to get. It seems like people are just so used  
 3 to looking at it, it's not jumping out.  
 4 And we don't have -- even though we've  
 5 increased the sign of our marquees and spent  
 6 the money to put those, we don't have enough  
 7 lines to be able to continually put up there  
 8 either. So we're respectfully requesting that  
 9 we put it up one time per month, one week  
 10 before the registration is due, and then take  
 11 it back down.  
 12 MR. CHESNEY: So moved.  
 13 MS. PITHERS: And it's the same banner,  
 14 four by six, you know, essentially going up.  
 15 CHAIRMAN RAGUSA: Where is it going  
 16 now?  
 17 MS. PITHERS: Both ends of Linebaugh,  
 18 where like movies in the park, the summer  
 19 camp.  
 20 CHAIRMAN RAGUSA: And you want to run  
 21 them every month.  
 22 MS. PITHERS: Every month the one week  
 23 before registration.  
 24 CHAIRMAN RAGUSA: What do we do when we  
 25 run into someone else who wants a sign or a

1 banner up that week?  
 2 MS. PITHERS: It would be, I guess, at  
 3 your discretion. I mean --  
 4 MR. ARGUS: I'm confused.  
 5 MS. PITHERS: We're just trying to boost  
 6 participation. We're not looking for  
 7 exclusivity on specific weeks. So if it was  
 8 in conflict with another event --  
 9 CHAIRMAN RAGUSA: The garage sale is the  
 10 easiest example.  
 11 MS. PITHERS: Yeah.  
 12 CHAIRMAN RAGUSA: That sign will go up  
 13 end of April, early May. How do we handle  
 14 that conflict?  
 15 MS. PITHERS: Really, we're very  
 16 relaxed. This is something we're just looking  
 17 to boost participation. So if we even make,  
 18 you know -- if you say, you know, it's not  
 19 happening in April and October because it  
 20 conflicts with the garage sale week, that's  
 21 fine. Just work with Sonny in the office  
 22 and --  
 23 CHAIRMAN RAGUSA: Mr. Chesney.  
 24 MR. CHESNEY: Well, in my mind, I mean,  
 25 if all we're doing is authorizing or giving

1 the WCA use of the facility for the signs, I  
 2 mean, it's their sign for garage sale.  
 3 I'm trying to think of anyone else -- we  
 4 never let anyone else put up a sign other  
 5 than --  
 6 CHAIRMAN RAGUSA: Sure, we have.  
 7 MR. CHESNEY: -- I guess, the WOW --  
 8 CHAIRMAN RAGUSA: Great Westchase, the  
 9 fall festival.  
 10 MR. MAYS: Santa parade.  
 11 MR. CHESNEY: Who does the Santa  
 12 parade? The WCA?  
 13 MS. PITHERS: No. That's the Westchase  
 14 Charitable Foundation.  
 15 MR. ROSS: What about soccer  
 16 registration?  
 17 CHAIRMAN RAGUSA: No, they've never had  
 18 one.  
 19 MS. WHYTE: They've never requested one.  
 20 MR. ROSS: We do it for movies in the  
 21 park.  
 22 CHAIRMAN RAGUSA: Mr. Argus.  
 23 MR. ARGUS: I'm all confused. You mean  
 24 you're asking for 12 times a year, or just at  
 25 the beginning of the registration period?

1 MS. PITHERS: 12 times per year, just to  
 2 kind of flash it up and -- "It's time to  
 3 register again." Brings awareness, and then  
 4 take it right back down, and we would  
 5 obviously be responsible for payment of the  
 6 signs, putting them up and taking them down.  
 7 CHAIRMAN RAGUSA: Do we put them up?  
 8 MR. MAYS: (Moves head up and down.)  
 9 CHAIRMAN RAGUSA: We do.  
 10 MS. PITHERS: You put them up. oh,  
 11 okay. Well, thank you.  
 12 CHAIRMAN RAGUSA: Obviously I --  
 13 MR. MAYS: Sonny's got a suggestion.  
 14 CHAIRMAN RAGUSA: Yes. Go ahead.  
 15 MS. WHYTE: I have a suggestion that we  
 16 try it for a month to see if whether or not it  
 17 helps your program to see whether or not an  
 18 issue for the next 11 --  
 19 MR. ROSS: So move.  
 20 MR. CHESNEY: Well, how about three  
 21 months? I mean, one month --  
 22 MR. ARGUS: Yeah. Yeah.  
 23 MS. WHYTE: No other than just seeing if  
 24 you see any kind of an improvement over, you  
 25 know, of your registration.

1 MR. CHESNEY: One month is not --  
 2 CHAIRMAN RAGUSA: It's not realistic.  
 3 MR. ARGUS: Yeah.  
 4 MS. WHYTE: Okay. Even two months --  
 5 even two or three months. But I'm just saying  
 6 rather than committing to 12 --  
 7 MS. PITHERS: Why not just permission  
 8 until revoked, like kind of what you talked  
 9 about before? It's becoming too onerous,  
 10 there's too many conflicts. It's your  
 11 meeting.  
 12 MR. ROSS: What are you recommending,  
 13 Sonny?  
 14 MS. WHYTE: You know, rather than  
 15 committing to 12, let's see how it goes,  
 16 because, you know, ultimately we do get a fair  
 17 amount of requests for banners for charitable  
 18 -- you know, Westchase-funded programs.  
 19 MR. ROSS: One, two, three, twelve?  
 20 MS. PITHERS: We're not charitable. I  
 21 mean, we're non-profit and we're working  
 22 together for the community.  
 23 MS. WHYTE: What do you think? Three  
 24 months?  
 25 MR. MAYS: I kind of like what Dyan

1 had. If you see it's a conflict, we just  
 2 don't put them up. If it's a month that  
 3 works, then we go forward with it.  
 4 MR. ROSS: The concern I have about that  
 5 is it puts you guys and staff in a horrible  
 6 position. What happens if somebody else comes  
 7 along and says they've got a great project  
 8 and they want to put their sign up?  
 9 And then you're having to defend why you  
 10 picked this person's sign over that person's  
 11 sign. Almost like what Mark is saying in a  
 12 different way. It's not that we don't trust  
 13 you guys. You're wonderful. But our job is  
 14 not to make your job more difficult. It's to  
 15 provide clarity and make it easier.  
 16 MS. WHYTE: Most times we bring it to  
 17 you, we bring it to the board's attention and  
 18 request your permission.  
 19 MR. ROSS: So you don't mind being the  
 20 bad guy, is what you're saying?  
 21 MS. WHYTE: Do it every day.  
 22 MS. PITHERS: I would like to propose  
 23 that the WCA is not like any other entity or  
 24 charity coming to the CDD for permission. We  
 25 are co -- I don't know -- in this together.

1 We're --  
 2 CHAIRMAN RAGUSA: Well, I think we  
 3 recognize that.  
 4 MS. WHYTE: Oh, absolutely.  
 5 CHAIRMAN RAGUSA: Let me just say my  
 6 personal view. From a fundamental  
 7 perspective, what you are asking to us do is  
 8 to have a semi-permanent banner up one fourth  
 9 of the time for the next year. And that's  
 10 me. The banners are great for a day or two.  
 11 Me, personally, I don't want to see a  
 12 banner there one week a month, absolute  
 13 minimum, and then throw in all the other ones  
 14 that we put up. It can almost becomes a  
 15 permanent fixture. That's my concern.  
 16 MS. PITHERS: I think we use it for, you  
 17 know --  
 18 CHAIRMAN RAGUSA: I'm not saying that  
 19 the purpose isn't there.  
 20 MS. PITHERS: Right.  
 21 CHAIRMAN RAGUSA: Right. And we do want  
 22 to be good neighbors, and we do recognize what  
 23 the WCA is. It's just an advertising that i  
 24 think could be overkill one week a month.  
 25 That's my concern. Bob.

1 MR. ARGUS: For the next three months,  
 2 we sort of agreed to allow the movies in the  
 3 park to have the banner for one week out of  
 4 the month.  
 5 It may make sense to let them do it for  
 6 a six-month trial period at the end of the  
 7 movies of the month. So it would be April,  
 8 May, June, those six months. That way, it's  
 9 not the constant WCA, that you were referring  
 10 to, promotion. That gives them --  
 11 MS. PITHERS: Would that leave the  
 12 summer off?  
 13 CHAIRMAN RAGUSA: When are you starting  
 14 these programs?  
 15 MS. PITHERS: They're ongoing.  
 16 MR. ARGUS: Yes. The tennis leagues  
 17 are --  
 18 MS. PITHERS: We're just trying to  
 19 bolster partition. And actually the summer is  
 20 probably the least effective time to recruit  
 21 promotion -- you know, partition in the  
 22 programs.  
 23 MR. ARGUS: I thought one of the  
 24 programs you wanted to promote is the summer  
 25 camp.

1 MS. PITHERS: We've approved that in the  
 2 past. It's already been in use. That was  
 3 just one of the examples that I used.  
 4 MR. ARGUS: Okay.  
 5 CHAIRMAN RAGUSA: Well, let me just  
 6 throw something else out there.  
 7 Have you given any thought to putting up  
 8 another banner further into the entrances,  
 9 even if it's only 200 yards in?  
 10 MR. MAYS: We've had to do that on a few  
 11 occasions. When we've had two events, we had  
 12 to do it a couple times.  
 13 MS. WHYTE: The parade and food drive, I  
 14 think it was.  
 15 CHAIRMAN RAGUSA: I don't want to have  
 16 banners going up and down Countryway, but that  
 17 that may ease some problems. Mr. Ross.  
 18 MR. ROSS: I would like to make a motion  
 19 subject to further review. I move that we  
 20 permit the WCA to post the requested signage  
 21 no more than once a quarter, and when it is  
 22 posted, to not be longer than a time period  
 23 that we allow the other banners to go up.  
 24 So if everybody else has to take their  
 25 banner down in three days, they take theirs

1 down.  
 2 MR. CHESNEY: Is it ten days?  
 3 MS. WHYTE: No. It's a week.  
 4 MR. MAYS: That's three times a year.  
 5 MR. ROSS: No. It would be four times a  
 6 year, once a quarter.  
 7 MS. WHYTE: Would it be beneficial to  
 8 have them, since we don't have a banner sign  
 9 anywhere on Countryway near the swim and  
 10 tennis center, would it be -- we have two --  
 11 would it be beneficial to add another posting  
 12 somewhere down on Countryway near the swim and  
 13 tennis centers and further it up this way?  
 14 But then again, we're going to have  
 15 movies in the park this month, and we're  
 16 probably going to have movies in the park next  
 17 month.  
 18 MR. CHESNEY: Put one on Hillsborough.  
 19 No one ever looks up there. We have that  
 20 piece of land in.  
 21 MS. WHYTE: I was just throwing it out  
 22 there, but we do not have any sign at all on  
 23 Countryway at all.  
 24 MR. MAYS: I think you're going to start  
 25 getting to many signs all over there.

1 MR. CHESNEY: Yeah, that's very narrow,  
 2 too.  
 3 MS. PITHERS: Yeah, and I think the two  
 4 and the traffic pattern is probably the best  
 5 spot.  
 6 MS. WHYTE: Okay.  
 7 MS. PITHERS: You know, we're just  
 8 trying to, like I said, boost participation.  
 9 If it conflicts with the movies in the park  
 10 that's already been approved, or the garage  
 11 sale, then certainly that can take  
 12 precedence.  
 13 MR. CHESNEY: I just want to point out  
 14 that when you guys asked for the signs  
 15 originally, you know, I said -- did I not say,  
 16 why is that -- why didn't you make them bigger  
 17 to have more announcements?  
 18 And I don't remember who came to the  
 19 meeting. It was like, "Oh, no one told me of  
 20 the meeting" -- I think it was Carlos.  
 21 CHAIRMAN RAGUSA: I think it was  
 22 Carlos.  
 23 MR. CHESNEY: Really? I think he needed  
 24 really big ones, because I knew this was  
 25 going -- now we're putting banners all up and

1 down --  
 2 MS. PITHERS: I think we put up as big  
 3 as we could with the easement there with the  
 4 width. And we actually -- we did put the  
 5 largest amount of -- because I was involved in  
 6 that project -- of lines because it has to  
 7 come up on easel. It's quite a heavy sign  
 8 with --  
 9 MR. ARGUS: I'll second the motion, but  
 10 I have a question.  
 11 Your motion is once a quarter, but  
 12 that's of additional banners, and not for the  
 13 movies and not for the garage sale?  
 14 MR. ROSS: Exclusive of any other  
 15 banners.  
 16 MR. ARGUS: Okay. Yeah, I second the  
 17 motion.  
 18 CHAIRMAN RAGUSA: Any discussion?  
 19 MR. ROSS: We have to pick something.  
 20 CHAIRMAN RAGUSA: I see where the motion  
 21 is going. I like the -- I like the test  
 22 period of a quarter. I would like to see if  
 23 it helps.  
 24 MR. ARGUS: So --  
 25 MR. ZEIGLER: Is it once a month for a

1 quarter, or is it --  
 2 MR. ARGUS: Yeah.  
 3 MR. ZEIGLER: -- once a quarter?  
 4 MR. ROSS: And this is arbitrary.  
 5 You've got to pick something. It's either  
 6 once every six months, once every four months,  
 7 once a month. I mean, what -- I'm just  
 8 suggesting to address everybody's concerns  
 9 because --  
 10 MR. ZEIGLER: I just don't think it's  
 11 going to accomplish what she's probably trying  
 12 to do, but at the same time we're going to  
 13 have competition for banner space now. You  
 14 know, we're going to start creating a demand  
 15 for it.  
 16 MS. PITHERS: I know my opinion probably  
 17 doesn't matter with respect to your ultimate  
 18 decision, but I would rather have a three-  
 19 month trial period to see whether or not we  
 20 are able to actually boost participation than  
 21 have a sporadic quarterly sign.  
 22 MR. ROSS: Then I'll withdraw the  
 23 motion.  
 24 MR. CHESNEY: Okay. And I was going to  
 25 say, I would be willing to amend my motion --

1 It never got a second -- to the quarterly  
 2 since there obviously was no support for  
 3 that.  
 4 I mean, I think it would be worth  
 5 trying, and then we can maybe think about some  
 6 possible solutions here. Yeah, I agree. I  
 7 never really gave it that much thought. I  
 8 couldn't recall any where we had two at one  
 9 time.  
 10 MS. PITHERS: And, again, flexibility.  
 11 You know, if Sonny calls me and says, "We have  
 12 a conflict," we just don't put it up that  
 13 month. We are just trying to raise --  
 14 MR. CHESNEY: Or put it a different --  
 15 MR. ARGUS: -- or we'd have to put it at  
 16 a different week then.  
 17 MS. PITHERS: We can't put it a  
 18 different week because the programs cycle on a  
 19 four-week period on a specific --  
 20 MS. WHYTE: Do you have a specific  
 21 date?  
 22 MS. PITHERS: I could get a six-month  
 23 schedule for you and maybe we can work with  
 24 Mike on tailoring those so there aren't  
 25 conflicts. We're open to doing those.

1 MR. CHESNEY: Yeah. Yeah.  
 2 MS. WHYTE: This time of the year is not  
 3 a huge issue. The only thing we do have is  
 4 movies in the park, but it would be movies in  
 5 the park take down. It would probably -- most  
 6 probably would be the tennis program up, so  
 7 you'd have banners for a two-week period in  
 8 the medians.  
 9 CHAIRMAN RAGUSA: Can you stack the  
 10 banners one on top of others?  
 11 MR. MAYS: We didn't order big enough  
 12 poles. We'd have to order bigger poles. Then  
 13 it starts to become a line of sight.  
 14 MS. PITHERS: Yeah.  
 15 MS. WHYTE: And we don't want to get  
 16 into --  
 17 CHAIRMAN RAGUSA: Mr. Ross.  
 18 MR. ROSS: So is your motion that we do  
 19 it once a month for three months?  
 20 MR. CHESNEY: Yeah.  
 21 MR. ROSS: I'll second it.  
 22 CHAIRMAN RAGUSA: Any further  
 23 discussion?  
 24 (No response.)  
 25 CHAIRMAN RAGUSA: All in favor please

1 raise your hand.  
 2 (All board members signify in the  
 3 affirmative.)  
 4 CHAIRMAN RAGUSA: That motion passes  
 5 five to nothing.  
 6 (Motion passes.)  
 7 MS. PITHERS: Thank you. I have a  
 8 peripheral issue and request. Some of the  
 9 banners that we have invested money in that do  
 10 go up, like the garage sale banners, are too  
 11 big for what was put in the ground, which is  
 12 four by six, which I think is a more  
 13 manageable size. I agree with what's put in,  
 14 but we have money invested in larger banners  
 15 that we don't really want to respond.  
 16 We would like to request that at our  
 17 expense, at WCA's expense, we can put in  
 18 another post-hole receptacle to handle the  
 19 post that already exists, to go out a little  
 20 bit further, if that's a possibility to  
 21 accommodate those --  
 22 MR. CHESNEY: Just for the garage sale,  
 23 just for the existing banners?  
 24 MS. PITHERS: The garage sale --  
 25 MR. MAYS: Movies in the park.

1 MS. PITHERS: -- and movies in the park.  
 2 MS. WHYTE: And movies in the park as  
 3 well.  
 4 MR. ZEIGLER: How much bigger is it?  
 5 MS. PITHERS: They're six by eight. And  
 6 right now we just use a -- I think it's a  
 7 piece of --  
 8 MR. MAYS: We use wrought iron --  
 9 MS. PITHERS: Yeah. And it kind of --  
 10 CHAIRMAN RAGUSA: Let me ask you, do we  
 11 have mounts in the ground there?  
 12 MS. PITHERS: Uh-huh.  
 13 MR. MAYS: We have mounts, so we could  
 14 use the custom posts that we use in the  
 15 community --  
 16 MS. WHYTE: So it's more decorative.  
 17 MR. MAYS: Finials on top and --  
 18 MS. PITHERS: Right.  
 19 CHAIRMAN RAGUSA: So we would need to  
 20 drop another hole in the ground to get another  
 21 pole?  
 22 MR. MAYS: No.  
 23 MS. PITHERS: No. Same pole, just --  
 24 MR. MAYS: Just move the pole out.  
 25 CHAIRMAN RAGUSA: Yeah.

1 MS. PITHERS: So we'll pay for the  
 2 receptacle just to have some options there.  
 3 CHAIRMAN RAGUSA: The problem is, we  
 4 have a policy; we limited the size of the  
 5 signs.  
 6 The banner is -- what? -- \$200? Can't  
 7 be more than that.  
 8 MR. ARGUS: It's less.  
 9 CHAIRMAN RAGUSA: Yeah, it's less than  
 10 that.  
 11 MS. PITHERS: They're not less than  
 12 that.  
 13 MR. ARGUS: Four by six.  
 14 CHAIRMAN RAGUSA: I bought a bunch of  
 15 them, believe me. Every sign shop in this  
 16 side of town will do it less than \$200, six  
 17 color, too.  
 18 MR. ARGUS: Yeah.  
 19 MS. PITHERS: So currently we put up six  
 20 by eight, they're not allowed, our banners?  
 21 MR. MAYS: The old ones, right.  
 22 CHAIRMAN RAGUSA: Yes. We limited the  
 23 size.  
 24 MR. ARGUS: It's not six by eight. It's  
 25 typically -- most of your banners are three by

1 eight.  
 2 MS. PITHERS: Our banners have always  
 3 been six by eight. So I was not aware that  
 4 you're not allowing the banners that go up  
 5 now.  
 6 MR. MAYS: We still use them --  
 7 MS. PITHERS: Okay.  
 8 MS. WHYTE: We use -- yeah. Sorry.  
 9 MR. MAYS: -- all night long on that  
 10 post.  
 11 MS. WHYTE: We were using them -- as  
 12 Charlie told us, you guys didn't have them in  
 13 the funds because your budget was closed, so we  
 14 let go this year until you rebudget and  
 15 reorder and bring back to your board. It went  
 16 to your board.  
 17 MS. PITHERS: Oh. That didn't come back  
 18 to us.  
 19 CHAIRMAN RAGUSA: Size is a concern.  
 20 What do you guys want to do?  
 21 MR. CHESNEY: I just -- the way it's  
 22 been going. I mean, why wouldn't you just do  
 23 it the way it's been --  
 24 CHAIRMAN RAGUSA: It's which sign?  
 25 MS. PITHERS: Movies in the park and the

1 garage sale are currently larger than the  
 2 posts that were put in.  
 3 MR. ZEIGLER: Is it a problem right now  
 4 the existing way?  
 5 MR. MAYS: No.  
 6 MR. ARGUS: If you put the receptacle  
 7 in, you never get rid of the larger banners.  
 8 CHAIRMAN RAGUSA: All right. What's the  
 9 board's inclination?  
 10 MS. PITHERS: We just wanted it to look  
 11 right and not sort of hanging --  
 12 CHAIRMAN RAGUSA: I didn't realize the  
 13 movies in the park was six by eight.  
 14 MR. ARGUS: It's not.  
 15 MR. MAYS: It's like a four by eight.  
 16 It's short, but it's long.  
 17 MR. ZEIGLER: I've never noticed it to  
 18 be a problem. I never even noticed the  
 19 difference, to be honest with you, so I --  
 20 CHAIRMAN RAGUSA: The garage sale is  
 21 bigger.  
 22 MS. PITHERS: I think you use metal  
 23 posts for that one, don't you?  
 24 MS. WHYTE: We have to.  
 25 CHAIRMAN RAGUSA: We're basically, to be

1 consistent for policy purposes --  
 2 MS. PITHERS: Would like us to buy new  
 3 signs in 2014.  
 4 CHAIRMAN RAGUSA: I think it would make  
 5 sense to budget for it.  
 6 MS. PITHERS: That didn't make it into  
 7 our budget. Right?  
 8 CHAIRMAN RAGUSA: It would make sense to  
 9 budget for it. I think we can grandfather in  
 10 the old signs that we've allowed.  
 11 MR. CHESNEY: Which is what we've been  
 12 doing.  
 13 MS. PITHERS: Okay. And just to leave  
 14 them hanging the way they are, rather than  
 15 putting in a receptacle at our cost?  
 16 CHAIRMAN RAGUSA: I'll let's staff deal  
 17 with that. That's a logistical issue.  
 18 MR. MAYS: Stop by. We'll work it out.  
 19 MS. PITHERS: Okay. Thank you.  
 20 CHAIRMAN RAGUSA: All right. Moving  
 21 further up here, let's go with the manager's  
 22 report.  
 23 MR. MENDENHALL: All right. Just three  
 24 quick updates, and then one to-do item. I  
 25 have just been contacted by voice mail by the

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1 attorney for the Enclave homeowners  
2 association.

3 If you recall, they're the one village  
4 we need to get the TECO lights transferred  
5 back into their hands as they actually own  
6 them. So that should happen shortly.

7 We had an appraisal done awhile ago of  
8 district property. We have that. It's  
9 completed. Typically what we would do from  
10 there is then of course talk to the insurance  
11 company to make sure that everything is  
12 covered in the appropriate amounts. That sort  
13 of thing.

14 The interesting thing that happened  
15 between the process of getting the appraisal  
16 and taking that step was the insurance company  
17 was ready to send out somebody to appraise  
18 your property. So I'm working with the  
19 insurance company right now just to make sure  
20 that they'll accept this appraisal, which, of  
21 course, is independent from who they would  
22 send out, and then I'll report back to you as  
23 far as if there any changes, less or more, to  
24 the property that you have and what it's  
25 insured for.

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1 MR. CHESNEY: I'm sure they'll accept it  
2 because it's a licensed appraiser.

3 MR. MENDENHALL: I would guess, but it's  
4 a formality. We actually had to stop the guy  
5 from coming out here, so the -- we're working  
6 on the audit right now we're working on the  
7 audit right now. Just a few outstanding items  
8 that are left that we've been working with  
9 Erin and Tonja as far as really some  
10 conveyance of properties. The auditor, of  
11 course, wants to know, what was the value of  
12 those conveyances and the details behind it.

13 So that should be done probably by, I  
14 understand, the 15th of January, and then, of  
15 course, Alan comes out with the first draft of  
16 the audit; that sort of thing.

17 MS. McCORMICK: They don't need an  
18 appraisal, though, of the roadway conveyance,  
19 or do they?

20 MR. MENDENHALL: It's my understanding  
21 that they don't.

22 MS. McCORMICK: Okay.

23 MR. MENDENHALL: That's one of the  
24 details we're finding out. Tonja is going to  
25 be providing me with the estimates tomorrow.

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1 MS. McCORMICK: Okay.

2 MR. MENDENHALL: And then we'll talk  
3 with the auditor and see if that's good  
4 enough. It should be, I mean, at least from  
5 what I've seen in other districts. So we  
6 should be set with that.

7 MS. McCORMICK: Okay.

8 MR. MENDENHALL: Finally the one item  
9 that's to do, we had last -- after each  
10 election, by statute, you're required to  
11 relocate your officer structure. You can  
12 choose to do nothing or at least reaffirm what  
13 you have, but it's an item that we tabled from  
14 the last meeting because of the fact that  
15 we're going to be appointing a potential board  
16 member.

17 And so in your meeting package you have  
18 Resolution 2013-1. The way that this is  
19 usually handled is you're -- a few ways. If  
20 you want to reaffirm the current board  
21 structure, you can do that by merely approving  
22 this resolution with the same structure that  
23 you have in place, of course, adding your new  
24 board members as assistant secretaries, which  
25 is typically what you wind up doing, as well

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1 if you want any changes, then in that case,  
2 we're looking for nominations from anybody on  
3 the board for a position of, first, we go with  
4 chair, then we would go vice chair, and, of  
5 course, any other positions that you choose to  
6 appoint.

7 Typically the secretary is myself, so I  
8 can sign off on certain documents for the  
9 district. The treasurer and assistant  
10 treasurer are usually two folks from Severn  
11 Trent, usually the director of our management  
12 services, which is Bob Koncar, so he can sign  
13 off on certain financial documents, if  
14 necessary; and the assistant treasurer is  
15 Stephen Bloom, who is the manager of our  
16 accounting area, and he would be the back-up  
17 for Bob.

18 Of course, you always have the  
19 opportunity that anybody on the board can have  
20 one of those positions instead, but that's just  
21 typically how it's handled for convenience of  
22 being able to sign documents.

23 So I'll kind of give that back to the  
24 board as to how you want to handle it.

25 CHAIRMAN RAGUSA: Mr. Ross.

1 MR. ROSS: I would like to make a motion  
 2 that we approve and adopt Resolution 2013-1 as  
 3 drafted with the addition that Mark Ragusa be  
 4 the chairman and Greg Chesney be the vice  
 5 chairman.  
 6 MR. ARGUS: The secretaries? Typically  
 7 the --  
 8 MR. ROSS: All the rest of us as  
 9 assistant secretaries.  
 10 MR. ARGUS: Second.  
 11 CHAIRMAN RAGUSA: Do you want to be  
 12 chair?  
 13 MR. CHESNEY: In title or just -- I  
 14 mean, I have no --  
 15 CHAIRMAN RAGUSA: If no one else desires  
 16 to be chair, I'll serve as chair.  
 17 MR. CHESNEY: That's fine.  
 18 CHAIRMAN RAGUSA: Do we have a second?  
 19 MR. ROSS: He did.  
 20 MR. ARGUS: I seconded it.  
 21 CHAIRMAN RAGUSA: All in favor of the  
 22 motion, raise your hand.  
 23 (All board members signify in the  
 24 affirmative.)  
 25 CHAIRMAN RAGUSA: That motion passes

1 five to nothing.  
 2 (Motion passes.)  
 3 MR. MENDENHALL: That's my report this  
 4 evening.  
 5 CHAIRMAN RAGUSA: Thanks. Supervisor  
 6 requests.  
 7 MR. MAYS: We do have one thing,  
 8 Mr. Ragusa.  
 9 CHAIRMAN RAGUSA: Oh, okay. Field  
 10 manager's report.  
 11 MR. MAYS: It's nothing major. You got  
 12 our report. I just want to give you an update  
 13 on the irrigation audit that's being done.  
 14 He contacted Sonny today, and at this  
 15 point he needs another month to finish it,  
 16 then at this point everything is looking very  
 17 well done according to his report. So, so  
 18 far, it looks good. That's all.  
 19 CHAIRMAN RAGUSA: Excellent.  
 20 Supervisors.  
 21 MR. ZEIGLER: I think it was last  
 22 meeting that there was a topic brought up  
 23 about coyotes. We were going to look into  
 24 researching it or whatever.  
 25 I can kind of probably wrap this up for

1 you guys. I spoke to a fish and wildlife  
 2 officer. He referred me to a guy at the USDA  
 3 that does trapping. And they have a program  
 4 that revolved around coyotes and nuisance  
 5 animals.  
 6 And basically they both said the same  
 7 thing: "Welcome to the neighborhood." The  
 8 only way that you will have a real problem,  
 9 one, is if you have one that's rabid. If  
 10 they're rabid, you're going to see them all  
 11 the time, throughout the daytime.  
 12 They're going to be kind of drunk  
 13 acting. They're not going to be normal  
 14 acting. Otherwise, they said they're highly  
 15 intelligent animals. They're going to stay  
 16 away from you.  
 17 If you want to pursue some type of  
 18 trapping program, it's fairly expensive, but  
 19 he said it's upwards of about \$6,000 a month  
 20 for five days a week on. They have an officer  
 21 come in the morning and the evening.  
 22 Saturdays and Sundays, they retrieve the  
 23 traps, take them out.  
 24 And basically it's -- you know, it's  
 25 like alligators. You know, you're just going

1 to have to live with them. They said huge  
 2 problems in Bradenton. They even have them at  
 3 TIA. They pulled 18 out of TIA in the last  
 4 month -- year and a half, so they're here.  
 5 He said basically for the residents,  
 6 when it comes to warning residents or just  
 7 making them just aware of it, if they're  
 8 walking small dogs, keep small dogs close to  
 9 you, is what he said.  
 10 They're -- the animals are afraid of  
 11 humans to the point where they would never  
 12 ever try to attack an animal if it's close to  
 13 a human being. They're just not that bold.  
 14 That's kind of it in a nutshell.  
 15 MR. MAYS: That's pretty much the  
 16 information that Sonny received on the few  
 17 people that she contacted also.  
 18 CHAIRMAN RAGUSA: Is there a further  
 19 desire to explore that in light of the  
 20 potential cost?  
 21 MR. ROSS: (Moves head from side to  
 22 side.)  
 23 MR. ARGUS: (Moves head from side to  
 24 side.)  
 25 MR. ZEIGLER: No.

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1 CHAIRMAN RAGUSA: Any desire to hire  
2 some of Doug's buddies?  
3 MR. ZEIGLER: Well, he did say being in  
4 unincorporated in the county we can clearly  
5 take a shot at one if it's in our yard.  
6 MR. MAYS: Really.  
7 MR. ZEIGLER: Yes.  
8 CHAIRMAN RAGUSA: You can always defend  
9 your life or your castle.  
10 (Multiple speakers speaking at once.)  
11 CHAIRMAN RAGUSA: All right. Anything  
12 else on that issue?  
13 (No response.)  
14 CHAIRMAN RAGUSA: Thanks, Brian. Any  
15 other supervisor comments. Welcome back,  
16 Mr. Argus.  
17 MR. ARGUS: Thank you.  
18 CHAIRMAN RAGUSA: Mr. Barrett.  
19 MR. BARRETT: Just from the peanut  
20 gallery, I did run a report that a Florida  
21 panther was spotted in Radcliffe, and I had  
22 a Brentford resident reach out to me, who is  
23 sane and is not known for exaggeration, and  
24 she confirmed that she also spotted probably  
25 the same panther at the back tree tops on her

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1 run.  
2 So I'm at the comfort level now that I  
3 think there's probably a male panther in the  
4 conservation floor that extends from the back  
5 of the tree top, all the way over to  
6 Radcliffe, probably up to Ed Radice Park. So,  
7 again, nothing to be scared.  
8 The same advice from fish and wildlife:  
9 They're scared of humans. There's not much  
10 you can do, but you might get some alarming  
11 reports, but --  
12 MS. WHYTE: It's not a bobcat?  
13 MR. BARRETT: It's not a bobcat.  
14 CHAIRMAN RAGUSA: There is a big  
15 difference.  
16 MR. BARRETT: I mean, I just thought I'd  
17 let you know there is a panther out there.  
18 CHAIRMAN RAGUSA: Let me -- as much  
19 grief as I gave Mr. Barrett for his annual  
20 wrap-up article on in the World of Westchase,  
21 it does raise a good point we need to think  
22 about; and, that is, whether we want to engage  
23 in any capital improvements over the next year  
24 or two.  
25 There is a belief among some that we've

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1 become stagnant, we are only maintaining the  
2 community versus enhancing and further  
3 developing the community. And I know that the  
4 WCA, including Dyan, has some ideas about  
5 what we can do to improve the CDD's assets.  
6 I would encourage all of you to think  
7 about that and reach out to people to see if  
8 there are things we can be doing to improve  
9 our assets. I think we need to coordinate a  
10 liaison with the WCA to pick their brain in  
11 terms of recommendations that may have come up  
12 through their capital improvement project plan  
13 or their master plan, I think they called it.  
14 So, you know, I would challenge all of  
15 us, if you're so inclined, to go down that  
16 path. Whether it's small or very large, let's  
17 take a look at it over the coming year and  
18 certainly be ready for the budget season.  
19 MR. MAYS: CDD Bar and Grill. I want to  
20 bring up -- I didn't bring up independently --  
21 I want to talk about enhancing the splash  
22 park. It was on that list. That is something  
23 I brought a couple of years ago.  
24 MS. WHYTE: Playground.  
25 MR. CHESNEY: Playground.

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1 CHAIRMAN RAGUSA: So my suggestion is,  
2 if you have a suggestion, get it to staff,  
3 staff can start exploring the possibilities in  
4 terms of pricing, et cetera. Yes.  
5 MS. WHYTE: I'd also -- as we're in  
6 January now and we're getting closer to the  
7 budget cycle and Alan will be calling me  
8 shortly, please call me if you have anything  
9 you'd like to see other than just capital  
10 improvements that you would like to see in the  
11 budget or that we need to look at --  
12 CHAIRMAN RAGUSA: Okay.  
13 MS. WHYTE: -- because it is going to  
14 take a little bit of time to do -- you know,  
15 to do some research and get pricing on that.  
16 So keep that in mind. I don't want to do it  
17 at the end of the cycle -- at the end of  
18 March. My daughter is getting married, so I  
19 prefer earlier than later, if possible.  
20 CHAIRMAN RAGUSA: Okay. And, Doug, for  
21 the record, December was a record-breaking  
22 month for Mays park. Six people --  
23 MS. WHYTE: Did you see --  
24 CHAIRMAN RAGUSA: -- including a  
25 double.

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25 double.

1 affirmative and the motion passes.)  
2 (At 6:55 p.m., the meeting concludes.)  
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1 MS. WHYTE: -- did you see the Christmas  
2 decorations on the oak trees?

3 MR. CHESNEY: Yes. I saw somebody  
4 taking a nap on the -- I thought he was a  
5 resident. At first, I was like --

6 MS. WHYTE: A lot of the residents are  
7 on the park benches.

8 CHAIRMAN RAGUSA: What it is, the people  
9 in the medical -- the Bay Care facility go  
10 there to smoke.

11 MS. WHYTE: Well, at least it's  
12 comfortable.

13 CHAIRMAN RAGUSA: That's who that is.

14 MS. WHYTE: It does get used a lot, all  
15 of the benches I've noticed. This winter, as  
16 the weather is nice, there is a lot of people  
17 out.

18 CHAIRMAN RAGUSA: And holiday  
19 decorations look very good, by the way.

20 MR. BARRETT: Anybody interested  
21 changing it to Mays Smoking Park?

22 MR. CHESNEY: Motion to adjourn.

23 MR. ZEIGLER: Second.

24 CHAIRMAN RAGUSA: All in favor, aye.  
25 (All board members signify in the

Mark Ragusa  
Chairman, Westchase CDD

Andrew P. Mendenhall, PMP  
Secretary, Westchase CDD