

**TAMPA PALMS  
COMMUNITY DEVELOPMENT DISTRICT**

*Agenda Package  
Board of Supervisors Meeting*



*Wednesday, September 13, 2017*

*6:00 P.M.*

*Compton Park Recreation Building*

*16101 Compton Drive,*

*Tampa, Florida*



DEVELOPMENT PLANNING & FINANCING GROUP, INC.

# TAMPA PALMS COMMUNITY DEVELOPMENT DISTRICT

## CDD Meeting Advanced Package September 13, 2017

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6. Consultant Reports
  - k. Bruce B Downs Update
  - l. Community Appearance
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  - n. CDD Meeting Dates
  - o. Tree Stewardship
  - p. TPOA/CDD Newsletter – FY 2017-18
  - q. Downed Trees- Who Is Responsible

## **Tampa Palms CDD Meeting Agenda**

**September 13, 2017, 6:00 p.m.  
Compton Park Recreation Building  
16101 Compton Drive, Tampa, FL 33647**

1. Welcome & Roll Call
2. Strategic Planning
3. Board Member Discussion Items
4. Public Comments
5. Approval of the August, 2017 Minutes
6. Approval of District Disbursements
7. Consultant Reports
  - Bruce B Downs Update
  - Community Appearance
  - Area 2 Pond Agreement- Final
  - Tree Stewardship
  - FY 2017-18 Meeting Dates
  - TPOA Newsletter Funding
8. Other Matters
9. Public Comments
10. Supervisor comments
11. Adjourn

# **Tampa Palms Community Development District**

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**Development Planning and Financing Group  
15310 Amberly Drive, Suite 175, Tampa, Florida 33647  
Phone: 813-374-9102  
Fax: 813-374-9106**

September 8, 2017

Board of Supervisors  
**Tampa Palms Community  
Development District**

Dear Board Members:

The Board of Supervisors of the Tampa Palms Community Development District Budget Hearing and Board Meeting is scheduled for Wednesday, September 13, 2017 at **6:00 p.m.** at the Compton Park Recreation Building, 16101 Compton Drive, Tampa, Florida. *The advanced copy of the agenda for this meeting is attached.*

Enclosed for your reviews are the minutes of the August, 2017 Board Meeting and the documents outlined in the table of contents.

Any additional support material will be distributed prior to the meeting, and staff will present their reports at the meeting.

If you have any questions, please do not hesitate to contact me.

Sincerely,

***Bruce StDenis***

Bruce St Denis  
District Manager

JD:cs

cc: Maggie Wilson  
DPFG (Record Copy)

Ten Months Ending July 31, 2017

Executive Summary

As of July 31, 2017 the District has \$ 4.6 M cash balance net of liabilities; the District is well positioned to handle its financial needs as shown by the analysis below.

The District has achieved 100.2% of budgeted collections. No meaningful collections are anticipated during the remainder of the fiscal year.

It is expected that the BBD expansion will be substantially complete in September 2017 and that a considerable portion of the Signature TP 2017-18 mitigation efforts will likely occur in FY 2017-18.

Signature TP 2017 expenses approved and underway, such as the brick-work for Area 2 entry and Amberly, will require a Budget Amendment if completed before Sept 30.

FY 2016-17 Budget Performance

Revenue

Interest income will vary favorably by about \$ 24 K due principally to a favorable negotiated cash management plan.

Expenses

Favorable budget variances that will prevail through to the end of the fiscal year are principally (1) Property Appraiser fees \$ 25 K, (2) NPDES \$25K and (3) electric utilities 11 K. Other meaningful positive variances should mostly resolve by fiscal year end.

Sources, Uses and Allocations of Funds

District General Fund Cash 7/31/2017	\$4,564
<u>Revenues</u>	
Cash Collections: Balance of FY 2016-17	2

Expenses & Cost Allocations

District Operations	Balance of FY 2016-17	600	
	First Quarter FY 2017-18	600	
Winter Damage Reserve		200	
Palm Pest Reserve		200	
Wind/Hurricane Damage Reserve		200	(1,800)
<hr/>			
TP Signature 2017 (BBD mitigation)		1,195	(1,195)

Unallocated General Fund Balance **\$1,571**

**FAQ How is it that the District collects more than 100% of the assessments authorized by the annual budget?**

The CDD is a unit of State of Florida government and is therefore able to collect its fees using the *Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments* as provided for in the Florida statutes (FS 197).

This is a process that places the fees owed a CDD on the property tax bill and collected in the same manner as property taxes resulting in:

- Substantially lower unpaid fees than if collected by other means
- Lower collection costs

The tax bill issued by the Hillsborough County Tax Collector is mailed the first week of November each year. Built into the *Uniform Method of Levy* is a schedule of discounts for early payment which is designed to encourage prompt payment.

- 4% if paid in November
- 3% if paid in December
- 2% if paid in January
- 1% if paid in February

For taxes paid on March 1<sup>st</sup> or after, no discount applies.

Each year the District budget is created with the assumption that 100% of the property owners will pay in a manner to receive the maximum discount of 4%. For example the FY 2016-17 budget:

<i>SPECIAL ASSESSMENTS ON ROLL (Gross)</i>	\$	2,569,610
<i>DISCOUNT-ASSESSMENTS</i>		(102,784)

In a typical year 90% or more property taxes are paid by Nov 30 and receive the full discount. Nine to eleven percent of the property owners pay later than Nov 30<sup>th</sup> resulting in lower discount for those properties and a small increase in revenue received.

**FAQ Are “taxes” and “assessments” the same or is there a difference?**

The word “taxes” is often applied to any charge for services by a government BUT technically taxes refers only to charges that are computed based on the taxable value of the property, eg ad valorem [according to the value] taxes.

“Assessments” refer to fees that are calculated using methods other than the value of the property as the nexus such as size of property or use of property, eg non-ad valorem assessments.

The tax bill for every Tampa Palms property is divided into two portions: it displays the Ad Valorem Taxes on the top with the Non-Ad Valorem Assessments below.

The CDD fees are non-ad valorem assessments.

**Tampa Palms CDD  
Balance Sheet  
July 31, 2017**

**GENERAL**

**ASSETS:**

CASH - Operating Account	\$ 127,298
PETTY CASH	500
INVESTMENTS:	
Excess Fund Account- Sunshine Bank	4,526,697
ACCOUNTS RECEIVABLE	-
RECEIVABLE FROM TAMPA PALMS HOA	1,484
PREPAID ITEMS	-
<b>TOTAL ASSETS</b>	<b><u><u>\$ 4,655,979</u></u></b>

**LIABILITIES:**

ACCOUNTS PAYABLE	\$ 10,677
ACCRUED EXPENSES	80,324

**FUND BALANCE:**

NON-SPENDABLE	-
RESTRICTED	-
UNASSIGNED:	4,564,978
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>\$ 4,655,979</u></u></b>

**Tampa Palms CDD  
General Fund  
Statement of Revenue, Expenditures and Change in Fund Balance  
FY2017 - For the period from October 1, 2016 through July 31, 2017**

		<u>BUDGET</u>	<u>BUDGET YEAR-TO-DATE</u>	<u>ACTUAL YEAR-TO-DATE</u>	<u>FAVORABLE (UNFAVORABLE) YTD VARIANCE</u>
<b>REVENUES</b>					
SPECIAL ASSESSMENTS ON ROLL (Gross)	93.00%	\$ 2,569,610	\$ 2,569,610	\$ 2,567,787	\$ (1,823)
INTEREST		10,000	8,333	27,547 (a)	19,214
MISCELLANEOUS REVENUE		1,200	1,000	2,487	1,487
DISCOUNT-ASSESSMENTS	4.00%	(102,784)	(102,784)	(96,146)	6,638
<b>TOTAL REVENUES</b>		<b><u>2,478,026</u></b>	<b><u>2,476,159</u></b>	<b><u>2,501,675</u></b>	<b><u>25,516</u></b>
<b>EXPENDITURES</b>					
<b>ADMINISTRATIVE:</b>					
PAYROLL - SUPERVISORS COMPENSATION		11,000	9,167	7,600	1,567
PAYROLL TAXES - FICA		5,810	4,842	4,881	(40)
PAYROLL TAXES - Unempl & W/Comp Ins & Payroll Fee		5,024	4,187	1,566	2,621
CDD MANAGEMENT SERVICES		59,892	49,910	46,144	3,766
AUDITING SERVICES		6,057	5,800	5,800	-
ASSESSMENT ROLL SERVICES		10,050	10,050	13,071	(3,021)
TAX COLLECTOR FEES-ASSMTS	2.0%	51,392	51,392	49,474	1,918
PROPERTY APPRAISER'S FEES-ASSMTS	1.0%	25,696	-	-	-
LEGAL ADVERTISEMENTS		-	-	4,662	(4,662)
LEGAL SERVICES		15,000	12,500	4,023	8,478
MISCELLANEOUS ADMIN.SERVICES (Admin + Filing fees + Bank fees)		11,000	9,167	6,431	2,735
DIRECTORS & OFFICERS INSURANCE		3,407	3,407	2,818	589
<b>TOTAL ADMINISTRATIVE</b>		<b><u>204,328</u></b>	<b><u>160,421</u></b>	<b><u>146,470</u></b>	<b><u>13,951</u></b>
<b>FIELD MANAGEMENT SERVICES:</b>					
ADMIN ASSISTANT		55,446	46,205	41,363	4,842
PARK ATTENDANTS		86,305	71,921	55,210	16,711
PARK PATROL		61,353	51,128	46,884	4,243
FIELD CONSULTANT		99,000	82,500	84,160	(1,660)
FIELD MANAGEMENT CONTINGENCY		20,000	16,667	-	16,667
<b>TOTAL FIELD MANAGEMENT SERVICES</b>		<b><u>322,104</u></b>	<b><u>268,420</u></b>	<b><u>227,617</u></b>	<b><u>40,803</u></b>
<b>GENERAL OVERHEAD:</b>					
INSURANCE		11,127	11,127	10,277	850
INFORMATION SYSTEMS (TEL & SECURITY)		21,128	17,607	13,705	3,902
WATER-UTILITY		13,000	10,833	10,970	(137)
REFUSE REMOVAL (SOLID WASTE)		6,159	5,133	4,943	190
ELECTRICITY		118,000	98,333	86,857	11,476
STREETLIGHTING EXPENSE (Includes City Portion)		-	-	-	-
STORMWATER FEE		3,500	3,500	3,046	454
MISCELLANEOUS FIELD SERVICES		13,000	10,833	7,235	3,598
<b>TOTAL GENERAL OVERHEAD</b>		<b><u>185,914</u></b>	<b><u>157,366</u></b>	<b><u>137,034</u></b>	<b><u>20,332</u></b>
<b>LANDSCAPE MAINTENANCE:</b>					
LANDSCAPING MANAGEMENT FEE		18,000	15,000	15,750	(750)
LANDSCAPE AND POND MAINTENANCE		942,943	785,786	738,393	47,393
LANDSCAPE REPLACEMENT		75,712	63,093	57,144	5,949
NPDES PROGRAM		30,149	25,124	19,182	5,942
<b>TOTAL LANDSCAPE MAINTENANCE</b>		<b><u>1,066,804</u></b>	<b><u>889,003</u></b>	<b><u>830,469</u></b>	<b><u>58,534</u></b>
<b>FACILITY MAINTENANCE:</b>					
IRRIGATION MAINTENANCE		88,576	73,813	98,525	(24,712)
R&M FOUNTAIN		22,895	19,079	11,564	7,516
FACILITY MAINTENANCE		75,712	63,093	58,399	4,695
MOTOR FUEL & LUBRICANTS		4,000	3,333	2,388	946
JANITORIAL/SUPPLIES		1,967	1,639	2,155	(516)



**Tampa Palms CDD  
General Fund  
Statement of Revenue, Expenditures and Change in Fund Balance  
FY2017 - For the period from October 1, 2016 through July 31, 2017**

	<u>BUDGET</u>	<u>BUDGET YEAR-TO-DATE</u>	<u>ACTUAL YEAR-TO-DATE</u>	<u>FAVORABLE (UNFAVORABLE) YTD VARIANCE</u>
<b>PROJECTS :</b>				
<i>R&amp;R &amp; DEFERRED MTC</i>	188,100	156,750	156,857	(107)
<i>NPDES / CLEAN WATER</i>	50,000	41,667	16,703	24,964
<i>SIGNATURE TP 2017</i>	78,526	65,438	18,421	47,017
<i>CAPITAL PROJECTS</i>	188,100	156,750	179,739	(22,989)
<b>TOTAL FACILITY MAINTENANCE &amp; PROJECTS</b>	<b>697,876</b>	<b>581,563</b>	<b>544,750</b>	<b>36,813</b>
<b>TOTAL EXPENDITURES</b>	<b>2,477,026</b>	<b>2,056,774</b>	<b>1,886,341</b>	<b>170,433</b>
<b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	1,000	419,386	<b>615,334</b>	<b>195,949</b>
FUND BALANCE - BEGINNING	-	-	3,949,643	3,949,643
<b>FUND BALANCE - ENDING</b>	<u>\$ 1,000</u>	<u>\$ 419,386</u>	<u>\$ 4,564,978</u>	<u>\$ 4,145,592</u>

**TAMPA PALMS CDD  
CASH REGISTER  
FY 2017**

Date	Num	Name	Memo	Receipts	Disbursements	Balance
<b>06/30/2017</b>			<b>EOM BALANCE</b>	<b>298,179.89</b>	<b>216,703.99</b>	<b>315,611.68</b>
07/01/2017	6799	DPFG MANAGEMENT & CONSULTING, LLC	CDD Mgmt - July		5,337.94	310,273.74
07/01/2017	6800	MARY-MARGARET WILSON	Field Mgmt - July		8,450.00	301,823.74
07/03/2017	ACH20170703	PAYCHEX	P/R Fee		61.25	301,762.49
07/06/2017	6801	ABM Landscape & Turf Services	Landscape Maint - June		58,416.00	243,346.49
07/06/2017	6802	AT&T	Long Distance - June		140.46	243,206.03
07/06/2017	6803	DOUGLAS CLEANING SERVICES	Cleaning Amberly Pk		335.00	242,871.03
07/06/2017	6804	FLORIDA FOUNTAIN MAINTENANCE, INC	Fountain Repairs		417.38	242,453.65
07/06/2017	6805	FRONTIER COMMUNICATIONS	HP FIOS - July		152.67	242,300.98
07/06/2017	6806	IRON MOUNTAIN	7-1-7/31 - Storage		180.00	242,120.98
07/06/2017	6807	SECURITAS SECURITY SERVICES USA, INC	6/11-6/24 - Security - Amberly Pk		696.90	241,424.08
07/06/2017	6808	TERMINEX	Pest Control		125.00	241,299.08
07/06/2017	6809	VERIZON	Phone - June		106.24	241,192.84
07/06/2017	6810	WEX BANK	Fuel - June		209.63	240,983.21
07/06/2017	6811	XEROX CORPORATION	Meter Usage		22.67	240,960.54
07/06/2017		TAMPA PALMS HOA & TAMPA PALMS CDD	Refund for Admin Assist & P. Membership	9,206.00		250,166.54
07/07/2017	6812	A & A DEVELOPMENT, INC	Proper Disposal Tile		7,837.00	242,329.54
07/07/2017	15103DD	DOROTHY COLLINS	6/19-7/2/17 - D.Collins P/R		2,100.45	240,229.09
07/07/2017	ACH07072017	PAYCHEX	6/19-7/2/17 - D. Collins P/R		860.58	239,368.51
07/13/2017	6813	ABM Landscape & Turf Services	Landscaping		48,154.53	191,213.98
07/13/2017	6814	BUCHANAN INGERSOLL & ROONEY	Legal Svcs - June		1,377.50	189,836.48
07/13/2017	6815	CINTAS	Mats		60.02	189,776.46
07/13/2017	6816	DOUGLAS CLEANING SERVICES	7/3-7/14 - CDD Cleaning		430.00	189,346.46
07/13/2017	6817	DPFG MANAGEMENT & CONSULTING, LLC	Mass Mailing (Assessments)		3,020.80	186,325.66
07/13/2017	6818	FRONTIER COMMUNICATIONS	Communications		383.35	185,942.31
07/13/2017	6819	HOOVER PUMPING SYSTEMS	Area 1 Pump Replacement		8,777.33	177,164.98
07/13/2017	6820	LOWE'S	Supplies		115.77	177,049.21
07/13/2017	6821	SUNSHINE STATE ONE CALL F FLORIDA	Dig Tickets		47.02	177,002.19
07/13/2017	6822	TAMPA ELECTRIC	Summary Bill		9,024.15	167,978.04
07/13/2017	6823	TIMES PUBLISHING COMPANY	Legal Ads		4,662.00	163,316.04
07/13/2017	6824	TURNBURY WOOD HOA	2nd Qtr - Cost Share		467.10	162,848.94
07/13/2017	6825	WEX BANK	Fuel - June		191.81	162,657.13
07/19/2017	6826	PATRICIA B. MANEY	BOS Mtg - 6/14/17		184.70	162,472.43
07/19/2017	6827	ADVANCED ENERGY SOLUTION OF	Router & Backup Video		260.00	162,212.43
07/19/2017	6828	CINTAS	Mats		60.02	162,152.41
07/19/2017	6829	ROBERT SPICHER PUMP SERVICES	Install Pump - CDD Sewage Lift Station		2,900.00	159,252.41
07/19/2017	6830	SAFEGUARD	Checks		11.22	159,241.19
07/19/2017	6831	SECURITAS SECURITY SERVICES USA, INC	6/25-7/8 - Security Guard - Amb Pk		696.90	158,544.29
07/19/2017	6832	SOF SURFACES INC.	Foam Tile Bal		19,999.57	138,544.72
07/19/2017	6833	TERMINEX	Pest Control		57.00	138,487.72
07/19/2017	6834	XEROX CORPORATION	Copier Contract		111.11	138,376.61
07/21/2017	ACH07212017	PAYCHEX	P/R Fee		51.25	138,325.36
07/21/2017	15104DD	DOROTHY COLLINS	7/3 - 7/16/17 - P/R		2,100.48	136,224.88
07/21/2017	ACH07212017	PAYCHEX	7/3 - 7/16/17 - P/R		864.74	135,360.14
07/27/2017	6835	ABM Landscape & Turf Services	Landscape (Price Increase) - May & Jun		2,219.80	133,140.34
07/27/2017	6836	ADVANCED ENERGY SOLUTION OF	Fntn Repairs		120.75	133,019.59
07/27/2017	6837	CINTAS	Mats		60.02	132,959.57
07/27/2017	6838	CLEAN SWEEP SUPPLY COMPANY	Supplies		53.20	132,906.37
07/27/2017	6839	DOUGLAS CLEANING SERVICES	7/18-7/28 - CDD Cleaning		430.00	132,476.37
07/27/2017	6840	FRONTIER COMMUNICATIONS	Phone - July		520.28	131,956.09
07/27/2017	6841	HD SUPPLY WATERWORKS, LTD	Irrigation Parts		319.57	131,636.52
07/27/2017	6842	OLM, INC	Landscape Insp		1,575.00	130,061.52
07/27/2017	6843	SECURITAS SECURITY SERVICES USA, INC	6/25-7/8 - HP Security		1,778.08	128,283.44
07/27/2017	6844	STAPLES	Supplies		63.63	128,219.81
07/31/2017	411	CITY OF TAMPA UTILITIES	Water Utilities pmt - SB Jul 2017		931.57	127,288.24
07/31/2017		SUNSHINE BANK.	Interest	9.79		127,298.03
<b>07/31/2017</b>			<b>EOM BALANCE</b>	<b>9,215.79</b>	<b>197,529.44</b>	<b>127,298.03</b>

**TAMPA PALMS CDD  
FINANCIAL SUMMARY THRU JULY 31, 2017  
GENERAL FUND**

(Shown in \$)	<u>Normal Operations</u>	<u>Non-Operating Project Driven</u>	<u>Total As Reported</u>
<b><u>Revenues</u></b>			
Operating	\$1,965,930		\$1,965,930
<b><u>Non Operating</u></b>			
Capital Projects		188,467	188,467
Renewal & Rel		188,467	188,467
Signature 2017		78,679	78,679
NPDES		50,098	50,098
Interest	27,547.16		27,547
Misc Rev	2,486.76		2,487
City Payments- Streetlight Carry Forward Bal *			-
<b>Total</b>	<b>\$ 1,995,964</b>	<b>\$ 505,711</b>	<b>\$ 2,501,675</b>
<b><u>Expenses</u></b>			
Operations	\$ 1,514,621		1,514,621
<b><u>Non Operating</u></b>			
Renewal & Rel		156,857	156,857
NPDES/EPA		16,703	16,703
Capital Projects		179,739	179,739
TP Signature 2017		<u>18,421</u>	<u>18,421</u>
<b>Total</b>	<b>1,514,621</b>	<b>371,720</b>	<b>1,886,341</b>
Excess Revenue Vs Expenses	<b>481,343</b>	<b>133,991</b>	<b>\$615,334</b>

**TAMPA PALMS CDD  
FINANCIAL SUMMARY THRU JULY 31, 2017  
GENERAL FUND**

<u>General Fund</u>	7/31/2017	(\$000)
Cash		127
Cash Equivalent (Excess Cash ICS)		4,527
Due From TPOA		1
Accounts Receivable		0
<b>Total</b>		<b>\$ 4,656</b>
Less:		
Payables		11
Accrued Expenses*		80.3
	<b>Net Cash 7/31/2017</b>	<b>\$ 4,565</b>
Allocation for:		
Winter Damage		200
Wind/Hurricane Damage		200
Palm Pests**		200
Deferred Projects ***		200
TP Signature 2017		1,195
	<b>Adjusted Net Cash</b>	<b>\$ 2,570</b>

Forecast

(\$ 000)	2016-17 Fiscal Year		Monthly Bal
	<u>Receipts</u>	<u>Expenses</u>	
<b>Aug</b>			
CDD Operations	3	195	
R&R	0	15	
NPDES	0	6	
Signature 2017	0	35	
Capital Projects	0	0	
<b>Total</b>	<b>4</b>	<b>251</b>	<b>\$ 2,322</b>
<b>Sept</b>			
CDD Operations	0	196	
R & R	0	16	
NPDES	0	4	
Signature 2017		20	
Capital Projects	0	8	
<b>Total</b>	<b>0</b>	<b>244</b>	<b>\$ 2,078</b>
<b>Oct</b>			
CDD Operations	0	195	
R & R	0	15	
NPDES	0	14	
Signature 2017		65	
Capital Projects	0	17	
<b>Total</b>	<b>0</b>	<b>306</b>	<b>\$ 1,772</b>

\* Park Attendant Billing & ABM Jul Basic Invoice Not Yet Received

\*\* Palm Treatment and Replacement Identified as Future Liability

\*\*\* Projects planned but deferred due to three year construction window and other considerations

**TAMPA PALMS CDD  
JULY 31, 2017**

**GENERAL FUND**

(\$000)	<u>Prior Year Collected %</u>	<u>Current Year Collected \$</u>	<u>Current Year Collected %</u>	<u>Variance % Fav (Unfav)</u>
October				
November	17%	469	19%	2.0%
December	91%	2211	90%	-1.0%
January	93%	2277	92%	-1.0%
February	94.7%	2337	95%	-
March	95.0%	2369	96%	1.0%
April	98.0%	2428	98.4%	0.4%
May	98.3%	2439	98.9%	0.6%
June	99.7%	2472	100.2%	0.5%
July	99.7%	2472	100.2%	0.5%
August	99.7%			
September *	99.7%			
<b>Year End</b>				
<b>Total Assessed (Net Discount)</b>		<b>\$2,467</b>		

## Summary- Project Driven Expenses

9 Months Ending July 31, 2017

### Operating Capital Projects (\$000)

Sources of Funds

FY 2016-17 Budget \$188

Uses of Funds

Spent Thru 7/31/2017 180

7/31/2017 Commitments 8

Total Funds Spent & Committed \$187

**Budget Available as of 7/31/2017 \$1**

### Renewal & Replacement

Sources of Funds

FY 2016-17 Budget \$188

Uses of Funds

Spent Thru 7/31/2017 157

7/31/2017 Commitments 0

Total Funds Spent & Committed \$157

**Budget Available as of 7/31/2017 \$31**

### TP Signature 2017 Capital Projects

Sources of Funds\*

FY 2016-17 Budget \$79

Uses of Funds

Spent Thru 7/31/2017 18

7/31/2017 Commitments\* 248

Total Funds Spent & Committed \$266

**Budget Available as of 7/31/2017 -\$188**

\* Budget amendment will be processed if committed projects complete in FY 2016-17



**Capital Projects 2016-17  
Budget Monitor**

As of 7/31/2017

(\$000)	5 Year Model	Current Projects	Spent 2016-17	Committed To Spend
<b>Tampa Palms Signature Projects (BB Downs)</b>				
Consulting Services	75	-	12	12
Irrigation	80	-	4	9
Main Entry Restorations	615	287	2	227
Area 2 Pond	270			
Bruce B Downs Improvements	155	-	-	-
<b>Sub-Total TP Signature 2017</b>	<b>\$1,195</b>	<b>\$287</b>	<b>\$18</b>	<b>\$248</b>
<b>Capital Projects</b>				
Consulting Services			4	
Irrigation Upgrades	150	10	68	0
Parks	250	150	98	0
Landscape & Lighting	175	90	-	-
Signs, Infrastructure & Lighting	275	145	10	7
<b>Sub-Total Capital Projects</b>	<b>850</b>	<b>\$395</b>	<b>\$180</b>	<b>\$8</b>
<b>Total TP Signature &amp; Capital Projects</b>	<b>*</b>	<b>\$682</b>	<b>\$198</b>	<b>\$256</b>

\* Five Year Model

\$1,195    Signature TP 2017  
\$850K    Capital Projects



**Capital Projects  
Signature 2017  
Through July, 31, 2017**

Tampa Palms Signature Projects (BB Downs)	Planning Model	Current Projects	Spent 2016-17	Committed To Spend
<b>Consulting Services</b> [50-75]				
Prelim BB Downs Designs			12,000	12,000
<i>Sub Total</i>			12,000	12,000
<b>Irrigation</b> [50-80]				
Area 1 & 2 Irrigation & Wiring Adjustments			4,121	9,000
<i>Sub Total</i>		-	4,121	9,000
<b>Main Entry Restorations</b> [475-615]				
Area 1 & 2 Entry Hardscape		65,000		65,000
Area 1 & 2 Landscape			2,300	-
Amberly Entries (1&2)				
Area 2 Bricks		142,000		142,000
Area 1 & 2 Streetlights		80,000		20,000
<i>Sub Total</i>		287,000	2,300	227,000
<b>Area 2 Pond</b> [245-270]				
Littoral Plantings				
Landscape Plus Fence				
Tree Buffer				
Fountain(s)		-		-
<i>Sub Total</i>				
<b>Bruce B Downs Improvements</b> [310-155]				
Landscape- Bridge To Powerlines		-		-
<i>Sub Total</i>		-	-	-
<b>Sub-Total Tampa Palms Signature 2017</b> [880-1195] <b>\$ 287,000    \$ 18,421    \$ 248,000</b>				
<b>Standard Capital Projects</b>				
	5 Year Model	Current Projects	Spent 2016-17	Committed To Spend
<b>Consulting Services</b>				
Design Implementation Oversight			3,798	
<i>Sub Total</i>			3,798	
<b>Irrigation Upgrades</b> [\$150-200]				
Wiring, Upgrades & Additional Zones	150,000	-	10,865	-
Area 1 Pump Station Pond Connections		10,000	3,744	
Toro Sentinel System Upgrade		54,100	53,697	403
<i>Sub Total</i>	150,000	10,000	68,306	403
<b>Parks</b> [\$200-250]				
Camera Systems (Including CDD)		40,000	6,660	-
Amberly Picnic Table/Seats & Trash Cans		12,655	1,687	
Amberly Lollipop Umbrellas			41,804	
Waste Disposal (Treated as Hazardous)			7,837	
Hampton Safety Surface Replacement		40,000	39,999	
<i>Sub Total</i>	250,000	149,844	97,987	-
<b>Landscape &amp; Lighting</b> [\$150-200]				
Palm Investments				
<i>Sub Total</i>	175,000	90,000		-
<b>Signs, Infrastructure &amp; Lighting</b> [\$150-200]				
Amberly Parking Lot & Path				
Misc ROW Sign				-
Monument Structure Enhancements	150,000	-		
Wildlife & Protected Species Signs		20,000	9,649	7,351
<i>Sub Total</i>	\$275,000	\$145,000	\$9,649	\$7,351
<b>Sub-Total Normal Capital Projects</b> <b>\$850,000    \$394,844    \$179,739    \$7,754</b>				
<b>Total TP Signature 2017 &amp; Standard Capital Projects</b> <b>\$2,045,000    \$681,844    \$198,160    \$255,754</b>				
		(\$000)		
	<b>5 Year Model</b>		<b>FY 2016-17</b>	
Signature TP 2017	\$1,195		\$18	
Capital Projects	\$850		\$180	

	<u>Next Step</u>	<u>Date</u>	<u>Responsible</u>
<b>I Bruce B Downs Mitigation Projects- Signature 2017</b>			
<b>1) General Progress &amp; Timeline</b>			
a) Closures & Progress	Report To Board	<b>Sep</b>	Staff
b) County Contract Progress	Report To Board	<b>Sep</b>	Staff
<b>2) Entrance Pond</b>			
a) Littoral Plantings			
Final Pricing	Board Approval	Nov	Staff/H&K
Schedule Plantings	Hold For County Permission	TBD	Staff/H&K
b) Pond Perimeter			
Initial Planting Plans	Board Approval	Oct	Staff/H&K
Schedule Plantings	Hold For County Go-Ahead	TBD	Staff/H&K
c) Trees & Shrubs (Church Buffer)			
Initial Planting Plans	Board Approval	Oct	Staff/H&K
Schedule Plantings	Hold For County Permission	TBD	Staff/H&K
d) CDD Frontage on BB Downs			
Final Pricing- Irrigation	Board Approval	<b>Sep</b>	Staff/H&K
Schedule Work	Hold For Access	TBD	Staff/H&K
e) Pond Site Fountain(s)			
Final Pricing & Design	Board Approval	<b>Sept</b>	Staff
Installation Work	Hold For Access	TBD	Staff/H&K

3) Community Entrances

a) Tampa Palms Blvd - Area 1

Final Approval- Hardscape

Installtion - Lighting

Represent Landscape Options

Entry Side of Road

Exit Side of Road

Median

Pond Site

Schedule For Approved Improvements

Next Step

Date

Responsible

Prelim Board Approval

Oct

Staff

Board Approval

**Sep**

Staff

Board Review

Oct

Staff/H&K

Board Review

Oct

Staff/H&K

Install Update

**Sept**

Staff/Maney

Board Review

Nov

Staff/Maney

Update Board

On Going

Staff

b) Tampa Palms Blvd - Area 2

FinalApproval- Hardscape

Final Pricing- Lighting

Represent Landscape Options

Entry Side of Road

Exit Side of Road

Median (Entry)

Amberly Pond ROW Landscape

Landscape Design

Landscape Budget & Installation

Roadway Bricks

Wayfinding Sign

Schedule For Approved Improvements

Prelim Board Approval

Oct

Staff/H&K

Board Approval

Oct

Staff

Board Review

Board Review

Oct

Staff/H&K

Board Review

Oct

Staff/H&K

Board Approval

**Sept**

Staff/H&K

Board Review

Oct

Staff/Maney

Board Approval

Oct

Staff/Maney

Update

**Sept**

Staff/Soley

Board Review

TBD

Staff

Update Board

On Going

Staff

## Tampa Palms CDD

## Strategic Planning

September 13, 2017

	<u>Next Step</u>	<u>Date</u>	<u>Responsible</u>
c) Amberly Area 1			
Landscape Clean-up & Prep	Update Board	<b>Sept</b>	Staff/Maney
Landscape Options			
Entry Side of Road	Board Review	Oct	Staff/Maney/H&K
Exit Side of Road	Board Review	Oct	Staff/Maney/H&K
Welcome Monument Area	Board Review	Oct	Staff/Maney/H&K
Roadway Bricks	Update	Oct	Staff/Soley
d) Amberly Area 2			
Landscape Clean-up & Prep	Update Board	<b>Sept</b>	Staff/Maney
Landscape Options			
Entry Side of Road	Board Review	Oct	Staff/Maney/H&K
Exit Side of Road	Board Review	Oct	Staff/Maney/H&K
Monument Area	Board Review	Oct	Staff/Maney/H&K
Roadway Bricks	Update	<b>Sept</b>	Staff/Soley

## II Capital Projects

### 1) Wayfinding & Misc Signs

a) Area 2 Entry (Sig 2017 Area 2 Above)      Board Review      TBD      Staff/Soley

### 2) LED Landscape Lighting

a) Phase III      Future Consideration      TBD      Staff

### 3) Irrigation System Upgrades

a) Sentinel System Communication      Review Progress      **Sept**      Staff/Gibson

## III Landscape Assets

**1) Assessment YTD Weather Impacts**

Report To Board

Ongoing Staff/Maney

**Tampa Palms CDD**

**Strategic Planning**

**September 13, 2017**

	<u>Next Step</u>	<u>Date</u>	<u>Responsible</u>
<b>2) Landscape Pests/Problems/</b> a) Palm Tree Pests	Report To Board	Nov	Staff/Maney
<b>3) Village Entry &amp; Blvd Restorations</b> a) Progress	Reort To Board	Ongoing	Staff
<b><u>IV Park Reviews</u></b>			
1) Park Updates General	Report To Board	<b>Sept</b>	Staff
2) Wind Sail Replacement	Report To Board	Oct	Staff
3) Amberly Surface	Report To Board	<b>Sept</b>	Staff
<b><u>V NPDES Projects</u></b>			
1) <b>Control Structure</b> b) Upgrade Project	Board Review	TBD	
2) <b>Low Impact Development</b> a) Current Projects b) NOI	Report To Board Report To Board	Nov Oct	Staff Staff
<b><u>VI. Multi-Model Paths</u></b> a) City Timeline	Report To Board	Oct	Staff

## TP CDD Planning Horizon

September 8, 2017

### FY 2016 -17

- Enhanced Website Requirements For CDDs Goes Into Effect
- Lane and Entry Blockage- Area 1 & 2 BB Downs Construction
- BB Downs Northbound Lanes Open (Feb)
- Area 1 Entry Median Modified
- Area 2 Pond Complete (Jul-Aug)
- Area 1 Exit Lane Construction (Jun-Jul)
- Area 1 Exit Lane Opens (Aug)
- Amberly Entrance Improvement
- Southern Segment BBD Complete (Aug-Sep)
- Playground Updates (Hampton)
- Landscape Renewal Continues (10 Year Cycle)

Yellow Background Indicates Completed

### FY 2017 -18

- Area 1 Entry Median Revitalized
- Area 1 Entry Hardscape Improvements - Commences
- NPDES Renewal (NOI Development)
- Multi-Modal Path Improvements
- Area 1 Entry Hardscape Improvements - Continued
- Area 2 Entry Improvements
- Possible Playground Updates (Amberly)
- NPDES Renewal
- Area 2 Pond Improvements
- Amberly Park Safety Surface
- Landscape Renewal Continues (10 Year Cycle)

## Update BB Downs Mitigation

This report is filed monthly to update the Board Members as to the status of funds - both availability and committed - for the Signature Tampa Palms 2017-18 projects.

**Funds Available A/O September, 2017**

**\$1,195 K**

### Estimated Timing By Project- Sept, 2017

Opening Balance/Available	Priority Level	Prior Years	FY 2016-17 \$1,195,000	FY 2017-18 \$804,000	FY 2018-19 \$199,000
ConsultingSvcs			\$25,000	\$25,000	\$24,000
Irrigation Relocation	Complete	\$93,583			
Irrigation- General & Repairs	Complete	\$55,000	\$25,000	\$35,000	\$20,000
Area 1- Entry Streetlights	1		\$80,000		
Area 1 Pillars, Fencing & Lighting	1			\$110,500	
Area 1- Landscape Entry Median	1		\$65,000		
Area 1 Entry - Landscape	1			\$25,000	
Area 2- Entry Streetlights	1			\$60,000	
Area 2 Pillars, Fencing & Lighting	1			\$99,500	
Area 2 Entry - Median Landscape	1		\$55,000		
Area 2 Entry - Landscape	1			\$45,000	
Amberly (1 & 2) Entrances	2				\$55,000
Area 2 Entry Pond - Littoral Plantings	2			\$20,000	
Area 2 Entry Pond - Landscape + Fence	2			\$55,000	\$30,000
Area 2 Entry Pond - Tree Buffer	2			\$50,000	
Area 2 Entry Pond - Fountain	2			\$45,000	
Area 1 - Landscape BB Downs	3			\$15,000	\$15,000
Area 2 - Landscape BB D (Non-pond)	3				\$25,000
Area 2- Landscape Amberly To Bridge	4			\$20,000	
Area 1 Optional Lighting	TBD				\$15,000
Area 2 Entry- Roadway Bricks	TBD		\$141,000		
Area 2 Optional Lighting	TBD				\$15,000
BB Downs Fencing	Complete	286,897			
<i>S/T By Fiscal Year</i>		<i>\$435,480</i>	<i>\$391,000</i>	<i>\$605,000</i>	<i>\$199,000</i>
<b>Total All Projects</b>		<b>Actual</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>

**Cost Figures In Blue Have Been Formally Set-Aside or Approved to Proceed By Board**

Figures highlighted in yellow should commence in FY 2016-17 - completion is unlikely, portions may be completed.

Cost Figures In Black Are Estimates of Probable Cost



**MINUTES OF MEETING  
TAMPA PALMS  
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Tampa Palms Community Development District was held on Wednesday, August 9, 2017 at 6:00 p.m. at the Compton Park Recreation Building, 16101 Compton Drive, Tampa, Florida.

**FIRST ORDER OF BUSINESS - Welcome & Roll Call**

Mr. Field called the meeting to order.

The Board members introduced themselves for the record.

Present and constituting a quorum were:

Gene Field	Chairman
Jim Soley	Vice Chairperson
Patty Maney	Supervisor
Jessica Vaughn	Supervisor

Also present were:

Maggie Wilson	Consultant
Bud Maney	
Warren Dixon	
Brian Koerber	
Don O'Neal	
Bill Schneider	

Mr. Field established that a quorum of the Board was present.

**Pledge of Allegiance**

Ms. Maney led the recitation of the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS- - Strategic Planning**

Mr. Field reviewed the most current strategic plans, focusing on those issues which have immediate impact. The full strategic plans and significant events were included in the advance Board Package; a copy of which is attached hereto and made a part of the public record.

**THIRD ORDER OF BUSINESS - Board Member Discussion Items**

Mr. Soley noted that the fence had been installed around the pond across from Acropolis. He further stated that he was never more certain how important the changes Tampa Palms had

made to occur in the Tampa Palms pond were until he saw what might have happened had action not been taken.

#### **FOURTH ORDER OF BUSINESS - Public Comments**

There being none, the next item followed.

#### **FIFTH ORDER OF BUSINESS - Approval of the July Minutes**

On MOTION by Mr. Soley, SECONDED by Ms. Vaughn, WITH ALL IN FAVOR, the Board approved the Minutes of the July 12, 2017 Board Meeting and FY 2017-18 Budget Hearing.

#### **SIXTH ORDER OF BUSINESS - Approval of District Disbursements**

A copy of the Board Financial Analysis, Financial Statements and Check Register are attached hereto and made a part of the public record. Mr. Field noted that the check register had been reviewed.

On MOTION by Mr. Soley, SECONDED by Ms. Maney WITH ALL IN FAVOR, the Board approved the Disbursements for the month ending June 30, 2017 in the Amount of \$216,888.69.

#### **SEVENTH ORDER OF BUSINESS - Consultant Reports**

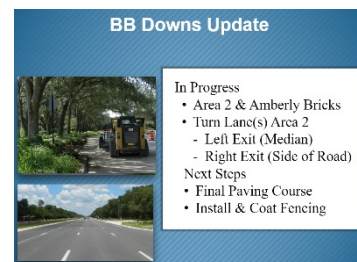
##### **◆ Bruce B Downs Update**

Ms. Wilson reported on the work that is still in progress of note to Tampa Palms.

Ms. Wilson reviewed the brickwork at the Area 2 entrance and Amberly, both Area 1 and Area 2, and the turn lanes in Area 2 – median extension and right turn expansion.

Ms. Wilson advised that the next major steps will be the coating of the fences within Tampa Palms and the application of a final friction paving course throughout the entire project.

The friction course will smooth all lanes and contribute to rapid water removal and even reduce sound coming from traffic on the pavement.



◆ **Signature 2017 Restoration**

Ms. Wilson discussed the entry brick the plantings for the Area 1 entrance, more specifically the dead and dying palms and the ligustrum.

Each area from the front monument to the guard house was individually reviewed.

Ms. Wilson presented a restoration plan which examined each element of the entry median, described the condition and reason and proposed a detailed restoration plan that included all aspects from irrigation to monument cleaning to removal of dead and dying materials to soil replacement and finally plant replacement.

**Signature 2017-18 Restoration**  
Area 1 Entry



- Area 1 Entry Median
  - Monument
  - Planters (2)
  - Courtyard






**Signature 2017-18 Restoration**  
Area 1 Median



- Restored Entry
- Reliable Plantings
- Improvements Now
- Cost \$65,000
- Irrigation
- Removals
- Shrubs
- Palms
- Requires Motion To Proceed

Summary of Changes		
Plant	Removed	New
Carrisa Holly	60	71
Ligustrum	12	12
Tree Fern	15	20
Washingtonia Palms		

On MOTION by Ms. Maney, SECONDED by Mr. Soley WITH ALL IN FAVOR, the Board approved \$65,000 for the Area 1 entry median restoration.

Next Ms. Wilson brought forward the Area 1 entry portion of the streetlights into the community. This project had previously been discussed and reviewed for completion when construction was sufficiently finished so as not to damage or create conflicts with the new streetlights. Ms. Wilson advised that the streetlight project could now commence safely.

**Signature 2017-18 Restoration**  
Area 1 Entry Lighting




- Community Entrance
- Improved Visibility
- Attractive
- New LED Fixtures
- Refurbish Poles
- Re-use Wiring
- Requires Motion To Proceed

Street Lighting- Main Entry		
Qty	Description	
12	LED fixtures	\$18,000
	Poles	
12	Refurbished	\$ 1,500
		\$19,500

On MOTION by Mr. Soley, SECONDED by Ms. Maney WITH ALL IN FAVOR, the Board approved \$19,500 for the entry streetlight replacements for the Area 1 Tampa Palms Blvd entry.

◆ **Bruce B Downs Pond**

Ms. Wilson discussed the Area 2 entry pond, noting its completion and visibility from BB Downs and TP Blvd.

**BB Downs Pond**  
A Long Time Coming



- 18 Months To Build
- Only "Lined" Pond
- Massive Size
- Turn-Over Date Uncertain
- Improvements Begin



Ms. Wilson presented the final agreement with the County that will allow the CDD to make improvements to the pond such as one or more fountains, plantings behind and around the pond and littoral shelf plants.



In order to proceed with these improvements, the Board of County Commissioners (BOCC) must approve the joint agreement for maintenance.

Ms. Wilson reviewed the agreement and asked for approval by the Board for acceptance. Once signed, the agreement will go to the BOCC for approval at a public meeting.

On MOTION by Ms. Vaughn, SECONDED by Mr. Soley WITH ALL IN FAVOR, the Board approved the agreement with Hillsborough County for improvements and maintenance of improvements for the Area 2 entry pond.

◆ **Park Updates**

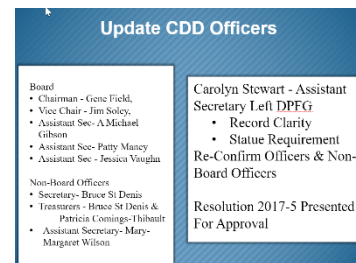
Ms. Wilson reviewed the updates to the parks and showed a brief video prepared by Softiles (safety surface manufacturer) that showed the surfaces for Compton Park and the CDD’s own Hampton Park.



Ms. Wilson also indicated that the continual rains were causing equipment to become dirty quicker and that as soon as the rainy season slows, all of the equipment would be pressure washed.

◆ **Update CDD Officers**

Ms. Wilson advised that Carolyn Stewart was no longer an assistant recording secretary for the Tampa Palms CDD (she has left DPFPG) and asked that the Board approve a resolution reconfirming the officers (board and appointed) to keep the records up to date and valid.



Ms. Wilson reported that this action should be done by resolution and noted that the advanced meeting packets contained a copy.

On MOTION by Ms. Maney, SECONDED by Mr. Soley WITH ALL IN FAVOR, the Board approved RESOLUTION 2017- the agreement with Hillsborough County for improvements and maintenance of improvements for the Area 2 entry pond.

◆ **Auditor Engagement Approval**

Ms. Wilson stated each year the District must confirm the auditor engagement and cost for the audit. The proposed cost for the engagement is \$6,000 and is within the budget. Staff requests a motion to approve the engagement letter.



**Auditor Engagement Approval**

- Annual Audit Required
- Prior RFP Issued
  - Grau Selected
  - Confirmation For 2017
- Engagement - \$6,000
- Budget Amount \$6,057

Motion To Approve Grau & Associates & The Cost

On MOTION by Ms. Vaughn, SECONDED by Mr. Soley WITH ALL IN FAVOR, the Board approved the agreement with Hillsborough County for improvements and maintenance of improvements for the Area 2 entry pond.

◆ **Multi-Modal Path**

Ms. Wilson and Supervisor Soley updated the Board as to the progress with the path. Supv Soley and staff met with senior staff at the City, tree by tree evaluation was in progress and the City had offered to meet with the community at the Sept Budget Meeting.



**Multi-Modal Path**

- Tree Evaluation This Week
- Final Plans (1-3 Weeks)
- Work Commences

◆ **Irrigation System Update**

Ms. Wilson reported that the installation of the upgraded Sentinel System was underway. The Toro Corporation is installing two systems in the area, Tampa Palms and USF.



**Irrigation System**  
*Sentinel Upgrade*

- Toro Team On Site
- Control System Upgrades
  - Receivers/Controllers
  - Radios
- Improved Communications
  - Controller to Controller
  - Cell Where Needed
- Complete This Week

◆ **Tampa City Budget**

Ms. Wilson reviewed high level the improvements that the FY 2017-18 Budget brings to New Tampa, including additions to the Rec Center, a new fire station near County Line Rd, water pressure improvements and more.



**City of Tampa Budget**  
*Support for New Tampa*

- New Fire Station
- NT Rec Center Addition
- Sensory Friendly Park
- Sidewalk & Services

**Additional Advanced Board Package Materials:**

Information regarding financial reports were included in the Advance Board package; copy of which is attached hereto, made a part of the public record and available online.

**EIGHTH ORDER OF BUSINESS – Other Matters**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS – Public Comments**

Warren Dixon discussed the fence on other storm water ponds along BB Downs thanking the Board for the involvement that save Tampa Palms from a similar fate. He also positively commented on the irrigation new roadway bricks

Don O’Neal inquired how quickly improvements could be made to the Area 2 entry pond. Ms. Wilson said that was unknown at this time and would be a County decision.

Ms. Wilson reviewed the order in which access would be gained which includes first the approval by the Board of County Commissioners, then the turnover by the contractors of the pond and project to the County and finally an evaluation by the County staff as to the impact improvements might have on warranty issues.

**TENTH ORDER OF BUSINESS - Supervisor Comments**

Jessica Vaughn asked about the ability to transplant materials that were to be removed from the entry medians. Ms. Wilson confirmed that where materials were healthy enough for saving they would be repurposed but noted that almost all plants were being removed due to disease or root intrusion.

Patty Maney thanked the ABM teams for keeping the property in respectable condition even with so much construction upheaval. She noted the OLM scores reflect that fact as well.

**ELEVENTH ORDER OF BUSINESS - Adjournment**

There being no further business,

On MOTION by Mr. Soley, SECONDED by Ms. Vaughn, WITH ALL IN FAVOR, the meeting was adjourned.

*\*These minutes were done in summary format.*

*\*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

**Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on \_\_\_\_\_.**

\_\_\_\_\_  
**Signature**

Mary-Margaret Wilson  
**Printed Name**

**Title:**  
 **Assistant Secretary**  
 **District Manager**

\_\_\_\_\_  
**Signature**

Gene Field  
**Printed Name**

**Title:**  
 **Vice Chairperson**

## Bruce B Downs Update

General Updates (Page 1)  
Fence Inspection (Page 2)  
Pond Agreement (Page 2)  
Area 2 Pond Fountain (Page 2)  
Area 2 Median Entry Project (Page 3)  
Area 1 Lighting Project – Update (Page 6)  
Area 2 Lighting Project - Ready (Page 6)

### *General Updates*

The BB Downs widening project is quickly moving toward completion despite the work-disturbing rains. Crews are scarifying the roadway commencing at Cypress Preserve Drive and moving south in advance of the final friction course of paving.

The bricks are finished at the Area 2 entry; Amberly is still in progress but the work has been hampered by the rains.

There have been complaints about the connection between BB Downs and the bricks; some have referred to the bricks as “speed tables”. There are two reasons for this:

1. The concrete ribbons which hold the bricks in place had sunk far lower than where it should have been for the old bricks (time / weight etc.). Previously there was actually a dip as one drove onto the bricks. The new bricks are held in place by concrete at the proper level.
2. The final paving course has not yet been applied; pending that paving the bridge between the paving and the bricks is lower than it will be for the final product.

In anticipation of the arrival of hurricane Irma, the contractors hurriedly completed the median modifications at the Area 2 entrance in order to open the exit from City Plaza. There remains work to be finished to patch some curb portions and clean the median but traffic no longer must exit to the right and then make a U-turn at Amberly



The median will be the location for the entry streetlights for Area 2 (see below).

The contractors also hurried to complete the exit lanes for Area 1. All lanes are open and ready for traffic with the barrels removed.



There have been concerns raised over the traffic signal effectiveness at Tampa Palms and BB Downs, as well as, Amberly and BB Downs. The complaints include:

- Excessively long wait times on TP Blvd, with the lines stretching back to Amberly
- Limited left turn signals and no left turn allowed when through traffic has a green.



In advance of the storm the City's new ITS cameras were being installed Thursday (9/7/17) that will better manage the queue waiting at the lights on BB Downs

### ***Fence Completion and Inspection***

There remain several areas where the safety fence has not yet been installed and temporary wood structures are in place. That work is scheduled and will be completed in the coming weeks.

Work to coat the fence began - two coat application has been completed on the lengths between Amberly and TP Blvd [east side]. Jason Rinard, Eric Rose (KCI) and staff inspected the completed fence portions.



One design element that is included in this fencing (though apparently not present in the other portions of BB Downs) are moveable couplers between segments. This fence has been engineered to accommodate a wide range of temperatures without becoming brittle or buckling out.

Both of the professionals who examined the fence (displaying a certain chain gang look to the right) confirmed that it was up to specifications. Jason also inspected the "pre-fab" section in front of SunTrust and found it acceptable and little difference from the *paint in place* sections.



Each time a segment is finished a similar inspection will be completed.

### ***Pond Agreement***

The pond agreement was approved on the Consent Agenda by Hillsborough County Board of County Commissioners on September 7<sup>th</sup>.

The pond is not yet available for planting: the actual timing is still under discussion.

### ***Pond Fountain (s)***

There are decisions to be made by the CDD Board regarding the pond fountain(s) for the Area 2 entry pond, including how many fountains, their size and location.

Although the pond is very large when viewed from BB Downs, a sizable portion of the pond cannot support the use of fountains as it is littoral shelf and too shallow.





If three prominent fountains were located in the deep pool and a major portion of the water empty, it might appear crowded with observers wondering why they were not spread out more.

There are several alternatives:

- A single large and prominent fountain
- A single large and prominent fountain with two small fountains
- Three small fountains

Staff recommends a single fountain to be located in the front area of the pond,

visible from BB Downs and Tampa Palms Blvd and distantly visible from Amberly Dr.



The proposed fountain would be a single large fountain:

- Tiara Fountain
- Trellis & Sky Nozzles
- Spray 45 ft high
- Width of Display 120 ft.

It is powered by a 15 HP motor and pump and includes 6- 35W LED lights. It required 75 amps (230 V) and is only single-phase power. For that reason, there will be no need to add a second meter to bring in additional power.

Purchase Price	\$16,000.00
Installation (Electrical)	1,000.00

Should the Board decide to do so, in the future additional fountains (small) could be added. The smaller fountains would have a display of 35 ft in height and a spray width of 25 ft. These smaller fountains would cost \$11,000 each and would require additional power (est \$10,000).

If the Board wishes to proceed with one fountain, staff could begin to “test the waters” with the County to begin improvements. Note a fountain will not impact the liner or the warranty for the liner.

### ***Area 2 Entry Median***

Restoration of the Area 2 median can commence as soon as the modified second (left turn lane queue median) and the final paving for the exit turn lane are completed.

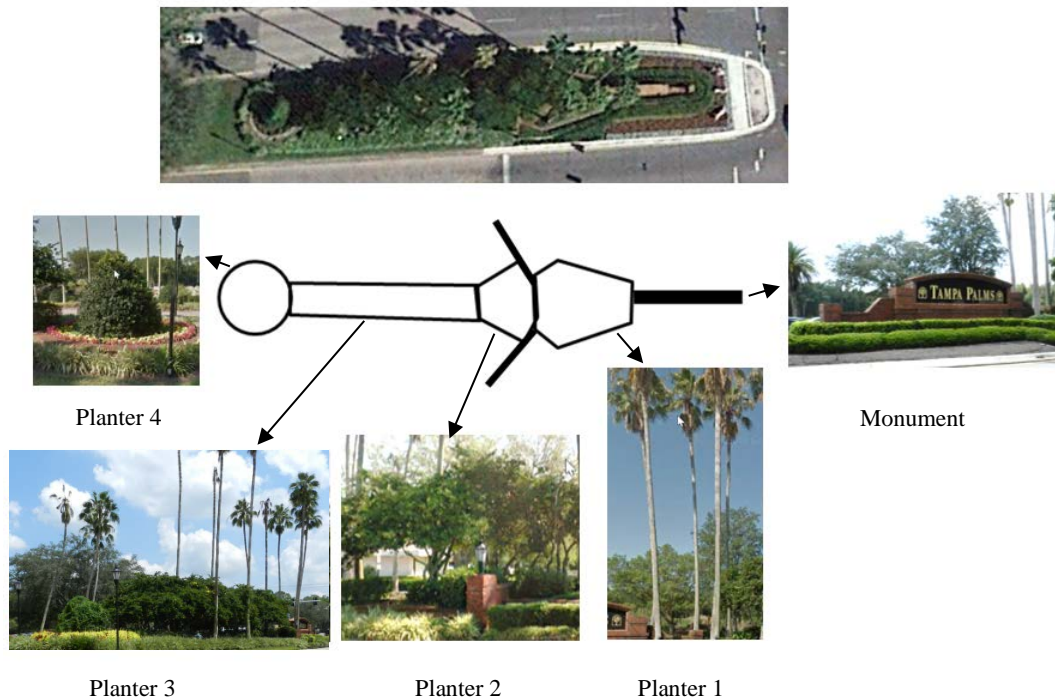
Restoration is required to address the:

- 1) The dying shrubs damaged during the curb installation,
- 2) The dead and failing ligustrum’s affected by both the irrigation limitations during construction and fungus
- 3) The signature Washingtonian palms which have been affected by both fungus and age. Of the twenty on this median, only nine are left today; and two of them are dead and two more are failing.

The palms are a particular concern because of their importance to Tampa Palms, the fact that they are too tall for visibility and because of **the serious hazard they create in their present state** due to the fact their height limits the ability to prune dead fronds. Fronds dropping on cars have been associated with several near accidents.

Tampa Palms is not Tampa Oaks and it is important to restore the palm-filled entry. It will be expensive but well worth it from a safety/liability and aesthetics perspectives.

The Area 2 main entry median is made up of four distinctive sections, two are raised planters of various heights, one a semi-courtyard area, and the main monument. One difference between the Area 1 and Area 2 medians (in addition to the lack of guardhouse on the Area 2 side) is that the majority of the palms are planted outside the planter areas in Area 2.



The basic plan is to restore the look of the entry is the same as with Area 1: using generally the same plant materials that have worked well for the last ten plus years.

The proposed plan is relatively simple:

- **Monument Area:**

The podocarpus plant hedge around the brick is in relatively good shape (possibly five or six plants need to be replaced). The hedge will be retained without change.

The hedge of Carissa holly is badly damaged in places: it will be replaced completely. Carissa holly is a strong plant, deep olive-green leaves with a slight gloss.



The turf that previously lined the areas between the annual plantings and the curb has already been eliminated due to the reduction in size of the median. Annual plantings to the curb have worked well.



- Planter 1:

Two elaeocarpus (Japanese Blueberry) will be planted directly behind the monument. This same shrub is used in planter 4. It has a formal appearance with slightly olive colored leaves which reflect nicely with the Carissa holly used around the monument. The elaeocarpus are robust and very fungus resistant.



The declining Washingtonian Palms will be replaced. Before any replacements are made the soil will be removed and the new soil drenched with fungicide.

Washingtonian palms are important to Tampa Palms. This planter contains six trees (one appears to be dying). In the harsh urban environment of a raised planter the older trees are less capable of standing up to fungus and other challenges. Further these trees are now so tall that they:

- Are out of sight and no longer contributing to the landscape
- Are out of range of normal tree-truck bucket operations so routine frond pruning cannot be accomplished. This has led to several near misses when falling frond hit windshields.



The old and dying palms will be removed and replaced with 18-25 ft clear trunk Washingtonian palms.

- Planter 2:

The situation with planter 2 mirrors that of Area 1 with a few exceptions:

- The ligustrum are just beginning to fail and age appears to be the primary factor.
- There are no palms in this planter to be replaced.



Four large ligustrum will be replaced.

- Planter 3:

Planter 3 contains mature ligustrum trees which at this time appear solid and not in need of replacement. Because the palm replacements below are outside the planter and there is no need for removals or stump grinding that will damage the ligustrum roots. The plan is that these ligustrum will be retained.

Planter 3 is (actually was - most palms are now dead) home to a number of Washingtonian palms, and very visible from BB Downs and Tampa Palms Blvd. These palms (after restoration there will be twelve in total- six on each side) are outside and along the planter.

These will be the same general size of palms that was used for replacements at the Wellington pond site (18-25 clear trunk). Those palms have flourished.

- Planter 4:

This planter contains elaeocarpus which will be replaced if needed. Joe Laird will first attempt to trim and fertilize and restore the shrub/tree.

All of this restoration is planned for areas within the County’s scope of work for the BB Downs widening and staff has received exceptional support in the creation of proper MOT.

The proposed cost for this work is \$55,000. This is consistent with the schedules depicting the restoration work for the BB Downs project.

Summary of Changes		
Plant	Removed	Added
Carrisa Holly	60	71
Ligustrum Tree Form	4	4
Washingtonia Palms	9 (Includes dead & dying)	20

If the Board wished to proceed, this should be approved by motion.

- ***Proposed Area 1 Entry Lighting Project - Update***

The streetlights for the Area 1 median have been ordered as approved by the Board during the August CDD meeting.

The lead time for the fixtures is 4-6 weeks and they should be installed in time for the October CDD meeting.



- ***Proposed Area 2 Entry Lighting Project***

Staff wishes to proceed with ordering the streetlight replacement for Area 2: this is for only the following:

- Fixture only replacements for the existing lights (five). The new fixtures will be LED and have the lumen specifications detailed by Jason Rinard and previously presented to the Board.
- Fixture replacements for the wall-mounted lights (two).
- The lights will be very similar to Compton Park but will have 250 W metal halide output equivalents not 175 W used at Compton Park.
- The existing poles for the entry median will be retained and restored.
- Two new fixtures and poles will be added for the narrow second median.

Additional path lighting or other accent lighting can be considered in the future, after hardscape and landscape improvements are complete and the Board has an opportunity to evaluate options and needs.

There are a total of seven streetlights (two are new) and two wall lights. The cost to replace the fixtures with LED fixtures is \$14,475.00.

If the Board wishes to proceed, this should be approved by motion.

## Community Appearance

First on the Tampa Palms appearance hit parade is the fact that Tampa Palms has received an enormous amount of rain the last three weeks.

In the ten days from Aug 24 until Sept 4 Tampa Palms received 21+ inches of rain, measured at two locations - one in Area 1 and the other at the CDD shop. These storms have left more rain in Tampa Palms and the areas north and east of Tampa Palms than most of the rest of the Tampa Bay Area.

Despite that fact, and due in part to the well-functioning storm drain system, Tampa Palms experienced only short-term street flooding and was spared the power outages and major street closures that plagued much of the rest of Tampa.



One storm water drain on Tampa Palms Blvd near Halsey Rd. became clogged, backing up on the street and flooding the swale along the sidewalk. City crews were onsite within hours of being called and cleared the drain. (It was clogged with trash and pièce de résistance, an old garbage can lid.)

At this time, the most of the ROW swales are inundated with water making it impossible to mow without damaging the turf. In those cases where vehicles pull off the road for any reason the vehicles cause deep (and visually unpleasant) ruts that must be repaired.



One City van pulled off to check an open utility box near Manchester and became so stuck in the mud that a tow truck had to be called.

This time of year - August and September - is a time of wild growth for everything from the turf and shrubs to the unwelcomed guests of weeds and fungus.

The near 100% humidity, combined with the heat and rain, has encouraged both the weeds and weedy vines (as opposed to the ficus that decorates the walls) to grow nearly uncontrollably.



Much of the work to remove these vines must be done manually, with no use of chemical herbicides so as not to damage the surrounding plants. Many of these vines come from owner properties along the walls: this complicates proper removal which should be done from the roots.

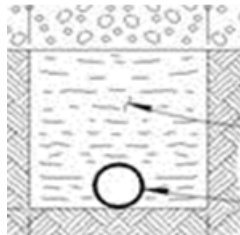
Joe Laird and Ms Maney have teamed to create a plan that focuses on short term needs to keep the community looking well-dressed, while minimizing long term loss from damaged sod or uncontrolled vines on shrubs. The ABM team is running full crews on Saturdays and partial crews overtime in the afternoons to make certain the property remains up to expectations even with the continual loss of production time due to rains.

Tampa Palms enjoys a water table relatively close to the surface in some areas. It is thought that the unyielding rains combined with overloaded water table are causing problems in one area (irrigation) and may be exacerbating problems in another area (palms).

## Irrigation Mainline Breaks

There continue to be a series of mainline breaks throughout the property. These breaks occur underground with the buried irrigation mainline.

Collapse usually happens when the soil backfill around the buried pipes was not properly compacted. The poorly compacted soil settles over several years, causing a hole or shallow, linear trench in the underground.



Ground water, especially right now with the extraordinary rains, washes out the area around the pipes, allowing the pipes to move in the ground. Pipe breach occurs when the weight of the soil (and sidewalks, pavements etc.) or the presence of outside loads such as trucks, exceeds the holding pressure of the backfilled and compacted soil around the pipes.

There have been numerous breaks in the last weeks (Tampa Palms Blvd near Asbury, near Manchester (3), Tampa Palms Blvd Area across from the Reserve (2 ), Amberly Dr near Nottingham (2) Amberly near Palma Vista (1) and a new one along Yardley Way.

These mainline breaks are a triple whammy; they waste water, they eat up technician time identifying and locating the breach (and isolating the break) and they are expensive to repair.

## Palm Impacts

Many of the most prized palms originally planted in Tampa Palms are best suited to desert climates. Heavy rains and the presence of pathogens such as the bacteria for lethal yellowing and the fungus ganoderma led to the virtual destruction of the Canary Isle palms that once were the signature element of the main entrance to Tampa Palms and the entry to the Reserve.



It is the opinion of Dr. Monica Elliot, a world-renowned palm expert from University of Fla who is familiar with Tampa Palms' Canary Isle palms, the high ground water table and heavy rains are extremely detrimental to these majestic palms in the following ways:

- Underground water collecting around roots contributes to the transport of the bacteria that cause lethal yellowing or Texas phoenix decline and fungus that cause fusarium wilt and ganoderma.
- Heavy rains and underground water movement literally wash away vital nutrients.

Most of the Canary Isle palms had to be removed. The survivors from the front of the Reserve were transplanted to spaces behind the gate and have been babied for almost a decade.

In the past weeks lower-leaf yellowing has been observed the thirteen remaining palms. (One is particularly *showy*). The tree do not appear to have ganoderma or lethal yellowing ... yet. These palms are being treated treated with special palm nutrients and monitored. Joe Laird cautions that this may signal the beginning of the demise of the rest of the Canary Isle palms.



## Area 2 Entry Pond Agreement

The agreement between the CDD and Hillsborough County that will allow the CDD to enhance the look of the pond and perform maintenance duties for the pond was on the Board of County Commissioners' (BOCC) consent agenda for September 7<sup>th</sup>.

It was approved by the County staffs (legal and public works).

The following is the entry for this item that appeared on the BOCC agenda. It was approved.

*Approve the pond maintenance agreement between Hillsborough County and the Tampa Palms Community Development District (CDD) for the maintenance of the pond located at the Tampa Palms entrance to the Tampa Palms Community. This agreement provides the CDD shall assume total responsibility and bear all costs for the maintenance of the pond area located at the entrance of its Community. The pond area includes the littoral shelf, pond bank, and buffer area. The CDD must also comply with all applicable provisions of the Southwest Florida Water Management permits for the pond. This agreement will result in approximately \$6,300.00 annual savings from mowing and storm water maintenance completed by others.*

*(See attached)*

Even with approval, the CDD still does not have carte blanche to enter the pond site. CDD activity is subject to (1) turnover of the project to the County by the contractors and (2) evaluation of warranty implications by the County.





# Agenda Item Cover Sheet

Agenda Item N<sup>o</sup>: A-35

Meeting Date September 07, 2017

Consent Section

Regular Section

Public Hearing

Subject:  
Pond Maintenance Agreement Between Hillsborough County and the Tampa Palms Community Development District

Department Name: Public Works

Contact Person: John Lyons

Contact Phone: 307-4754

Sign-Off Approvals:

**Lucia Garsys**

08/25/2017

Assistant County Administrator

Date

**John Lyons**

08/22/2017

Department Director

Date

**Tom Fesler**

08/25/2017

Management and Budget – Approved as to Financial Impact Accuracy

Date

**Rosemary Perfit**

08/23/2017

County Attorney – Approved as to Legal Sufficiency

Date

Staff's Recommended Board Motion:

Approve the Pond Maintenance Agreement between Hillsborough County and the Tampa Palms Community Development District (CDD) for the maintenance of the pond located at the Tampa Palms entrance to the Tampa Palms Community.

This Agreement provides the CDD shall assume total responsibility and bear all costs for the maintenance of the Pond Area located at the entrance of its Community. The Pond Area includes the Littoral Shelf, Pond Bank, and Buffer Area. The CDD must also comply with all applicable provisions of the Southwest Florida Water Management Permits for the pond.

This Agreement will result in approximately \$6,300.00 annual savings from mowing and stormwater maintenance completed by others.

Financial Impact Statement:

This Agreement will result in approximately \$6,300.00 annual savings from mowing and stormwater maintenance completed by others.

Background:

In order to ensure the compatibility of the pond with the neighboring community, the CDD has offered

to assume the total responsibility and bear the costs of the maintenance of the aquatic vegetation, sod, other landscaping materials and fountains in the Pond Area. The responsibilities include complying with conditions of the Southwest Florida Water Management District Permits Nos. 43033510.000 and 43033510.007 for the Pond. In the event the CDD fails to maintain the Pond Area as agreed upon, this Agreement can be terminated after 60 days notice, and the County may require removal of the fountains in the pond. Upon termination of the Agreement, the County will have no obligation to replace any of the aquatic vegetation, plants, trees, or shrubs, contributed or paid for by the CDD.

List Attachments:

Pond Maintenance Agreement

## POND MAINTENANCE AGREEMENT

This Pond Maintenance Agreement (the "Agreement") made this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and **between Hillsborough County, Florida**, a political subdivision under the laws of the State of Florida (the "County") with offices at 601 East Kennedy Boulevard, P.O. Box 1110, Tampa, Florida 33601 **and Tampa Palms Community Development District**, a community development district established pursuant to Chapter 190, *Florida Statutes*, (the "District") with offices at 16311 Tampa Palms Boulevard West, Tampa, Florida 33647. The County and the District shall individually be referred to as a "Party" and collectively as the "Parties."

### WITNESSETH:

**WHEREAS**, in connection with the improvements and widening of Bruce B. Downs Boulevard, the County constructed a stormwater pond (the "Pond") located adjacent to the Tampa Palms Boulevard entrance to the Tampa Palms Community (the "Community"); and

**WHEREAS**, the District agreed to pay the costs for a more compatible design of the Pond, to ensure its compatibility with the Community; and

**WHEREAS**, the County, recognizing the desirability of ensuring a Pond design more compatible with the Community than the original design for the Pond set forth in CIP No. 61045-Segment A ("CIP 61045"), permitted the District to engage the County's contractor, Parsons Brinkerhoff, to revise the CIP 61045 design and construction plans for the Pond to increase the Pond's compatibility with the Community, and those revisions have been incorporated; and

**WHEREAS**, to enhance the compatibility of the Pond with the Community, the revisions to the design and construction of the Pond included changes to the shape and layout of the Pond, changes to the slopes of the Pond and removal of fencing, a plantable Littoral Shelf for the Pond and water features; and

**WHEREAS**, the District desires to add plants, landscaping and water fountain(s) to the Pond Area, and to provide for the maintenance of the Pond Area and the features described herein in order to ensure that it continues to be maintained in a manner which is compatible with the Community; and

**WHEREAS**, it has been deemed to be in the best interest of the County to enter into an agreement with the District setting forth the duties and responsibilities of the respective Parties, and the terms and conditions for the proposed care and maintenance of the Pond, to ensure its compatibility with the Community.

**NOW THEREFORE**, in consideration of the mutual covenants, promises, and representations contained herein, the Parties agree as follows:

**ARTICLE I. SCOPE OF SERVICES**

A. The District shall provide or cause to be provided the Pond maintenance services more fully set forth below (the “Services”) within the Pond area:

1. Pond Area

The Pond Area is legally described in Exhibit “A”, attached hereto (the “Pond Area”):

Location of Pond Area: The Pond Area is generally located West of Bruce B. Downs Boulevard, South of Tampa Palms Boulevard and East of Amberly Drive. The Pond Area to be maintained includes the Littoral Shelf, Littoral Zone, grassed area surrounding the Pond, and the buffer area planted with trees and shrubs, which separates the Pond from the adjacent properties (the “Buffer Area”). See Exhibit “B” attached hereto.

Landscape Materials Anticipated to be Utilized: The Landscape Materials which the District anticipates using are generally described in Exhibit “C”, attached hereto. However, at the District’s discretion, the Landscape Materials to be used may vary from those described in Exhibit “C”.

2. Services

The District shall perform or cause to be performed the care and maintenance of the Pond Area, which may include planting and maintaining the Littoral Shelf and Pond bank with native species, planting and maintaining trees, shrubs and/or sod within the Buffer Area, installing and maintaining water fountain(s), removing weeds, vines and dead or diseased plants and trees.

B. To ensure the compatibility of the Pond with the Community, the District agrees to assume total responsibility and bear the costs of the maintenance of the aquatic vegetation, sod, other landscaping materials, and fountain in the Pond Area.

C. The District acknowledges that the Pond is among those properties included within the Southwest Florida Water Management District Permit numbered 43033510.000, as modified by Permit No. 43033510.007 (collectively referred to as the “SWFWMD Permits”. The District’s maintenance of the Pond Area shall, at a minimum, comply with all applicable conditions of the SWFWMD Permits.

D. In the event that the District fails to care for and maintain the Pond Area as agreed to herein, the County shall notify the District in writing and shall provide sixty (60) days within which the District must perform in accordance with the Agreement or

address the issue of noncompliance. If the District does not comply or perform the Services within that time period, the County may terminate the Agreement. If this Agreement is terminated, the County may require the removal of the water fountains(s) by the District within thirty (30) days of receipt of written notice.

E. The County shall not have any obligation to replace any aquatic vegetation, plants, trees, or shrubs, contributed or paid for by the District, should any such vegetation, plants, trees or shrubs, subsequently die.

F. In the event that the boundaries or design of the Pond Area need to be adjusted in the future, the Parties shall work together to address the required adjustment in a manner which maximizes the Pond's continued compatibility with the Community.

## **ARTICLE II. TERM OF THE AGREEMENT**

The term of this Agreement shall be for twenty (20) years from the date hereinabove set forth and shall be automatically extended for successive twenty (20) periods upon the same terms and conditions hereof unless terminated as set forth herein. In the event the Agreement is terminated in accordance with the provisions hereof, the District shall remove the water fountain(s) if so requested by the County.

## **ARTICLE III. INSPECTION**

The County has the right, at all times, to inspect or otherwise evaluate the Pond.

## **ARTICLE IV. PERFORMANCE OF SERVICES**

The District will ensure that any contractor it contracts with to perform the care and maintenance of the Pond: (a) has documented the experience and skill necessary to perform the Services set forth in this Agreement and (b) agrees to comply with all applicable federal, state, and local laws, rules, regulations, codes, ordinances, and orders of any public, quasi-public, or other governmental authority in the performance of the Services hereunder.

## **ARTICLE V. INDEMNIFICATION**

The District shall indemnify, hold harmless, and defend the County, the Board of County Commissioners, its agents, contractors, and employees from and against any and all liabilities, losses, claims, damages, demands, expenses or actions, either at law or in equity, including court costs and attorney's fees that may hereafter at any time be made or brought by anyone on account of personal injury, property damage, loss of monies, or other loss, allegedly caused or incurred as a result of any negligent, wrongful, or

intentional act or omission of the District during the performance of this Agreement. The extent of this indemnification shall not be limited in any way to the amount or types of damages or compensation payable to the County on account of any insurance limits. The provisions of this paragraph shall survive the termination of this Agreement. The County and the District agree that nothing herein shall constitute or be construed as a waiver of the District's or the County's sovereign immunity pursuant to Section 768.28, *Florida Statutes*.

## **ARTICLE VI. INSURANCE**

During the entire period of its performance under this Agreement, District shall ensure that any Contractor providing the services hereunder is obligated to procure and maintain the following minimum amounts and types of insurance:

- (i) Workers' Compensation and Employer's Liability Insurance. These policies shall be in compliance with applicable worker's compensation and occupational disease statutes and shall include employer's liability. In jurisdictions where all occupational diseases are not compensable under applicable law, insurance for occupational disease is required under the employer's liability section of the policy. Minimum limit of \$100,000 per incident for employer's liability and occupational disease is required.
- (ii) General Liability insurance. This policy shall be comprehensive and shall include bodily injury and property damage of at least \$500,000 per occurrence.
- (iii) Automobile Liability Insurance. This policy shall be comprehensive and shall include bodily injury and property damage covering all owned, non-owned, hired or leased vehicles used in connection with the performance of this Agreement. Minimum limits of \$200,000 per person, \$500,000 per occurrence for bodily injury, and \$20,000 per occurrence for property damage are required.

Upon request, the District shall require the Contractor to furnish the County with certificates issued by the insurance company or companies issuing the insurance policies required by this provision prior to commencement of Services hereunder.

## **ARTICLE VII. NO ASSUMPTION OF LIABILITY**

The County shall not be responsible for nor shall the County incur any liability for the actions, inactions, omissions, or commissions of the District, or any officers, employees, agents, contractor, or subcontractors of the District in performing the Services under this Agreement.

## **ARTICLE VIII. USE OF CONTRACTOR**

The District will hire a Contractor to provide the Services described in this Agreement. However, the rights and obligations of this Agreement may not be assigned between the Parties.

## **ARTICLE IX. SIGN PROHIBITION**

The Parties agree that no off-site advertising signs may be placed or located upon the Pond Area. However, nothing herein shall preclude the placement of signs installed for the purpose of protecting public health or safety, and/or for the purpose of protecting the Pond Area from damage.

## **ARTICLE X. NOTICE**

Any notice or communication required to be given by one Party to the other shall be in writing and may be delivered, mailed by certified mail, postage prepaid, or sent by facsimile or similar telecommunication device and shall be deemed delivered if addressed as follows:

### **Hillsborough County:**

Hillsborough County Public Works Department  
Attn: Director of Public Works  
601 East Kennedy Blvd.  
P.O. Box 1110  
Tampa, Florida 33601  
Tel: (813) 272-5912  
Fax: (813) 272-5811

**District:**

Tampa Palms Community Development District  
16322 Tampa Palms Boulevard West  
Tampa, Florida 33647  
Tel: (813) 977-3933

**ARTICLE XI. ENTIRE AGREEMENT**

This Agreement constitutes the entire understanding between the District and the County with respect to the subject matter hereof and supersedes any prior or contemporaneous agreement or understanding between the Parties. The Parties shall not be bound by or be liable for any statement, prior negotiations, correspondence, representation, promise, draft agreements, inducement or understanding of any kind or nature not set forth or provided for herein. No prior course of dealing, usage of trade, or course of performance shall be used to supplement or explain any term, condition, or instruction used in this Agreement.

**ARTICLE XII. APPLICABLE LAW**

This Agreement is entered into in the State of Florida and shall be construed and interpreted in accordance with its laws. In the event litigation is commenced for the enforcement of this Agreement, the Parties hereby agree and stipulate that venue for such action shall be in the Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida.

**ARTICLE XIII. MODIFICATION**

No oral explanation or oral information by either of the Parties hereto shall alter the meaning or interpretation of this Agreement. No amendment or change hereof or addition hereto shall be effective or binding on any of the Parties hereto unless reduced to writing and executed by the respective duly authorized representatives of each of the Parties hereto.

**ARTICLE XIV. WAIVER/RESERVATION OF RIGHTS**

Any waiver by the County of any term, condition, or breach of this Agreement shall not be construed or deemed to be a waiver of any other provision or condition of this Agreement, nor a waiver of a subsequent breach of the same or another term or condition and shall not in any way affect, limit, or waive the County's right thereafter to enforce strict compliance with every other term and condition hereof.



**ARTICLE XV. SEVERABILITY**

In the event any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had not been contained herein.

**ARTICLE XVI. CAPTIONS**

Section headings in this Agreement are for convenience or references only and shall be given no effect in the construction or interpretation of this Agreement or any provisions thereof.

**ARTICLE XVII. ACKNOWLEDGMENT**

Both Parties acknowledge that they have had the opportunity to have this Agreement reviewed by legal counsel of their choice, and that they understand the terms and conditions herein.

**IN WITNESS WHEREOF**, the County and the District respectively, have caused this Agreement to be executed by their duly authorized representatives as of the date first set forth above.

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY, FLORIDA

TAMPA PALMS COMMUNITY  
DEVELOPMENT DISTRICT

By: \_\_\_\_\_  
Chairman

By: ER Field

Name: E.R. FIELD

As: Chair, Board of Supervisors

ATTEST:  
By: \_\_\_\_\_  
Clerk

Witness: [Signature]

(Corporate Seal)

APPROVED BY THE COUNTY ATTORNEY

BY Rosemary E. Poirer  
Approved As To Form And Legal  
Sufficiency.

EXHIBIT "A"

THAT PART OF:

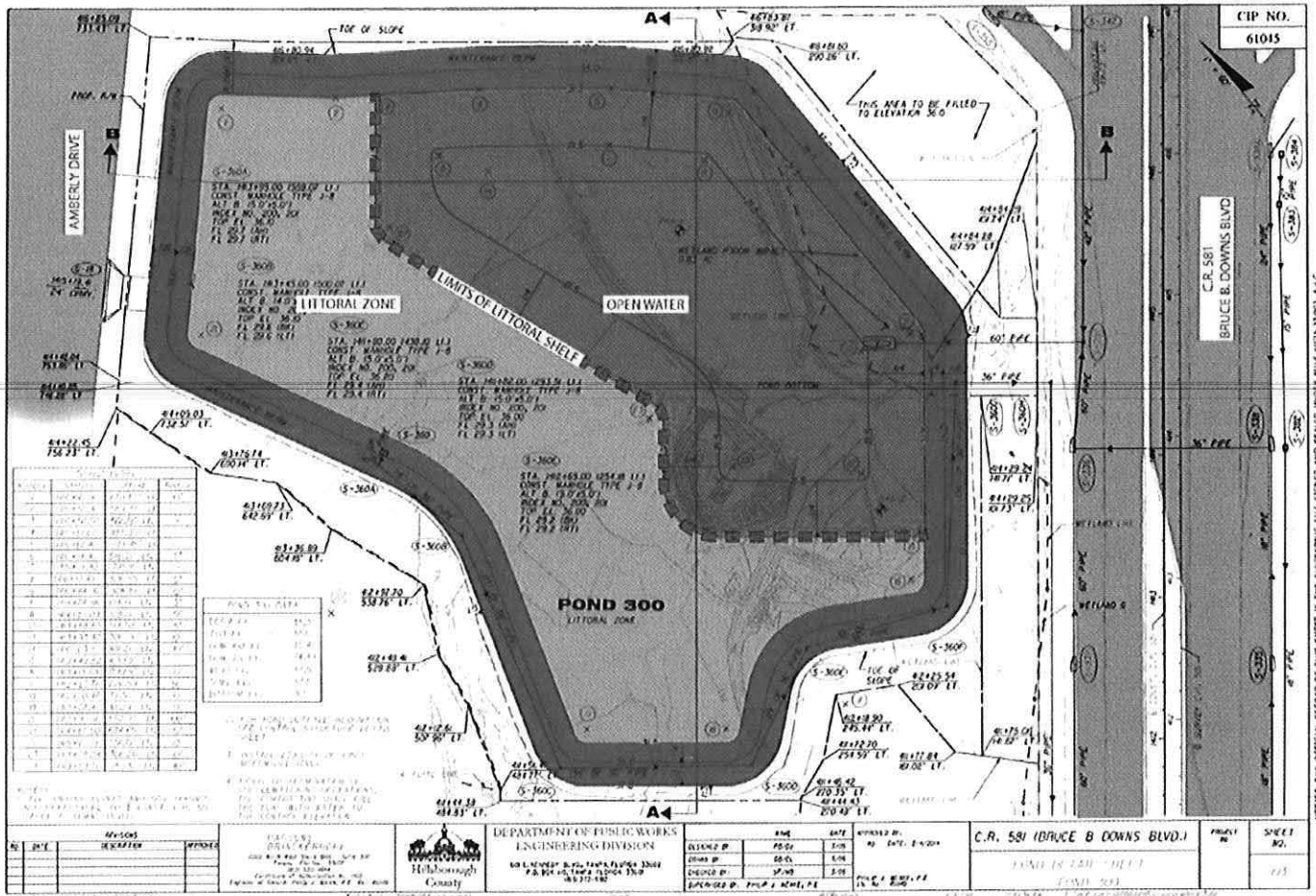
TAMPA PALMS - AREA 2 • UNIT 6A/7B, recorded in Plat Book 63, Page 27 of the Public Records of Hillsborough County, Florida, lying within the Northwest 1/4 of Section 34, Township 27 South, Range 19 East, Hillsborough County, Florida,

LYING WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION:

Commence at the most southeasterly corner of TAMPA PALMS - AREA 2 • UNIT 6A/7B, recorded in Plat Book 63, Page 27 of the Public Records of Hillsborough County, Florida, said point also being on the existing westerly right of way line of County Road 581 (Bruce B. Downs Boulevard); thence along said line N. 41°43'31" E., a distance of 47.85 feet to the southeast corner of Landscape Tract "L2-10" of said TAMPA PALMS - AREA 2 • UNIT 6A/7B; thence along the south line of said Landscape Tract "L2-10" N. 39°57'42" W., a distance of 40.43 to the southwest corner of said Landscape Tract "L2-10" and the POINT OF BEGINNING; thence along the southerly line of Tract "6A" of said TAMPA PALMS - AREA 2 • UNIT 6A/7B the following six (6) courses: (1) N. 39°57'42" W., a distance of 19.54 feet; (2) N. 01°42'40" E., a distance of 62.31 feet; (3) N. 56°46'48" W., a distance of 44.85 feet; (4) S. 52°55'52" W., a distance of 47.09 feet; (5) S. 72°42'23" W., a distance of 30.65 feet; (6) S. 45°31'48" W., a distance of 1.99 feet; thence departing said line, N. 48°16'35" W., a distance of 214.35 feet; thence N. 42°12'31" E., a distance of 7.09 feet to a point on the westerly line of said Tract "6A", also being the easterly line of Conservation Easement Area "D2-4B" of said TAMPA PALMS - AREA 2 • UNIT 6A/7B; thence along said line the following eight (8) courses: (1) N. 20°57'52" E., a distance of 65.39 feet; (2) N. 11°26'50" E., a distance of 41.47 feet; (3) N. 30°24'06" E., a distance of 50.27 feet; (4) N. 17°20'29" W., a distance of 76.26 feet; (5) N. 07°47'42" W., a distance of 50.61 feet; (6) N. 39°51'20" W., a distance of 47.97 feet; (7) N. 14°33'49" W., a distance of 50.99 feet; (8) N. 11°54'53" W., a distance of 29.38 feet to a point on the existing southerly right of way line of Amberly Drive of said TAMPA PALMS - AREA 2 • UNIT 6A/7B, said line also being the westerly line of said Tract "6A"; thence along said line N. 46°41'59" E., a distance of 263.63 feet to the most northerly corner of said Tract "6A" and a point on a non-tangent curve concave northeasterly; thence along the northerly line of said Tract "6A" 131.87 feet along the arc of said curve having a radius of 2100.00 feet, a central angle of 03°35'53" and a chord bearing and distance of S. 46°27'33" E., 131.85 feet to the point of tangency; thence continue along line of said Tract "6A", S. 48°15'30" E., a distance of 284.17 feet to a point on the easterly line of said Tract "6A", said line also being the westerly line of Conservation Easement Area "D2-18" of said TAMPA PALMS - AREA 2 • UNIT 6A/7B; thence along said line N. 15°34'31" E., a distance of 3.29 feet; thence departing said line S. 43°43'49" E., a distance of 28.75 feet; thence S. 02°18'20" W., a distance of 265.47 feet; thence S. 48°16'38" E., a distance of 26.25 feet to a point on the aforesaid existing westerly right of line of County Road 581 (Bruce B. Downs Boulevard); thence along said line S. 41°43'31" W., a distance of 55.03 feet to the northeast corner of the aforesaid Landscape Tract "L2-10"; thence along the north line of said Landscape Tract "L2-10" N. 48°17'15" W., a distance of 39.98 to the northwest corner of said Landscape Tract "L2-10" and a point on the southeasterly line of the aforesaid Tract "6A"; thence along said line S. 41°43'53" W., a distance of 254.23 feet to the POINT OF BEGINNING.

Containing 5.92 acres, more or less.

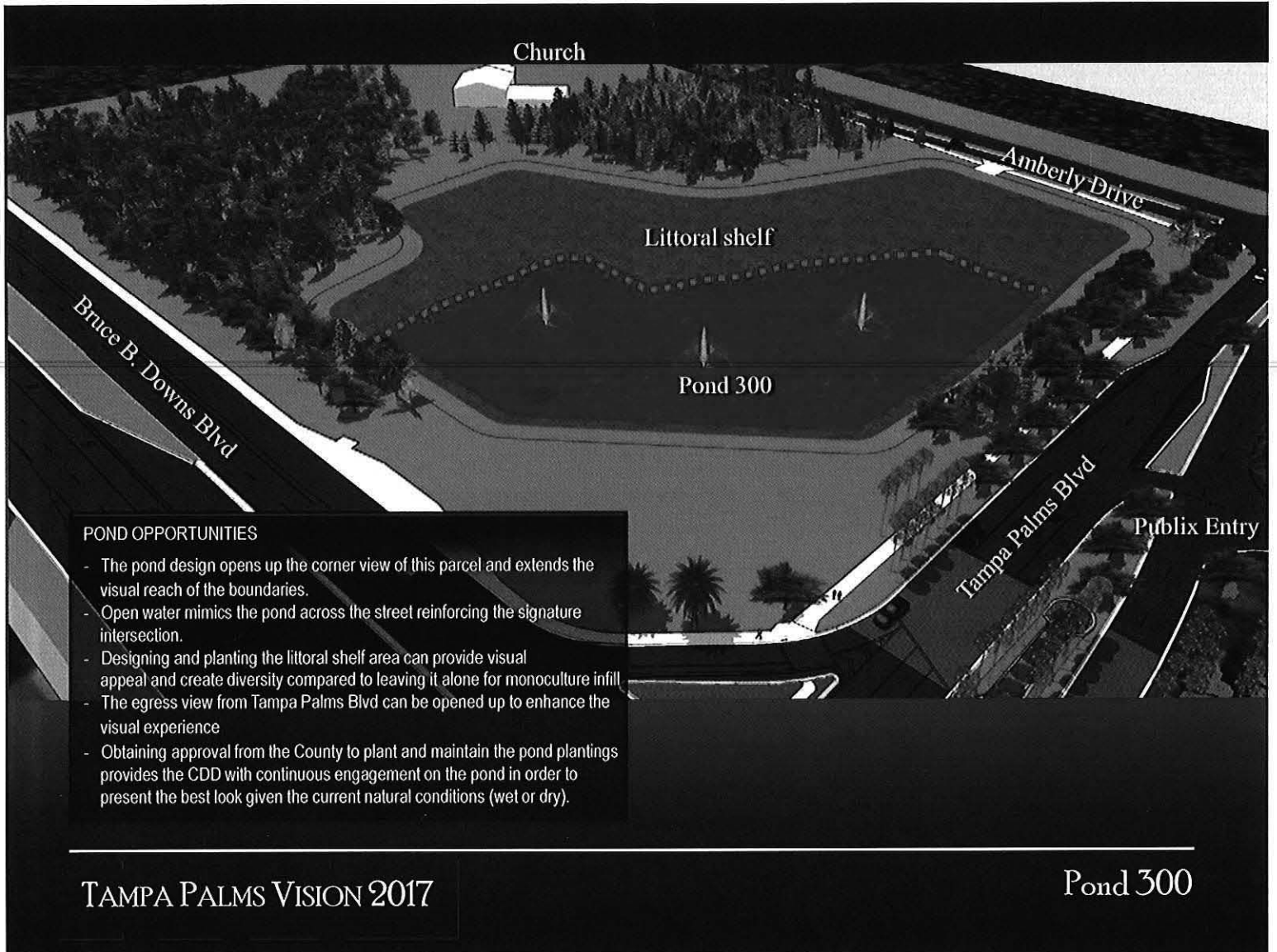
# Composite Exhibit B



TAMPA PALMS VISION 2017

Pond 300

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE STORED AND MAINTAINED BY H&B ENGINEERS, P.A.C.

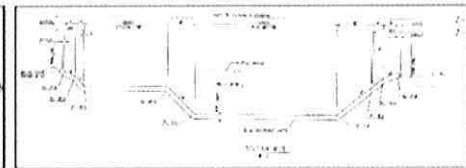
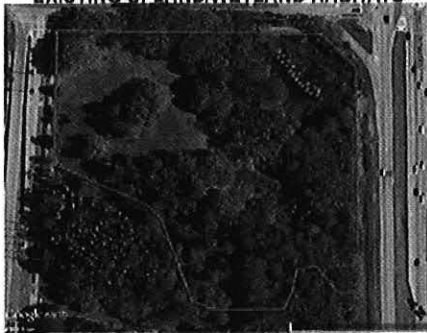


POND OPPORTUNITIES

- The pond design opens up the corner view of this parcel and extends the visual reach of the boundaries.
- Open water mimics the pond across the street reinforcing the signature intersection.
- Designing and planting the littoral shelf area can provide visual appeal and create diversity compared to leaving it alone for monoculture infill
- The egress view from Tampa Palms Blvd can be opened up to enhance the visual experience
- Obtaining approval from the County to plant and maintain the pond plantings provides the CDD with continuous engagement on the pond in order to present the best look given the current natural conditions (wet or dry).

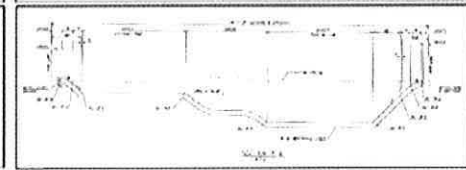
Exhibit C

EXISTING UPLAND/WETLAND HABITATS

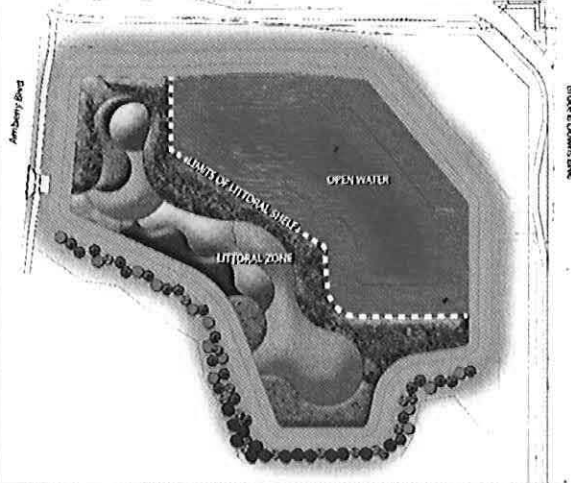


**LITTORAL ZONE LEGEND**

Swamp Lily	Giant Bulrush
Soft Rush	Blue Flag Iris
Pickerweed	Arrowhead
Yellow Canna	



STORMWATER POND 300 DESIGN PLAN  
Tampa Palms Blvd



**TREE LEGEND**

● Sweetgum
● Red Maple
● Bald Cypress
● Sweet Bay Magnolia

**LITTORAL ZONE PLANTING SCHEDULE, SPECIES TYPES AND PLANTING SCHEDULE**

PLANTING DATE	PLANTING TYPE	PLANTING SPECIES	PLANTING QUANTITY	PLANTING SCHEDULE	PLANTING SCHEDULE	PLANTING SCHEDULE	PLANTING SCHEDULE	PLANTING SCHEDULE
ASAP	SWAMP LILY	SWAMP LILY	100	...	...	...	...	...
ASAP	SOFT RUSH	SOFT RUSH	100	...	...	...	...	...
ASAP	PICKERWEED	PICKERWEED	100	...	...	...	...	...
ASAP	YELLOW CANNA	YELLOW CANNA	100	...	...	...	...	...
ASAP	GIANT BULRUSH	GIANT BULRUSH	100	...	...	...	...	...
ASAP	BLUE FLAG IRIS	BLUE FLAG IRIS	100	...	...	...	...	...
ASAP	ARROWHEAD	ARROWHEAD	100	...	...	...	...	...

**CONSTRUCTION AND MAINTENANCE NOTES**

1. The contractor shall be responsible for the installation and maintenance of the stormwater pond and its associated infrastructure.
2. The contractor shall ensure that the pond is constructed in accordance with the design plan and all applicable regulations.
3. The contractor shall provide a detailed as-built plan of the pond and its infrastructure.
4. The contractor shall maintain the pond and its infrastructure in good condition throughout the project's life cycle.
5. The contractor shall provide a detailed maintenance schedule for the pond and its infrastructure.
6. The contractor shall ensure that the pond and its infrastructure are accessible to the public at all times.
7. The contractor shall ensure that the pond and its infrastructure are safe for use at all times.
8. The contractor shall ensure that the pond and its infrastructure are aesthetically pleasing.
9. The contractor shall ensure that the pond and its infrastructure are environmentally sound.
10. The contractor shall ensure that the pond and its infrastructure are cost-effective.

**PROJECT INFORMATION**

PROJECT NAME: STORMWATER POND 300  
 PROJECT LOCATION: TAMPA PALMS BLVD, TAMPA, FLORIDA  
 PROJECT NUMBER: 2017-001  
 PROJECT DATE: 08/2017

**DESIGNER INFORMATION**

DESIGNER: LSI  
 PROJECT MANAGER: [Name]  
 PROJECT ENGINEER: [Name]

**APPROVALS**

DESIGNER: [Signature]  
 PROJECT MANAGER: [Signature]  
 PROJECT ENGINEER: [Signature]

**SCALE**

AS SHOWN

## Environmental Role Model / Tree Stewardship

During the August CDD meeting the CDD's policy regarding "saving trees" was briefly discussed. It was stated that the CDD is committed to saving, retaining and restoring the tree canopy within Tampa Palms.

There have been several major projects:

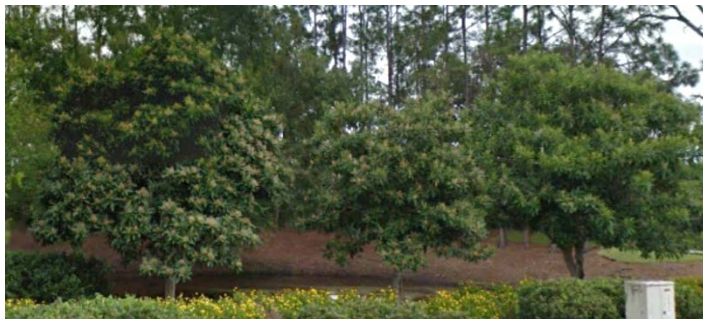
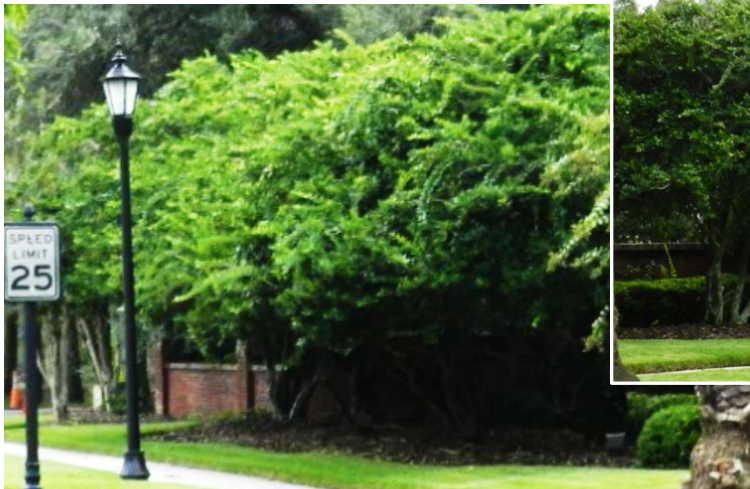
- ***New Tampa Water Main*** The new water main to serve Tampa Palms and all of New Tampa was engineered to run along the middle of the BB Downs median requiring the removal of the ornamental yaupons and ligustrum trees located in that median.

After ascertaining that the construction plans called for the effective destruction of the trees, the CDD undertook a project to relocate the trees to places within the community.



Was this done to save money on landscape materials? Not at all: the cost of the equipment rental to relocate these trees, as well as, to replant and nurture them was not trivial. It was done as an element of environmental stewardship.

After a slight period of adjustment both the ligustrum and the weeping yaupons settled into their new homes, the ligustrum at the signature entrance to the Reserve and the yaupons in front of a pond on Yardley.



- **Florida Gas Transport Easement.** The most serious challenge to forestation in Tampa Palms arrived several years ago with the FREC / FGT project to take a gas transmission line along I-75 adjacent to a CDD pond.

The construction of the



gas line caused the removal of a seventy-five ft wide, 2,000 ft long strip of mature and native vegetation along the pond.

The “forest” contained myrtles, oaks, pines, cypress, along with, numerous wild shrubs and a few sable palms.

The aerial to the left shows the “forest” and the insert of that area was taken by a resident directly across the pond.

The pictures below were taken after FGT literally removed every living thing from shrubs to trees in that area. The loss of forest was devastating to the residents of the area. It was shocking!



The restoration work included 863 trees and 3,850 shrub and grass replacements.

- (a) Edge of water and mid-bank tree replacements to include 235 Bald Cypress, 44 Water Oaks, 99 Wax Myrtles,
- (c) Mid to high bank plantings of 350 Slash Pines, 44 Live Oak trees, and
- (d) Top of bank 91 Sabal Palms.



Today the area is fully reforested as seen below.



MEETINGS  
TAMPA PALMS – FY 2017-2018

Each September the Board is required to approve a proposed notice containing the annual schedule of meeting dates for following fiscal year, in this case the FY 2017-2018 calendar.

Staff has reviewed the proposed dates and they are consistent with the long-standing *second Wednesday of each month* scheduled used by the CDD: there exists no apparent conflicts with State or Federal holidays.

The proposed dates may be changed by the Board, by notice, should conflicts arise. This will almost certainly happen should the Board decide not to hold a December meeting.

A copy of the proposed notice is attached.

If these dates are acceptable, the dates should be approved by motion.



NOTICE OF MEETINGS  
TAMPA PALMS  
COMMUNITY DEVELOPMENT DISTRICT

As required by Chapters 189 and 190 of Florida Statutes, notice is hereby given that the Fiscal Year 2017 regular meetings of the Board of Supervisors of the Tampa Palms Community Development District are scheduled to be held on the second Wednesday of every month at 6:00 p.m. at the Compton Park Recreation Building, 16101 Compton Drive, Tampa, Florida. The meeting dates are as follows (exceptions noted below):

October 11, 2017  
November 8, 2017  
December 13, 2017  
January 10, 2018  
February 14, 2018  
March 14, 2018  
April 11, 2018  
May 9, 2018  
June 13, 2018  
July 11, 2018  
August 8, 2018  
September 12, 2018

The meetings will be open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. Any meeting may be continued with no additional notice to a date, time and place to be specified on the record at a meeting. A copy of the agenda for the meetings listed above, may be obtained from the District Offices, 16311 Tampa Palms Boulevard, Tampa, Florida 33647 at (813) 977-3933, or on-line at <http://www.tpoa.net/CDDMeetings.html> one week prior to the meeting.

There may be occasions when one or more supervisors will participate by telephone.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (813) 977-3933. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office at least two (2) business days prior to the date of the hearing and meeting.

Each person who decides to appeal any action taken at the meetings is advised that the person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

DPFG, District Management

## Tampa Palms Newsletter Funding

The CDD has co-funded the TPOA newsletter for a number of years.

The newsletter supports the CDD's ability to reach the Tampa Palms citizens with information about the plans and projects of the CDD. In short:

- It satisfies the NPDES requirement for notifying/updating/educating citizens as re storm water ponds and other NPDES requirements
- It provides notices to the Tampa Palms citizens of upcoming meetings
- It is the principle method by which the CDD informs the residents of Tampa Palms about plans/projects/issues

The newsletter is mailed to single family owners and delivered to apartment complexes for distribution.

The newsletter is also available online and is emailed to approximately 500 people who have signed up to receive the newsletter by email.

The TPOA produces the newsletter and pays the costs of the mailing and printing. Traditionally the District bears a little less than half the cost of the newsletter, usually paid at the end of the fiscal year.

For the FY 2017-18 FY 50% of these costs is \$11K; that is the same amount as in prior years. Staff asks that this amount be approved for FY 2017-18.

This action should be approved by motion.



## Opps- There Is A Problem With A Tree Who Has Responsibility?

Tampa Palms receives frequent calls from residents who are experiencing some type of problem with a nearby tree:

- Limbs approaching a lanai.
- Tree has fallen on a property.
- Questionable tree in a conservation area causing concern.

The answer as to who should take action and is responsible is based on Florida law. As in many other things, the law is a little odd.

### Florida Tree Law

If a tree falls and causes a problem to a neighboring property, the responsible party for that tree depends on the health of the tree before it fell.

- In the situation where a **dead** tree falls on an adjoining property and damages the adjoining property owner's home, the landowner who owns the property where the tree originally was located is responsible for damages.

For the owner of the property from which the fallen tree originally came to be responsible, the tree must be certified by an arborist to have been dead when it fell.



- If a **live** tree falls on an adjoining property and damages that property owner's home, the adjoining property landowner is responsible for his own damages.

Example a hurricane, a tornado, a sink hole etc. causes an otherwise healthy tree to fall.



Branches and roots frequently extend across property lines. Whether a branch or root from a tree on an adjacent landowner's property is the responsibility of the landowner with the tree located on his or her property or the landowner of the property to which the branches overhang or roots encroach depends upon the branches or roots themselves.

- If the branches or roots are healthy, then the landowner with the tree located on his or her property is not liable for damage caused by the branches or roots.

That adjoining landowner may, at his or her own expense, trim back the branches or roots as he or she desires up to the property line.



If the branches are dead, however, then the landowner with the tree located on his or her property is responsible and could be liable for damages caused by the branches.

More information is available online at <http://edis.ifas.ufl.edu/fe962>.