

MINUTES OF MEETING

**LEXINGTON OAKS
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors for Lexington Oaks Community Development District was held on **Thursday, July 22, 2004 at 6:30 p.m.** at the Lexington Oaks Clubhouse, located at 26304 Lexington Oaks Boulevard, Wesley Chapel, Pasco County, Florida.

Present and constituting a quorum were:

Tim Murray	Board Supervisor, Chairman
Matt O'Brien	Board Supervisor, Vice Chairman
John Mazuchowski	Board Supervisor, Assistant Secretary

Also present were:

Brian Lamb	District Manager, Rizzetta & Company, Inc.
Tracy Robin	District Counsel Representative, Akerman Senterfitt
Dayne Piercefield	District Engineer, Representative, Geo Surv3, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Mr. Lamb called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

**Consideration of the Minutes of the
Board of Supervisors' Meeting on
May 27, 2004.**

Mr. Lamb stated that the first item on the agenda was to consider the minutes of the Board of Supervisors' meeting on May 27, 2004 (behind tab 1). He asked if there were any additions, deletions, or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

<p>On MOTION by Mr. Mazuchowski, seconded by Mr. Murray, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on May 27, 2004 for Lexington Oaks Community Development District.</p>
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THIRD ORDER OF BUSINESS

**Consideration of Authorizations to
Disburse District Funds 2004-09 and
2004-10**

Mr. Lamb stated that the next item on the agenda was the consideration of Authorizations to Disburse District Funds 2004-09 and 2004-10 (behind tab 2). He stated that the disbursements contain invoices for standard contractual commitments and utilities. Mr. Lamb asked if there were any questions. There were none, so he asked for a motion to approve.

On MOTION by Mr. Mazuchowski, seconded by Mr. Murray, with all in favor, the Board approved Authorizations to Disburse District Funds 2004-09 and 2004-10 for Lexington Oaks Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2004-05,
Conveyance of Certain District Lands
Including Improvements Constructed
with District Funds and Reimbursement
of Funds Disbursed for Improvements
Located on Such Land**

Mr. Lamb stated that the next item on the agenda was the consideration of Resolution 2004-05, Conveyance of Certain District Lands Including Improvements Constructed with District Funds and Reimbursement of Funds Disbursed for Improvements Located on Such Land (under separate cover). Mr. Murray provided an overview of the resolution for the Board. He stated that this resolution was regarding parcels in Churchill, Remington, and Pimlico Villages. There are three purposes to this resolution. The first purpose is to convey the roads and the recreational areas owned by the CDD to the HOA for all three of these villages. The second reason is to convey the cart paths to the Lexington Oaks Golf Course, which was originally intended. The third purpose was to maintain ownership consistencies in these three villages and the cart paths. Pulte Homes would be refunding the fund disbursements paid by the CDD for both the pool and recreational center.

Mr. Murray stated that two of the villages were not included, Preakness and Hawthorne, which do not have an HOA. He stated that Staff was currently working with Sterling Management to find the best solution for the conveyance of these roads. He suggested that it may be necessary to amend the Master Homeowners' Association's documents. Mr. Piercefield pointed out the location of the parcels containing the cart paths. Mr. Murray stated that the amount of the reimbursement to be made to the CDD for the pool and recreation center improvements is \$344,000, to be made by Pulte. It was stated that the money would be applied to reduce the bond indebtedness that paid for the respective improvements, and was required by

the bond indenture to reduce the balances. This would provide a slight reduction in the residents' assessments. Mr. Lamb asked if there were any questions or comments. There were none.

On MOTION by Mr. Murray, seconded by Mr. O'Brien, with all in favor, the Board approved Resolution 2004-05, Conveyance of Certain District Lands Including Improvement Construction with District Funds and Reimbursement of Funds Disburse for Improvements Located on Such Land for Lexington Oaks Community Development District.

FIFTH ORDER OF BUSINESS

Discussion on the Status of Landscape Bid

Mr. Lamb stated that the next item on the agenda was the discussion of the Landscape Bid. He stated that the ads were placed for bids with the specifications relating to the needs of the District. The current contractual commitment is \$316,843, to provide for the funds or means necessary to provide the District with landscaping maintenance, not to include irrigation repairs, replacement of annual flower, and mulching. These items have been included in the bid to procure better pricing and quality. Mr. Lamb stated that he would review the bids received and after investigating each company, bring the information to the Board for their consideration at the upcoming August 26, 2004 meeting. The bids would be available for review before then. Mr. Lamb stated that the bid process is required by Florida Statue when it is in excess of \$150,000.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.

- B. District Engineer
No report.

- C. District Manager
Mr. Lamb stated that the public hearing for the budget will be held on August 26, 2004 at 8:30 a.m. He provided copies of the budget, and stated that it would be listed on the website. Mr. Lamb summarized the budget for the audience members. He asked if there were any questions. There were general questions, and comments.

It was brought to the Boards attention that the traffic circle is not visible at night, and it was suggested that a reflector type system be installed. Mr. Piercefield stated that there were several options available, such as reflective lines on the road and reflective signage. He stated that the County is responsible for the circle, and the Board would not be able to implement anything without the County's approval. He recommended that the County be contacted. Mr. Piercefield stated that all the green roads (on the map) were the County's responsibility. Mr. Lamb stated that the first avenue should be to contact the Public Works Traffic Engineer, and then if nothing is done, the County Commissioner's office should be contacted. He also stated that Mr. Murray should not be contacted in regards to District maintenance issues, and that the appropriate staff should be addressed.

SEVENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Mr. Lamb stated that the next item on the agenda was Supervisor requests and audience comments. He asked if there were any Supervisor requests or comments. There were none. Mr. Lamb asked if there were any audience comments. There were general questions from the audience. However, there were no items that required Board action.

Mr. Lamb stated that neither he nor another District Representative was ever contacted by Pulte in regards to payment of the maintenance for the roads. Mr. Robin stated that Pulte would be working with the County to take care of the roads. He stated that they would follow through with the use of a punch list, to make sure that all issues were resolved.

Mr. Robin stated that the previously discussed reimbursement would be a refund issued to the CDD for the cost of constructing improvements. He stated that after the methodology is reviewed after the refunding, that there would be an adjustment to assessments. Mr. Murray stated that District Bond Counsel would be consulted to make sure that the appropriate persons were adjusted for the appropriate amount. The process, which may take up to a year, consisting of an analysis and a report explaining the end result to the residents.

It was stated that Kane Engineering had received approval from the County to obtain signage to assist in controlling the speeding within the District and signage was in the order process. In regards to signage; however, the golf cart crossing was noted as being the responsibility of the golf course and Pulte would assist and obtain an agreement in this regard.

Mr. Lamb asked if there were any further comments from the audience. There were none. Mr. Lamb asked if there were any further comments from the Board. There were none.

EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Lamb stated that there was no further business to come before the Board and asked for a motion to adjourn.

On MOTION by Mr. Mazuchowski, seconded by Mr. Murray, with all in favor, the Board adjourned the meeting for Lexington Oaks Community Development District.

Brian K. Lamb
Secretary

Tim Murray
Chairman