

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that 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.

ENCORE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Encore Community Development District was held on **Thursday, October 3, 2013 at 4:15 p.m.** at the Tampa Housing Authority, located at 5301 West Cypress Street, Tampa, Florida 33607.

Present and constituting a quorum were:

Dr. Hazel Harvey	Board Supervisor, Chairperson
Brenda Dohring Hicks	Board Supervisor, Vice Chairperson
Christine Burdick	Board Supervisor, Asst. Secretary <i>(joined the meeting in progress)</i>
David Iloanya	Board Supervisor, Asst. Secretary
Pedro Velez	Board Supervisor, Asst. Secretary

Also present were:

Pete Williams	District Manager; Rizzetta & Company, Inc.
Jennifer Kilinski	District Counsel; Hopping Green & Sams, P.A.
Jonathan Johnson	District Counsel; Hopping Green & Sams, P.A.
Greg Woodcock	District Engineer; Cardno TBE <i>(via speakerphone)</i>

FIRST ORDER OF BUSINESS

Call to Order

Dr. Harvey called the meeting to order and Mr. Williams called the roll. Mr. Williams briefly reviewed the change made in the agenda in order to comply with the new "Opportunity for Public Comment" legislation.

SECOND ORDER OF BUSINESS

Audience Comments

There were no comments or questions from the audience.

THIRD ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting held August 8, 2013

Mr. Williams presented the minutes of the Board of Supervisors' meeting held on August 8, 2013 to the Board for consideration. Dr. Harvey asked if there were any changes to be made to the minutes as presented; there were none.

On a Motion by Mr. Iloanya, seconded by Mr. Velez, with all in favor, the Board approved the minutes of the Board of Supervisors' Meeting held on August 8, 2013 as presented for the Encore Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Operation &
Maintenance Expenditures for August
2013**

Mr. Williams presented the operation and maintenance expenditures for August 2013 (\$26,526.73 general fund expenses; \$32,667.52 chiller expenses) to the Board for ratification. Brief discussion ensued regarding palm tree replacement.

On a Motion by Mr. Velez, seconded by Mr. Iloanya, with all in favor, the Board ratified the Operation & Maintenance expenditures for August 2013 for the Encore Community Development District.

FIFTH ORDER OF BUSINESS

Update on Storm Water Vault Repairs

Mr. Williams reviewed the remedial repair work done to the storm water vault done by Team Development Corporation totaling \$7,725.00. Mr. Woodcock also reviewed several of the items remediated.

(Ms. Burdick joined the meeting in progress.)

Ms. Kilinski confirmed counsel's opinion that work should proceed in order to preserve the vault system which will eventually go to the District for ownership and maintenance and that it does not behoove any of the parties for the infrastructure to fall into a state of disrepair, which will ultimately cost more money. Mr. Williams asked for a motion to ratify the actions of District management and the District engineer and to approve the \$7,725.00 expenditure.

On a Motion by Ms. Hicks, seconded by Dr. Harvey, with all in favor, the Board approved the remedial repair work done to the storm water vault system by Team Development Corporation in the amount of \$7,725.00 for the Encore Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Storm Water Vault
Maintenance Proposal**

Mr. Williams and Mr. Woodcock reviewed the purpose and necessity of the maintenance items needing to be performed in the near future. Board discussion ensued with questions for District Counsel concerning the need to obtain a licensing and maintenance agreement to provide the requisite ownership interests for maintenance until the improvement transfer is completed.

With regard to obtaining a licensing and maintenance agreement, Ms. Kilinski discussed

in more detail the need for such an agreement until such time as a final plat is recorded and the improvements such as the storm water vault and street lights are transferred to the District for ownership, operation and maintenance.

Public comment on the topic was allowed as an added item not previously placed on the agenda. Jerome Ryan of Tampa Housing Authority asked several questions related to the funding of the maintenance and his questions were answered.

Mr. Williams reminded the Board that the maintenance of these improvements were included in the budget based on previously obtained proposals. Additional discussion ensued.

On a Motion by Ms. Hicks, seconded by Mr. Iloanya, with all in favor, the Board authorized staff to draft a license agreement for operation and maintenance of the various public improvements to be executed by the Chair for the Encore Community Development District.

SEVENTH ORDER OF BUSINESS

Consideration of Draft Chiller Plant Policies

Ms. Kilinski reviewed the draft chiller plant policies for the Board. It was asked that the Board review and make recommendations for proposed changes at the December meeting. Mr. Williams mentioned comments made about the handling of deposits for the chiller utility to the Ella building and asked the Board to consider following TECO's standard scenario of returning deposits after one year of prompt payment for residential service, versus keeping the deposit until time of service disconnection as is done with commercial accounts.

Mr. Williams reviewed the final budgets with the Board. Brief discussion ensued.

EIGHTH ORDER OF BUSINESS

**New "Opportunity to Be Heard"
Legislation – District Counsel
Memorandum**

Ms. Kilinski reviewed the memorandum from District counsel on the "Opportunity to Be Heard" legislation and referred to the recommended wording again as briefly referenced by Mr. Williams at the start of the meeting.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2013-07,
Public Comment Policy**

Ms. Kilinski presented Resolution 2013-07 to the Board for consideration and reviewed the policy as proposed based on the recommendations in the legal memorandum previously shared. Brief discussion ensued.

On a Motion by Mr. Velez, seconded by Mr. Iloanya, with all in favor, the Board approved Resolution 2013-07, Public Comment Policy, for the Encore Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of Updated Rules of
Procedure – District Counsel
Memorandum**

Ms. Kilinski reviewed the District Counsel memorandum which again addressed in part the public comment policy plus several other minor changes, including one that would provide for amending the rules for changes in law without requiring a public hearing.

ELEVENTH ORDER OF BUSINESS

Updated Rules of Procedure Document

Ms. Kilinski then presented updated “Rules of Procedure” to the Board for consideration and asked that the Board review them for any questions, comments, concerns and/or changes. She also asked the Board to place the item on the agenda for consideration at a public hearing and asked for a motion to approve advertisement of the public hearing on consideration of the updated rules to be held at the December meeting.

On a Motion by Mr. Velez, seconded by Mr. Iloanya, with all in favor, the Board approved advertisement for a public hearing on consideration of updated “Rules of Procedure” to be held at the December Board meeting for the Encore Community Development District.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Kilinski had no additional information to present.

B. District Engineer

Mr. Woodcock had no additional information to present.

C. District Manager

Mr. Williams announced that the next Board meeting is scheduled for December 5, 2013. He also presented the August 2013 Energy Analysis Report provided by Tampa Bay Trane as included in the agenda for the Board’s review.

THIRTEENTH ORDER OF BUSINESS

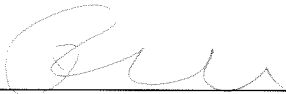
Supervisor Requests

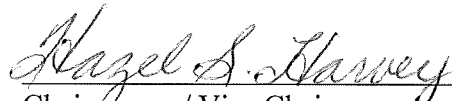
There were no additional supervisor requests.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Iloanya, seconded by Mr. Velez, with all in favor, the Board adjourned the meeting at 5:07 p.m. for the Encore Community Development District.


Secretary / Assistant Secretary


Chairperson / Vice Chairperson