

MINUTES OF MEETING

**LEXINGTON OAKS
COMMUNITY DEVELOPMENT DISTRICT**

The continued meeting of the Board of Supervisors for Lexington Oaks Community Development District was held on **Friday, August 27, 2004 at 10:10 a.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
Garth Noble	Board Supervisor, Assistant Secretary

Also present were:

Brian Lamb	District Manager, Rizzetta & Company, Inc.
Tracy Robin	District Counsel Representative, Akerman Senterfitt
Bobby Fox	Field Manager, Lexington Oaks CDD
Audience	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Landscaping Bid Award

Mr. Lamb stated that the first item on the agenda was the continued discussion from August 26, 2004 regarding the Landscaping Bid. Mr. Fox provided an overview on his findings (under separate cover). Mr. Lamb stated that he still recommended Luke Brothers for the bid award. Mr. Lamb stated that he had provided a map of the area within the bid requirements showing what was to be considered when bidding. He stated that the landscaper would not be able to charge additional money for areas so noted. Mr. Robin stated that to be in compliance with Chapter 190 and 287, relating to competitive bidding, the Board is obligated to award the contract to the lowest responsible bidder. If the Board feels that the responses to the bid are confused or not compatible responses, they may reject all of the bids and re-bid the project. A discussion ensued regarding the concerns with levels of service and the areas measured and considered in the bids. Mr. Robin asked for a motion to approve Staff's recommendation for the lowest responsible bidder, Luke Brothers.

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On MOTION by Mr. Murray, seconded by Mr. Mazuchowski, with all in favor, the Board approved Staff's recommendation of Luke Brothers to receive the Landscaping Bid Award for Lexington Oaks Community Development District.

THIRD ORDER OF BUSINESS

Public Hearing

Mr. Lamb stated that the next item on the agenda was the continuation of the public hearing on the Fiscal Year 2004/2005 Budget. Mr. Lamb stated that the Board had accepted public comment and testimony previously. He asked for motion to continue the public hearing.

On MOTION by Mr. Mazuchowski, seconded by Mr. Murray, with all in favor, the Board continued the Public Hearing on the Fiscal Year 2004/2005 Budget for Lexington Oaks Community Development District.

Mr. Lamb stated that there were audience members present. He asked if there were any comments. There were none. Mr. Lamb asked for any discussion from the Board. It was stated the line item amount for landscaping is more than the bid just received. The Board asked what could be done with the difference (\$47,843). Mr. Lamb recommended that the amount of the difference remain, and be used for other items such as capital improvements or an uninsurable asset reserve fund. He stated that about 20% of the annual budget would be the amount he recommends be allocated for the uninsurable asset reserve. The second recommendation for the use of the difference was to place it in capital improvements.

Mr. Fox stated that the following items could benefit from the additional funds, such as: water fountain at the clubhouse, repair/replace the current water fountain, security systems with access cards, and security around the pool, video cameras, wall repairs, and new doors. Mr. Lamb stated that the access program for the clubhouse was an important issue to consider, which would control the number of people accessing and also limit the quantity of persons at one time. He asked if there were any comments or questions from the Board. Mr. Lamb stated that the third option would be to reduce the line item, but did not recommend this option. He stated that currently the District does not have a capital reserve. There was general discussion. Mr. Lamb stated that the funds would be set up, as if in a savings account, and upon approval from the Board, be used to fund any emergency or improvements as needed. The fund would not be available until after tax assessments are received.

Mr. Lamb asked the Board what they would like to do with the difference. Mr. Mazuchowski motioned that \$5,000 be placed in Capital Reserve, making the line item total \$10,000, and that \$27,000 be placed in the Uninsured Assets Reserve.

On MOTION by Mr. Mazuchowski, seconded by Mr. O'Brien, with three in favor (Mazuchowski, O'Brien, and Murray) and one opposed (Noble); the Board amended the Fiscal Year 2004/2005 Budget (as stated) for Lexington Oaks Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2004-06,
Adopting the Budget for the Fiscal Year
2004/2005**

Mr. Lamb stated that the next item on the agenda was the consideration of Resolution 2004-06, adopting the Budget for the Fiscal Year 2004/2005 (previously distributed). He asked for motion to approve as outlined.

On MOTION by Mr. Mazuchowski, seconded by Mr. Murray, with three in favor (Mazuchowski, O'Brien, and Murray) and one opposed (Noble); the Board adopted Resolution 2004-06, adopting the Budget for the Fiscal Year 2004/2005 for Lexington Oaks Community Development District.

Mr. Lamb asked for a motion to close the public hearing.

On MOTION by Mr. Mazuchowski, seconded by Mr. Murray, with all in favor, the Board closed the Public Hearing on the Fiscal Year 2004/2005 for Lexington Oaks Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2004-07,
Reoccurring Expenses**

Mr. Lamb stated that the next item on the agenda was the consideration of Resolution 2004-07, Reoccurring Expenses (previously distributed). He stated that it would allow payment of day to day operational expenses and also like items, and allows the Chairman and District Manger to address emergency items, which assures payments to the vendors are done in a timely manner.

On MOTION by Mr. Mazuchowski, seconded by Mr. Nobel, with all in favor, the Board approved Resolution 2004-07, Reoccurring Expense for Lexington Oaks Community Development District.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.
- B. District Engineer
No report.
- C. District Manager
No report.

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

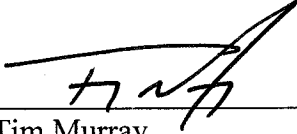
EIGHTH ORDER OF BUSINESS

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.

Matthew L. Campbell
Secretary



Tim Murray
Chairman