

RE: WESTCHASE COMMUNITY DEVELOPMENT DISTRICT

TRANSCRIPT OF: BOARD MEETING

DATE: February 3, 2015

TIME: 4:03 p.m. - 4:40 p.m.

PLACE: Westchase Community Association Office
10049 Parley Drive
Tampa, Florida

REPORTED BY: Kimberly Ann Roberts
Notary Public
State of Florida at Large

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APPEARANCES:
WESTCHASE COMMUNITY DEVELOPMENT DISTRICT BOARD MEMBERS:

Mark Ragusa, Chairman
Greg Chesney
Brian Ross
Brian Zeigler
Bob Argus

ALSO PRESENT:

SEVERN TRENT SERVICES:

Andy Mendenhall

DISTRICT ATTORNEY:

Erin McCormick

WESTCHASE STAFF:

Sonny Whyte
Doug Mays

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1 The transcript of Westchase Community
2 Development District Board Meeting, on the 3rd day
3 of February, 2015, at the Westchase Community
4 Association Office, 10049 Parley Drive, Tampa,
5 Florida, beginning at 4:03 p.m., reported by
6 Kimberly Ann Roberts, Notary Public in and for the
7 State of Florida at Large.
8 * * * * *

9 CHAIRMAN RAGUSA: Welcome, ladies and
10 gentlemen. My name is Mark Ragusa. Welcome
11 to the February 3, 2015 Westchase Community
12 Development District.
13 The record should reflect that all
14 supervisors are present and accounted for. If
15 I could, would everybody please stand and join
16 me in the Pledge of Allegiance.
17 (The Pledge of Allegiance was recited.)
18 CHAIRMAN RAGUSA. Thank you. Our goal
19 today is to give Mr. Barrett plenty of extra
20 room in the World of Westchase. We are going
21 to move quickly today. We have a short
22 agenda.
23 We have Item Number Two, the consent
24 agenda, which is approval of the January 6,
25 2015 meeting minutes, along with the

1 acceptance of the financial statements as of
 2 December 31, 2014. Do we have a motion to
 3 approve or accept?
 4 MR. CHESNEY: So move.
 5 CHAIRMAN RAGUSA: Do we have a second?
 6 MR. ZEIGLER: Second.
 7 CHAIRMAN RAGUSA: Any further
 8 discussion?
 9 (No response.)
 10 CHAIRMAN RAGUSA: All in favor please
 11 say aye.
 12 (All board members signify in the
 13 affirmative.)
 14 CHAIRMAN RAGUSA: Any opposed?
 15 (No response.)
 16 CHAIRMAN RAGUSA: None noted. That
 17 passed five to nothing.
 18 (Motion passes.)
 19 CHAIRMAN RAGUSA: The presentation of
 20 the financial audit draft for fiscal year
 21 2014, we have moved that to the March
 22 meeting. So we'll move on to Number Four, the
 23 engineer's report. I understand that Tonja
 24 will not be present today.
 25 Sonny has -- why don't we go ahead and

1 tackle your issue now. Sonny -- and I'll just
 2 give you the background. She can give you the
 3 numbers. What we recognized and what is not
 4 budgeted cleanly is the engineer's charges for
 5 the services of replacing the datum points as
 6 a result of the road resurfacing. That is
 7 really applicable to three communities, the
 8 Greens, the Vineyards currently --
 9 MS. WHYTE: The Vineyards will be this
 10 year in 2015 budget.
 11 CHAIRMAN RAGUSA: Who is the second
 12 one? Stonebridge?
 13 MS. WHYTE: Stonebridge and the Greens
 14 are the two we're dealing with right now.
 15 CHAIRMAN RAGUSA: Stonebridge and Harbor
 16 Links is to come, because that work will have
 17 to be done. We have a finite number for the
 18 Stonebridge work, and that is twenty --
 19 MS. WHYTE: \$2500.
 20 CHAIRMAN RAGUSA: Even?
 21 MS. WHYTE: Yes, sir.
 22 CHAIRMAN RAGUSA: \$2500 even. That is
 23 not allocated in a specific line item budget.
 24 It will come from unallocated funds right
 25 now. That will be an assessment to the

1 Stonebridge residents.
 2 We would need approval from the board to
 3 allocate the \$2500. The Greens, I figure we
 4 would address when that project is completed.
 5 It is not yet completed.
 6 And in terms of Harbor Links, what I
 7 have asked Tonja -- or I'm going to ask Tonja
 8 through staff and/or the manager to get us a
 9 better estimate of what that's going to cost,
 10 because, candidly, I don't know what hourly
 11 rate we're being charged to do the points,
 12 and I don't know whether that's something that
 13 a surveyor can do for less money.
 14 So what we need now is a motion to
 15 approve the allocation of \$2500 from
 16 unallocated or --
 17 MR. MENDENHALL: Unassigned.
 18 MR. CHESNEY: Unassigned.
 19 CHAIRMAN RAGUSA: Unassigned funds.
 20 Thank you.
 21 MR. ARGUS: It's Baybridge unassigned --
 22 MR. CHESNEY: Stonebridge.
 23 MR. ARGUS: Stonebridge unassigned
 24 funds --
 25 CHAIRMAN RAGUSA: Yes.

1 MR. ARGUS: -- or the CDD in general
 2 unassigned funds?
 3 CHAIRMAN RAGUSA: It's Stonebridge's.
 4 Yes.
 5 MR. CHESNEY: So moved.
 6 CHAIRMAN RAGUSA: Do we have a second?
 7 MR. ROSS: Second.
 8 CHAIRMAN RAGUSA: Any discussion?
 9 Mr. Argus.
 10 MR. ARGUS: How many datum points are
 11 there?
 12 MS. WHYTE: Oh, I don't know. The
 13 engineer did not specify. It's not written on
 14 any of my records or in my invoices. I can
 15 definitely find that out.
 16 MR. ARGUS: I would appreciate that.
 17 CHAIRMAN RAGUSA: Yes, sir, Mr. Barrett.
 18 MR. BARRETT: So I can explain this
 19 correctly, these are the points buried in the
 20 roads from which surveys are shot for
 21 properties?
 22 CHAIRMAN RAGUSA: Correct. It's my
 23 understanding they're datum, d-a-t-u-m.
 24 MR. CHESNEY: Why is -- I didn't
 25 understand the issue with Harbor Links. I

1 mean, have they not been done?
 2 CHAIRMAN RAGUSA: Apparently they have
 3 not been done.
 4 MR. CHESNEY: Okay.
 5 MS. WHYTE: The hourly rate is \$70 an
 6 hour.
 7 CHAIRMAN RAGUSA: Okay. Thank you.
 8 MS. WHYTE: That's a good point to start
 9 with.
 10 CHAIRMAN RAGUSA: We have a motion. Any
 11 further discussion?
 12 (No response.)
 13 CHAIRMAN RAGUSA: All in favor please
 14 raise your hand.
 15 (All board members signify in the
 16 affirmative.)
 17 CHAIRMAN RAGUSA: That motion passes
 18 five to nothing.
 19 (Motion passes.)
 20 CHAIRMAN RAGUSA: Anything else from any
 21 of the supervisors on that issue?
 22 (No response.)
 23 CHAIRMAN RAGUSA: Hopefully the Greens
 24 will be completed before our March meeting,
 25 and we'll have to figure out --

1 MR. CHESNEY: Resurface the roads --
 2 CHAIRMAN RAGUSA: yes.
 3 MR. CHESNEY: -- I mean, they're
 4 supposed to go back in and put the pins back
 5 in.
 6 CHAIRMAN RAGUSA: Yes.
 7 MR. CHESNEY: Okay.
 8 CHAIRMAN RAGUSA: Yes. Anything else
 9 that you're aware of, Sonny or Doug, on the
 10 engineer's report? Andy, anything?
 11 MR. MENDENHALL: No, nothing, sir.
 12 CHAIRMAN RAGUSA: Okay. Manager's
 13 report.
 14 MR. MENDENHALL: No additional manager's
 15 report.
 16 CHAIRMAN RAGUSA: Okay. Counsel.
 17 MS. McCORMICK: Just a couple of
 18 updates. The parks agreement -- the parks
 19 planning agreement with Stantec has been
 20 executed, and related to that, I know last
 21 time at the meeting the issue came up
 22 regarding the signage for Glenciff Park,
 23 so --
 24 MR. CHESNEY: And Baybridge Park.
 25 MS. McCORMICK: -- and Baybridge Park,

1 and I was thinking that now since we have Neal
 2 working on the parks project, it might be a
 3 good opportunity to consult with him about
 4 signage that we might want to do in
 5 conjunction with any of the new projects that
 6 we're doing within the parks. Either that, or
 7 I can, you know, go through it and make some
 8 recommendations.
 9 But I've seen it. Sonny has sent it to
 10 me a couple of times. And I think we may want
 11 to make some additional signage warnings and
 12 that type of thing, but I think it would be
 13 helpful to have some input from Neal on it,
 14 because I know that the signage is going to
 15 cost money to do it.
 16 I mean, the park signs that are up there
 17 now are -- I'd hate to do it now and then
 18 have to redo it again in the future; but if
 19 there is an immediate need to address some
 20 specific issues -- it sounded like from last
 21 month's meeting that there was not an ongoing
 22 problem.
 23 CHAIRMAN RAGUSA: I thought we had some
 24 drafts of signage. Didn't I see some?
 25 MS. WHYTE: We do have signage in the

1 parks, but the request was to have more
 2 extensive signage about certain things that
 3 shouldn't be allowed in the parks.
 4 CHAIRMAN RAGUSA: Like the music and the
 5 barbecues.
 6 MS. WHYTE: Correct.
 7 CHAIRMAN RAGUSA: I thought I saw a
 8 draft signage of that.
 9 MS. WHYTE: No, not from me.
 10 MS. McCORMICK: There's policies, I
 11 think, or rules related to the parks.
 12 MS. WHYTE: That's on the park -- that's
 13 on the park forms that I sent to everybody.
 14 It's on there.
 15 CHAIRMAN RAGUSA: That's what I was
 16 thinking.
 17 MS. McCORMICK: And those are not all,
 18 you know, delineated in signage within the
 19 parks.
 20 CHAIRMAN RAGUSA: Well, can I make a
 21 suggestion to save us time and money? Can you
 22 work with Erin to get at least the
 23 identified issues that we need to address, so
 24 Neal isn't spending money recreating the
 25 wheel?

1 MS. WHYTE: Yes.
 2 CHAIRMAN RAGUSA: So we need to at
 3 least highlight what we want in a sign and
 4 then let him look at the signage and put
 5 whatever he deems necessary as well.
 6 MS. WHYTE: Yes, that would be fine.
 7 Neal is coming up to our office, I believe,
 8 next week to look at some papers that I have.
 9 MS. McCORMICK: I think that would be
 10 helpful for me, too, because otherwise, I'm
 11 kind of doing it in a vacuum --
 12 MS. WHYTE: No problem. I can do that.
 13 MS. McCORMICK: -- when I don't really
 14 know what's going on on a day-to-day basis.
 15 MS. WHYTE: Okay.
 16 CHAIRMAN RAGUSA: But I would think we
 17 would want counsel's sign-off --
 18 MS. WHYTE: Absolutely.
 19 CHAIRMAN RAGUSA: -- so we're not
 20 running afoul with anything with the county.
 21 MS. McCORMICK: And then on the
 22 Securitas agreement that we approved last
 23 week, I've been working on the addendum for
 24 that, and I'm going to get together with Mark
 25 after the meeting today, but I just want to

1 or something to that effect.
 2 I think the record should reflect the
 3 effective date of that hourly rate increase.
 4 MR. CHESNEY: So you want a motion
 5 regardless for what the date should be.
 6 CHAIRMAN RAGUSA: Whatever the five
 7 supervisors think our intent was when we voted
 8 on it, we should clarify that intent.
 9 MR. CHESNEY: My intent was -- yeah, I
 10 concur -- I thought that the date was the date
 11 that the change was going to take effect, that
 12 they needed the compensation for. I don't
 13 recall if that was January 1st or --
 14 MS. McCORMICK: It was January 1st. And
 15 I put in the agreement that in the event there
 16 is any delay or --
 17 MR. CHESNEY: So I would be willing to
 18 make a motion that the effective date of the
 19 contract be January 1st --
 20 MS. McCORMICK: Okay.
 21 MR. CHESNEY: -- for Securitas.
 22 CHAIRMAN RAGUSA: Do we have a second?
 23 MR. ZEIGLER: I'll second it.
 24 CHAIRMAN RAGUSA: Any discussion? Mr.
 25 Argus.

1 clarify.
 2 I think the intent of the board was that
 3 the increase is going to be effective on
 4 January 1st, and we approved this at our board
 5 meeting on January 6th. The request had been
 6 for it to be effective January 1st, assuming
 7 that's the date that the health care
 8 requirement went into effect.
 9 So it was not clearly reflected in the
 10 minutes, and I just wanted to make sure that
 11 I'm on the right track with that.
 12 CHAIRMAN RAGUSA: I saw that when we --
 13 the minutes are not clear.
 14 MS. McCORMICK: Right.
 15 CHAIRMAN RAGUSA: And I saw that when
 16 you sent me that draft, and that was one of
 17 the things that popped up in my head was, is
 18 it retroactive?
 19 In retrospect, I kind of thought it was,
 20 in my mind. If it was your view, the
 21 supervisors' intentions, to retroactively
 22 apply that hourly increase of 85 or 86 cents
 23 back to January 1 versus the date we voted for
 24 it or some date after that, we need to clarify
 25 that, whether it's through a clarifying motion

1 MR. ARGUS: This was done at last
 2 month's meeting. Right?
 3 MS. McCORMICK: Yes.
 4 MR. ARGUS: And I missed last month's
 5 meeting. I seem to remember it in December.
 6 I don't remember seeing it in the minutes for
 7 last month. But my question is --
 8 CHAIRMAN RAGUSA: It was two months ago.
 9 MR. ARGUS: -- that's what I thought.
 10 But when he came and made the presentation
 11 about the increase, they said if the laws
 12 required it, something -- if something
 13 happened or didn't happen.
 14 Essentially, my question is, did that
 15 thing happen, and we're required to do that
 16 now, or they're required to do that 85 cents
 17 now?
 18 CHAIRMAN RAGUSA: I'm not practicing law
 19 here, but the Affordable Care Act requirements
 20 did kick in December 31.
 21 MR. ARGUS: Okay.
 22 CHAIRMAN RAGUSA: The contract that I
 23 saw that Erin had submitted does have a
 24 provision that if the law changes or if that
 25 requirement is suspended, repealed, et cetera,

1 or overruled by the Supreme Court, then the
 2 effectiveness would terminate.
 3 MR. ARGUS: Okay.
 4 CHAIRMAN RAGUSA: It would revert back
 5 to the original rate.
 6 MR. ARGUS: Okay.
 7 CHAIRMAN RAGUSA: Any further
 8 discussion? Mr. Ross.
 9 MR. ROSS: I'll just note for the record
 10 that at the time we were discussing it, I
 11 specifically made a mental note that they were
 12 not asking for an effective date. So, from my
 13 mind, I was assuming that the effective date
 14 would be whenever we got it all wrapped up,
 15 but I didn't say that out loud.
 16 Just, as I'm listening, I was surprised
 17 they didn't ask for an effective date.
 18 MR. ZEIGLER: I thought there was an --
 19 CHAIRMAN RAGUSA: The proposal did.
 20 MR. ZEIGLER: -- I thought there was an
 21 implied effective date of when the new health
 22 care fees kicked in, which --
 23 MS. McCORMICK: The written request --
 24 MR. ZEIGLER: -- I thought was January
 25 1st.

1 MS. McCORMICK: The written request
 2 from them asked for a January 1st date, but
 3 they may not have said that -- they probably
 4 didn't say that at the meeting.
 5 CHAIRMAN RAGUSA: Any further
 6 discussion?
 7 (No response.)
 8 CHAIRMAN RAGUSA: Okay. We have a
 9 motion to approve the retroactively -- well,
 10 approve the retroactive application of the
 11 hourly increase for Securitas to January 1,
 12 2015.
 13 All in favor of the motion please raise
 14 your hand.
 15 (Board members signify in the
 16 affirmative.)
 17 CHAIRMAN RAGUSA: All opposed.
 18 (Board member signifies in the
 19 negative.)
 20 CHAIRMAN RAGUSA: That motion passes
 21 four to one.
 22 (Motion passes.)
 23 MS. McCORMICK: And I don't have
 24 anything else, unless you have questions for
 25 me.

1 CHAIRMAN RAGUSA: Field manager's
 2 report.
 3 MR. MAYS: Unless you've got any
 4 questions off our report, Sonny has, I
 5 believe, a request for something in the
 6 parks.
 7 MS. WHYTE: I put it in the board
 8 packet. It's for a food truck rally. I
 9 believe we have the guests present, and if
 10 anybody has any questions for him, he is right
 11 here.
 12 CHAIRMAN RAGUSA: Well, welcome. I
 13 don't know if you want to do a presentation.
 14 We'll give you as much time you'd like or
 15 whether you'd just like to answer any
 16 questions.
 17 I will tell you that from my perspective
 18 I have a couple of concerns that I would like
 19 you to address. The first one is, I
 20 understand that the location that you're
 21 proposing for the location of the food trucks
 22 is on the west side of the park, which is the
 23 CDD-owned side. Is that correct?
 24 GABRIEL ARRILLAGA: Yeah. Right.
 25 CHAIRMAN RAGUSA: The reason being is,

1 the other side of the sidewalk on the east
 2 side, I understand, is owned by the apartment
 3 complex or the townhomes.
 4 JOAQUIN ARRILLAGA: It would be not
 5 inside of the park -- right? -- from the
 6 street selling towards the park, not towards
 7 the street, I guess, that side. Is that the
 8 question?
 9 CHAIRMAN RAGUSA: So the service would
 10 be from the street onto the grass and
 11 sidewalk?
 12 JOAQUIN ARRILLAGA: Grass and sidewalk.
 13 CHAIRMAN RAGUSA: Okay. And is there
 14 any insurance in place for any of these food
 15 trucks?
 16 JOAQUIN ARRILLAGA: Yeah, we're
 17 requesting insurance from the food trucks for
 18 both to be able to sell food and insurance
 19 themselves.
 20 CHAIRMAN RAGUSA: Mr. Chesney.
 21 MR. CHESNEY: Since you're not
 22 actually --
 23 JOAQUIN ARRILLAGA: I'm sorry. I'm not
 24 actually not from the WCA. I'm just helping
 25 him.

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1 MR. BARRETT: This is not a WCA --
 2 JOAQUIN ARRILLAGA: No, it's not WCA.
 3 It's part of the Movies in the Park.
 4 MR. CHESNEY: Can I ask, why do you
 5 think -- since the street there is public and
 6 you're not really on the park, why do you
 7 think you need our approval?
 8 JOAQUIN ARRILLAGA: Courtesy, I guess.
 9 We're asking to use the park --
 10 CHAIRMAN RAGUSA: You would be serving
 11 onto the CDD land.
 12 JOAQUIN ARRILLAGA: -- we would be
 13 serving into the sidewalk --
 14 CHAIRMAN RAGUSA: The customers would be
 15 standing on CDD land. If the food truck --
 16 MR. CHESNEY: I know, but we don't stop
 17 people from buying stuff at Bakery Melange and
 18 walking down to the park and having a picnic.
 19 CHAIRMAN RAGUSA: If the food truck
 20 serves poison food and kills everybody, guess
 21 who is going to get sued --
 22 MR. CHESNEY: What I would suggest is
 23 that --
 24 CHAIRMAN RAGUSA: -- besides the WCA?
 25 MR. CHESNEY: -- but I don't know that

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1 we have any -- I would prefer not -- that this
 2 is not something that comes before us. Okay?
 3 I mean -- and I don't think that we
 4 really -- you know, we can't stop people from
 5 taking food onto our park -- I mean, it's a
 6 public park -- and eat.
 7 To me, it's not any different than if
 8 they bought it at -- like I said -- I'm not
 9 picking on Bakery Melange -- but, you know,
 10 getting a picnic and walking down to the park
 11 and eating some brownies on the park. If
 12 Bakery Melange gets them sick, that's Bakery
 13 Melange's problem.
 14 The reason is -- I'll be completely
 15 frank with you -- is that -- I mean, I feel
 16 very -- I have always felt very uncomfortable
 17 having -- I like food truck rallies. I go to
 18 them. But we have a group of vendors in our
 19 community that pay taxes and fees into the CDD
 20 that I have always been reluctant to provide
 21 competition against.
 22 And so I'm thinking that if it didn't
 23 come before us, it might be a better
 24 solution. That's all.
 25 CHAIRMAN RAGUSA: Well, this raises --

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1 we've addressed the food trucks before, and we
 2 have, in the past, declined a request to allow
 3 a rally on CDD land.
 4 MR. CHESNEY: Or even a sign.
 5 CHAIRMAN RAGUSA: Right. And,
 6 ultimately, it ended up on WCA-owned property;
 7 and that's completely within the WCA's
 8 purview.
 9 My concern is that we're going to have a
 10 similar request at every one of the Movies in
 11 the Park regardless of the location because --
 12 and this is a great organization and it's a
 13 great event.
 14 I know the boy who started the original
 15 food rallies here in Westchase, and it was
 16 kind of ground breaking back then. But this
 17 is a great cause.
 18 The concern I have is serving food on
 19 government land, and even if -- if you told me
 20 every dollar was going to the charity, that's
 21 a different story than a commercial operation
 22 serving food on CDD land. And if you told me
 23 you were going to be off on someone else's
 24 private property and people were going to walk
 25 across the street with their food onto CDD

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1 land, that's a different story in my eyes,
 2 too.
 3 My concern is, you're directly serving
 4 food onto CDD land, which kind of implicitly
 5 means we're supporting the food truck
 6 operation, which is a commercial enterprise,
 7 and even though some portion of the proceeds
 8 may go to a charity, we're supporting a
 9 for-profit organization. And that's my
 10 concern.
 11 From a policy perspective, I can't think
 12 of any exception to that rule that the CDD has
 13 made in the last 15 years where we're going to
 14 in any way sponsor, endorse or support a
 15 for-profit operation utilizing our land. So
 16 that's my concern. Mr. Argus.
 17 MR. ARGUS: This topic has come up for
 18 that particular parcel of land in the past,
 19 and one of the discussions we had was the
 20 attractive nuisance, the fact that kids will
 21 be running around the food trucks no matter
 22 which way they would face, often into possibly
 23 the traffic. So some of us thought it was a
 24 safety hazard as well.
 25 Why isn't it done under the WCA since

1 the Movies in the Park is your function?
 2 JOAQUIN ARRILLAGA: Well, it's not a WCA
 3 function -- activity. We're asking from the
 4 WCA -- I mean, from you guys to allow this,
 5 and it's an activity that is done through his
 6 organization at the University of South
 7 Florida. The movies --
 8 MR. ARGUS: Just so I'm clear, the
 9 Movies in the Park is sanctioned by the WCA,
 10 but it's the food trucks that are not.
 11 Correct?
 12 JOAQUIN ARRILLAGA: Yes. Yes.
 13 MR. ARGUS: Okay.
 14 JOAQUIN ARRILLAGA: And, of course, the
 15 movies, we moved it from the park back here to
 16 Montague, and there is no WCA property there
 17 in that area.
 18 MR. CHESNEY: But it is public property
 19 along the road. So, I mean, if they got there
 20 really early and parked five cars along the
 21 road --
 22 JOAQUIN ARRILLAGA: That's going to be
 23 done, but I don't want to put it towards the
 24 street. I want to put it towards the
 25 apartments, because his concern is also, you

1 know, that the people will be crossing the
 2 street and whatnot.
 3 CHAIRMAN RAGUSA: Is there any public
 4 property near the apartments in the back that
 5 would allow the trucks on their land? Has
 6 that been explored?
 7 JOAQUIN ARRILLAGA: Other than the
 8 apartments itself, that section where they
 9 have the pool and the clubhouse, I don't know
 10 any other property.
 11 CHAIRMAN RAGUSA: Don't they have a
 12 parking lot right there?
 13 MR. ARGUS: Park on the street there.
 14 CHAIRMAN RAGUSA: Right in front of the
 15 pool.
 16 JOAQUIN ARRILLAGA: I mean, we're
 17 welcome to suggestions.
 18 MR. CHESNEY: My suggestion is the
 19 road. I mean, residents or anyone is welcome
 20 to be there at the park.
 21 MR. ARGUS: You might consider the road
 22 by the clubhouse with the trucks facing the
 23 clubhouse or serving on the clubhouse side.
 24 CHAIRMAN RAGUSA: We don't own that
 25 land, do we?

1 MR. ARGUS: No. It's owned by the --
 2 MS. WHYTE: The apartment complex.
 3 CHAIRMAN RAGUSA: And there's your --
 4 JOAQUIN ARRILLAGA: Alternative.
 5 CHAIRMAN RAGUSA: -- there's an
 6 alternative.
 7 MR. ROSS: The county might let you
 8 block off both sides of that road there, right
 9 in front of the apartment complex. If you
 10 blocked up one end, then you would have people
 11 that can mill around and not be at risk to
 12 traffic.
 13 JOAQUIN ARRILLAGA: We may need
 14 permission from the county or the sheriff's
 15 office.
 16 MR. CHESNEY: That's what I'm saying.
 17 Yeah, you can get a permit --
 18 JOAQUIN ARRILLAGA: But, anyway, if we
 19 do that -- well, then they would be selling
 20 towards the street.
 21 MR. ROSS: But it's blocked off. Do you
 22 know what I'm talking about?
 23 MR. ZEIGLER: Can you use both sides of
 24 the street and people can mingle amongst the
 25 food trucks?

1 JOAQUIN ARRILLAGA: That's an
 2 alternative. I mean, if it's okay with you
 3 guys. I just don't want to -- or we don't
 4 want to make this a problem, to be able to
 5 continue with the Movies in the Park.
 6 We don't want to impose -- just because
 7 you said, "No, I don't want it on my street,"
 8 but we do it on the other side, and we're
 9 imposing that activity on you guys, and that
 10 is not something that -- you know, we just
 11 want to be welcome from everybody on this.
 12 MR. CHESNEY: I love food truck
 13 rallies. I'll be there.
 14 MR. BARRETT: If you choke, just go
 15 across the street.
 16 CHAIRMAN RAGUSA: Do we have a motion,
 17 or do you want to just take a position, or
 18 what's the pleasure of the supervisors?
 19 MR. ROSS: Well, the only thing I would
 20 say is, I believe you accurately stated the
 21 CDD's position, that it's not a new policy or
 22 a new position, so I think it's just a
 23 matter if we determine that we'll adhere to
 24 the prior policy, then really no action needs
 25 to be taken.

1 CHAIRMAN RAGUSA: So we're not going to
 2 take any formal action with respect to this
 3 proposal.
 4 MR. ARGUS: Right.
 5 CHAIRMAN RAGUSA: Do you understand?
 6 GABRIEL ARRILLAGA: Yes.
 7 CHAIRMAN RAGUSA: Do you have any
 8 questions or -- and I did not want to shut you
 9 down. I wanted to move this along, so you
 10 understood what our issue was.
 11 GABRIEL ARRILLAGA: Yes.
 12 CHAIRMAN RAGUSA: If you want to speak,
 13 if you want to address an issue, I'll give you
 14 as much time you want.
 15 GABRIEL ARRILLAGA: No. No. That's
 16 fine. I'll just tell them the same.
 17 CHAIRMAN RAGUSA: And you should be
 18 commended for doing this. It's not easy for
 19 someone -- you know, this is tough, and it's
 20 not easy to come before us, and you should be
 21 commended for doing that.
 22 We had a question back there?
 23 MS. CARLSEN: Yes. We already, at the
 24 Movies in the Park, had commercial vendors
 25 pull up and set up an operation on the county

1 road at the backside, the south side of that
 2 park area between the park and the clubhouse,
 3 and they come out selling hot dogs.
 4 They're a private vendor. They had no
 5 endorsement from the WCA to be there. We've
 6 had vendors ask us, "Can we come and do this?
 7 Can we come and sell hot dogs at your movie
 8 night?"
 9 And we've never endorsed anyone to come,
 10 but it's happening, and evidently it's totally
 11 allowable under the law, because they are
 12 parking on a Hillsborough County road and
 13 opening up their hot dog stand and selling hot
 14 dogs during Movies in the Park. So it's
 15 already happening.
 16 MR. CHESNEY: All you need is like five,
 17 six, seven cars. Get there early.
 18 MR. ROSS: Well, it may be, though, that
 19 permitting or some other licensure is
 20 required. I don't know the law. I don't
 21 think --
 22 MS. CARLSEN: I don't know it either,
 23 but I know what's happening.
 24 MR. CHESNEY: The food truck guys do.
 25 CHAIRMAN RAGUSA: There's permitting.

1 MR. ROSS: Yes, I would think there
 2 would be. You can't just open up a commercial
 3 enterprise on a public road. That's my
 4 reaction, but I'm not giving legal advice.
 5 I'm just -- my sense is something would be
 6 required.
 7 MS. CARLSEN: And, I guess, then who do
 8 we notify? Because if I'm there representing
 9 the WCA and I'm handing out the popcorn and I
 10 see somebody parked on the road selling hot
 11 dogs, is it my responsibility to notify
 12 somebody that this is going on?
 13 MR. CHESNEY: I mean, the county has
 14 food truck --
 15 MS. CARLSEN: Check their license?
 16 MR. CHESNEY: -- the county has food
 17 truck ordinances. I mean, there is an
 18 ordinance. They have to be licensed, and I'm
 19 sure they know the laws of where they can go
 20 and when they can go.
 21 CHAIRMAN RAGUSA: Can we get a heads up
 22 on this and talk to the directed patrol, our
 23 sheriff's department, and make sure they
 24 understand what the issue is?
 25 If the board is inclined to suggest that

1 our directed patrol enforce local laws and
 2 county regulations, then we can, of course, do
 3 that.
 4 MR. ROSS: That's always a difficult
 5 issue. My feeling is, if there is a law, it
 6 should be enforced. I mean, it's not that
 7 complicated. So if our directed patrol is out
 8 there and they observe a violation of law,
 9 then they should enforce it.
 10 But do I think we should go looking for
 11 a violation? No. I don't -- and I know
 12 you're not suggesting that.
 13 CHAIRMAN RAGUSA: (Moves head from side
 14 to side.)
 15 MR. ROSS: I don't want there to be any
 16 thought that we're sort of turning our back or
 17 looking the other way. I feel like we should
 18 make sure the laws are enforced.
 19 CHAIRMAN RAGUSA: We agree completely.
 20 MR. ROSS: Okay.
 21 CHAIRMAN RAGUSA: My concern is from a
 22 historical perspective, the sheriff's
 23 department's deputies would like some guidance
 24 from the supervisors on what our expectation
 25 and desire is with respect to that type of

1 enforcement action.
 2 MR. ROSS: Fairly stated. I understand.
 3 CHAIRMAN RAGUSA: So if the board is
 4 inclined to take a harder-line stand on
 5 potential violations on our property, then we
 6 should tell the sheriff's department that.
 7 I'm not aware that there were vendors out
 8 there.
 9 MR. ZEIGLER: But my understanding is,
 10 it's not on our property, though. Right?
 11 These are people that are vending on the
 12 street, or are they on CDD property?
 13 MS. CARLSEN: They're parked on a
 14 Hillsborough County road within West Park
 15 Village and opening up to residents who are
 16 approaching from the park in West Park Village
 17 where the movies are being shown.
 18 So their window is open, and you walk
 19 right up from the truck from the park.
 20 MR. ARGUS: So they're parked right at
 21 the park.
 22 MS. CARLSEN: Correct.
 23 MR. ARGUS: So the service -- the people
 24 were standing on park property on the grass.
 25 MS. CARLSEN: Well, they crossed the

1 sidewalk and went on park property, yes, sir.
 2 MR. ARGUS: Okay.
 3 MR. BARRETT: Do you guys own the right
 4 of way, the sidewalk and the --
 5 MR. MAYS: Isn't it a county easement,
 6 too, though? I mean, you've got that 15-foot
 7 easement that's usually around even in front
 8 of your house. You own the property. It's a
 9 county easement.
 10 CHAIRMAN RAGUSA: I don't think that
 11 would extend to that use. I don't know what
 12 the boss -- the legal expert says, but --
 13 MR. MAYS: There is an easement around
 14 everywhere, so --
 15 MR. BARRETT: Well, there is a
 16 distinction. I mean, like in front of my
 17 house, there is no -- there is no county
 18 easement. The county actually owns that strip
 19 of land between my sidewalk and the road.
 20 My question is, is that also the case
 21 there? You own right up to the curb?
 22 CHAIRMAN RAGUSA: I thought we owned all
 23 the way -- they may have a utility or some
 24 type of access easement --
 25 MR. MAYS: That's what it is. That's

1 what it is. It's a utility easement.
 2 CHAIRMAN RAGUSA: That doesn't allow
 3 them to put a food service on our land.
 4 That's different.
 5 Is there any reluctance from any of the
 6 supervisors to at least have staff alert the
 7 sheriff's deputies that this could be an
 8 issue?
 9 MR. ZEIGLER: No.
 10 MR. ROSS: (Moves head from side to
 11 side.)
 12 MR. ARGUS: (Moves head from side to
 13 side.)
 14 CHAIRMAN RAGUSA: And we would merely
 15 expect them to enforce local regulations.
 16 MR. ZEIGLER: Correct.
 17 MR. CHESNEY: Still Doug's report.
 18 Right?
 19 CHAIRMAN RAGUSA: Yes.
 20 MR. CHESNEY: I have a few questions for
 21 him.
 22 CHAIRMAN RAGUSA: Anything else on this
 23 issue?
 24 (No response.)
 25 CHAIRMAN RAGUSA: Thank you.

1 MS. CARLSEN: I guess it comes down to
 2 also, what about the ice cream trucks that
 3 park in Glenclyff Park and sell their wares
 4 or --
 5 CHAIRMAN RAGUSA: Well, why don't we
 6 tackle those as they come up? I think it's
 7 the same answer.
 8 MS. CARLSEN: Okay.
 9 MR. CHESNEY: Did the person from 9504
 10 Greenpointe Drive contact you again?
 11 MR. MAYS: No, still has not.
 12 MR. CHESNEY: Interesting. I notice on
 13 the easement near The Avenues there, there has
 14 been some landscaping done there and some
 15 improvement to the appearances of the property
 16 over there. Did we plant the landscaping?
 17 MR. MAYS: The Avenues?
 18 MR. ROSS: That's a generous
 19 description.
 20 MR. MAYS: Are you talking about next to
 21 Fifth Third Bank.
 22 MR. CHESNEY: I'm sorry. You may --
 23 what did you say?
 24 MR. MAYS: Are you talking about the
 25 easement in front -- right next to the Fifth

1 Third Bank?
 2 MR. CHESNEY: Yes. Yes.
 3 MR. MAYS: Yeah. We had to pull some
 4 ginger out of an area for line of sight, so
 5 instead of throwing it away, we replanted it
 6 there around the old oak trees.
 7 MR. CHESNEY: Okay. So you guys did
 8 that.
 9 MR. MAYS: Yes, us guys.
 10 MR. CHESNEY: All right. That's all I
 11 have. Thank you.
 12 CHAIRMAN RAGUSA: Anything else on the
 13 field manager's report?
 14 (No response.)
 15 CHAIRMAN RAGUSA: Hearing nothing,
 16 audience comments.
 17 JOAQUIN ARRILLAGA: I just want to thank
 18 you guys for listening to us.
 19 CHAIRMAN RAGUSA: Of course.
 20 JOAQUIN ARRILLAGA: You guys are always
 21 welcome, so thank you.
 22 CHAIRMAN RAGUSA: Thank you.
 23 MR. CHESNEY: I actually have one more
 24 comment. I'm sorry.
 25 What cameras do we have in the Greens --

1 over and recycling.
 2 MR. CHESNEY: Okay. And we bought that
 3 system --
 4 MR. MAYS: Yes.
 5 MR. CHESNEY: -- ourselves, and we own
 6 it in its entirety?
 7 MR. MAYS: Yes.
 8 MR. CHESNEY: Okay. Thank you.
 9 CHAIRMAN RAGUSA: Resident comments --
 10 Excuse me. Supervisor comments.
 11 (No response.)
 12 CHAIRMAN RAGUSA: Okay. No one. Let me
 13 raise two issues. First off, it's kind of
 14 redundant. I want to pass along resident
 15 comments about Doug's responsiveness. They
 16 had an oak tree issue, the Smiths.
 17 MR. MAYS: Okay.
 18 CHAIRMAN RAGUSA: Apparently you
 19 responded very quickly, and they are very
 20 happy with your response. I don't know if
 21 they communicated that to you. They had root
 22 problems. Their sidewalk was coming up a
 23 little bit.
 24 MR. MAYS: Okay. Mr. Ragusa, there are
 25 so many of them --

1 you know, the guard gate? What do they
 2 actually photograph?
 3 MR. MAYS: We've got one that is a
 4 license plate tag as they come through and as
 5 they exit. We've got one --
 6 MR. CHESNEY: So it is on both --
 7 MR. MAYS: Yes --
 8 MR. CHESNEY: -- so it is on both sides.
 9 MR. MAYS: -- on both entrances and
 10 exits, yes.
 11 MR. CHESNEY: Okay. And that's it?
 12 MR. MAYS: We've got one that's aimed
 13 right at the driver as they approach the
 14 guardhouse itself, so when there is any kind
 15 of interaction between the guard and the
 16 resident --
 17 MR. CHESNEY: So when you stop.
 18 MR. MAYS: -- or somebody, you can
 19 actually see that person on there, so --
 20 MR. CHESNEY: How long do we keep that
 21 video for?
 22 MR. MAYS: It varies because it
 23 automatically kicks on as something runs into
 24 it. So the estimate, it'll stay on there
 25 about 30 days before it starts washing back

1 CHAIRMAN RAGUSA: It scares me that this
 2 -- that you don't even know. Anyways --
 3 MR. MAYS: There are so many of them.
 4 I'm not sure which one it was. I had a phone
 5 call today for a guy today that had the same
 6 issue, it was over in Chelmsford, and we went
 7 and looked at another tree that got hit by a
 8 truck over in the Shires.
 9 And I'll be honest with you, the names
 10 kind of escape me sometimes. Give me an
 11 address, I can probably tell you --
 12 CHAIRMAN RAGUSA: I just want to thank
 13 you for your responsiveness and your customer
 14 service.
 15 MR. MAYS: Thank you.
 16 MR. CHESNEY: I mean, he's been aging,
 17 too.
 18 CHAIRMAN RAGUSA: Yeah, I know; he's
 19 getting a little old.
 20 And the other thing -- and I've been
 21 asked a couple of times and I've observed this
 22 -- is there anything we can do to prevent
 23 vehicles from parking on the south side of
 24 Countryway next to the pavilions during
 25 parties on the weekends? Is it the south side

1 or the north side -- the north side of the
2 road?
3 MR. ARGUS: Countryway? The north side.
4 CHAIRMAN RAGUSA: Yes. As you come
5 across the railroad tracks, you come in, the
6 park is on the right --
7 MR. CHESNEY: Left side of it.
8 CHAIRMAN RAGUSA: -- right side of it --
9 cars are parking where that large pavilion is.
10 MR. MAYS: Okay.
11 CHAIRMAN RAGUSA: And whether they are
12 unloading or not, but the other day there were
13 five cars parked right there on the grass, and
14 I don't know if it's doing any damage to our
15 irrigation.
16 MR. MAYS: Probably is. It usually
17 does.
18 CHAIRMAN RAGUSA: But there were five
19 cars --
20 MS. WHYTE: We have a bollard there,
21 don't we?
22 CHAIRMAN RAGUSA: No, we don't. I
23 noticed that.
24 MR. MAYS: Are you talking about on the
25 edge of the road, though, or are you talking

1 about the inside the park right next to the
2 pavilion?
3 CHAIRMAN RAGUSA: That's -- you've got
4 the road, a large grass with a couple of trees
5 intermixed, and then I think you have a
6 sidewalk and a little half wall or a half wall
7 sidewalk.
8 MR. MAYS: Okay.
9 CHAIRMAN RAGUSA: And there's one large
10 pavilion right there. It's kind of in the
11 middle.
12 MS. WHYTE: Number Two.
13 MR. MAYS: Yes.
14 CHAIRMAN RAGUSA: And there were four or
15 five cars parked right in there, and a couple
16 of them were actually parked in the road,
17 too.
18 MS. WHYTE: Inside the park?
19 CHAIRMAN RAGUSA: No.
20 MR. ZEIGLER: No.
21 CHAIRMAN RAGUSA: On the road,
22 Countryway.
23 MS. WHYTE: There should be no parking
24 there.
25 MR. MAYS: There's supposed to be no

1 park signs. I saw them on the other side, so
2 there should be some --
3 CHAIRMAN RAGUSA: They're not following
4 it.
5 MR. MAYS: They're not being enforced.
6 CHAIRMAN RAGUSA: And the vehicle was a
7 Ford 150 or 250. It was about two thirds of
8 the way in the grass, one third in the road.
9 It just -- if we could put -- I don't know
10 that we can legally put bollards in there, or
11 rocks, we can put Chesney stones in there.
12 MR. CHESNEY: Speaking of that, we need
13 some new ones.
14 CHAIRMAN RAGUSA: I don't know if it's
15 doing any damage, but it certainly is kind of
16 a risk in my eyes, to have cars hanging out
17 into the road --
18 MR. MAYS: Yes.
19 CHAIRMAN RAGUSA: -- especially during
20 the extent of the party. I can see someone
21 pulling in and dumping stuff off at a
22 pavilion, heavy coolers and stuff, but not for
23 the duration of a party.
24 MR. MAYS: Okay.
25 CHAIRMAN RAGUSA: So I don't know if

1 there's --
2 MR. MAYS: We can check on the signage
3 and see if there's any signage, and then it
4 can be enforced.
5 MS. CARLSEN: There is signage.
6 CHAIRMAN RAGUSA: There is signage.
7 It's not right there, but it's close enough.
8 MR. MAYS: Okay.
9 CHAIRMAN RAGUSA: People are ignoring
10 it. That's my point.
11 MR. MAYS: Then we have to get it
12 enforced.
13 MS. WHYTE: I'll get the deputies on it.
14 MR. CHESNEY: I didn't write this down,
15 so -- I remember from before. Over here in
16 Baybridge Park, I mean, they're clearly -- I
17 couldn't ride my bike down the road the other
18 day, on a Sunday, because they were parked on
19 both sides, right in front of the no parking
20 signs, and then when someone was driving
21 through, I literally had to stop riding my
22 bike down the road, because it was that -- it
23 was three cars across on a one-lane road.
24 I mean, that's like out of hand over
25 there. That's ridiculous over there on the

1 weekends. I mean --
2 MR. MAYS: Sounds like another
3 enforcement issue.
4 MR. CHESNEY: And then talking about the
5 stones, we need bigger stones. Those -- I
6 mean, they run over them, and then they dig
7 them into the ground. Okay.
8 MR. MAYS: Uh-huh.
9 MR. CHESNEY: Do we need to allocate
10 some funds for bigger stones?
11 CHAIRMAN RAGUSA: I'm not going to touch
12 that one.
13 MR. MAYS: There's an answer for you
14 there. It would go under landscape, I would
15 think.
16 MR. CHESNEY: Yeah.
17 CHAIRMAN RAGUSA: Anything else?
18 (No response.)
19 CHAIRMAN RAGUSA: All right. A motion
20 to adjourn would be appropriate.
21 MR. CHESNEY: So moved.
22 CHAIRMAN RAGUSA: Do we have a second?
23 MR. ZEIGLER: Second.
24 CHAIRMAN RAGUSA: All in favor say aye.
25 (All board members signify in the

1 affirmative.)
2 CHAIRMAN RAGUSA: That motion passes
3 five to nothing.
4 (Motion passes.)
5 (At 4:40 p.m., the meeting adjourns.)
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Mark Ragusa
Chairman


CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF HILLSBOROUGH:

I, Kimberly Ann Roberts, Notary Public in and for the State of Florida at Large, do hereby certify that I reported in shorthand the foregoing proceedings at the time and place therein designated; that my shorthand notes were thereafter reduced to typewriting under my supervision; and that the foregoing pages are a true and correct, verbatim record of the aforesaid proceedings.

Witness my hand and seal February 20, 2015, in the City of Tampa, County of Hillsborough, State of Florida.


Kimberly Ann Roberts
Notary Public
State of Florida at Large

