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**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 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.

**MEADOW POINTE III  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors' of the Meadow Pointe III Community Development District was held on **Wednesday, April 17, 2019 at 6:30 p.m.** at the Meadow Pointe III Clubhouse, located at 1500 Meadow Pointe Blvd., Wesley Chapel, FL 33543.

Present and constituting a quorum:

Michael Hall	<b>Board Supervisor, Chairman</b>
Paul Carlucci	<b>Board Supervisor, Vice Chairman</b>
Rick Daddio	<b>Board Supervisor, Assistant Secretary</b>
John Johnson	<b>Board Supervisor, Assistant Secretary</b>
Glen Aleo	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Joe Roethke	<b>Regional District Manager, Rizzetta &amp; Company, Inc.</b>
Scott Smith	<b>Regional Manager, Community Services Rizzetta &amp; Company</b>
Tonja Stewart	<b>District Engineer, Stantec (<i>via phone</i>)</b>
Vivek Babbar	<b>District Counsel, Straley, Robin &amp; Vericker</b>
Susan Cali	<b>Clubhouse Manager</b>
James Bennett	<b>LMP</b>
Paul Woods	<b>OLM</b>
Deputy Frank Pizzuto	
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Roethke called the meeting to order and performed roll call confirming a quorum for the meeting.

All those in attendance stood and recited the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There were no audience comments put forward at this time.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the Board of Supervisors' Meeting Held on March 20<sup>th</sup>, 2019**

On a Motion by Mr. Johnson, seconded by Mr. Daddio, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' Meeting held on March 20<sup>th</sup>, 2019, as presented, for Meadow Pointe III Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Operation and Maintenance Expenditures for March 2019**

Mr. Johnson asked questions on several invoices. The Board would like better tracking of invoices on the Tree project moving forward. Mr. Roethke will ask Mr. Litts to sign invoices before they are paid. Mr. Johnson would like District staff to look into setting up a Sam's Club credit card account.

On a Motion by Mr. Johnson, seconded by Mr. Carlucci, with all in favor, the Board of Supervisors approved the operations and maintenance expenditures for January 2019 (\$309,855.47) for Meadow Pointe III Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Proposal from OLM**

Mr. Roethke presented a proposal from OLM and Mr. Paul Woods reviewed the details of this proposal with the Board. Mr. Woods entertained various questions from the Board. The Board would like to table this proposal until the review the budget at their budget workshop.

*(Paul Woods left the meeting at 7:10 p.m.)*

**SIXTH ORDER OF BUSINESS**

**Consideration of Landscape Proposals**

Mr. Roethke presented various landscape proposals to the Board. Mr. Bennett entertained various questions from the Board.

On a Motion by Mr. Carlucci, seconded by Mr. Johnson, with all in favor, the Board of Supervisors approved landscape proposals from LMP at a cost of \$10,885.06 for Meadow Pointe III Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Review of Field Inspection Report**

Mr. Roethke presented the field inspection report to the Board. Mr. Bennett reviewed responses to items within the report.

*(James Bennett left the meeting at 7:17 p.m.)*

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**EIGHTH ORDER OF BUSINESS**

**Consideration of Landscape Proposals**

Mr. Roethke presented various landscape proposals to the Board. Mr. Bennett entertained various questions from the Board.

On a Motion by Mr. Johnson, seconded by Mr. Daddio, with all in favor, the Board of Supervisors approved landscape proposals from LMP at a cost of \$10,885.06 for Meadow Pointe III Community Development District.

**NINTH ORDER OF BUSINESS**

**Discussed Regarding Status of Street Tree Project**

Mr. Roethke presented a contract between the District and Aventura for Phase 3 sod installation. A discussion ensued regarding current issues with root removal and sod installation.

On a Motion by Mr. Carlucci, seconded by Mr. Johnson, with all in favor, the Board of Supervisors approved the contract with Aventura for Phase 3 sod installation at a cost of \$82,200.00 pending clarification on removal of surface roots by Ron Litts for Meadow Pointe III Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Vending Machine Proposal**

Mr. Roethke presented a proposal for a new vending machine service and Ms. Cali reviewed the details of this with the Board.

On a Motion by Mr. Carlucci, seconded by Mr. Johnson, with all in favor, the Board of Supervisors approve installation, pending District Counsel review of any agreements for Meadow Pointe III Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Community Deputy**

Mr. Pizzuto noted that there were no major issues to address in the past month. A discussion ensued regarding running radar on State Road 56, but the Board would like to have the focus for radar on Meadow Pointe Blvd.

**B. District Counsel**

Mr. Babbar updated the Board on the status of the ADA website compliance discussions with the District's insurance provider. Mr. Roethke added comments regarding the status on the current website and options for ADA compliance moving forward.

**C. District Engineer**

Ms. Stewart updated the Board on the Status of the Hillhurst paving project. There is an opportunity to complete the paving within the next month, and District staff will work with the Hillhurst HOA to work out the detail on scheduling this project. Ms. Stewart entertained various questions from the Board regarding road extensions and maintenance of landscape and monument signs at State Road 54. Mr. Hall would like Ms. Stewart to look into the possibility of adding a monument to the corner of State Road 56 for Meadow Pointe III.

**D. Field Operations Manager**

Mr. Roethke presented the Waterway Inspection report to the Board. Ms. Stewart addressed an issue with remediation with inflow and outflow structures and plans for handling these moving forward.

**E. Amenity Management**

Ms. Cali presented the monthly amenity management report to the Board. Mr. Hall discussed issues with maintenance at the amenity area again and would like to ensure that these items are being addressed each day. Mr. Hall discussed an issue with residents causing issues at the pool. A discussion ensued regarding the conservation post markers.

**F. District Management**

Mr. Roethke presented the monthly financial summary to the Board.

Mr. Roethke reminded the Board that the next meeting will be held May 15<sup>th</sup>, 2019 at 6:30 p.m. The Budget workshop will be on Thursday, April 25<sup>th</sup> at 6:30 p.m.

**TWELFTH FOURTEENTH ORDER OF BUSINESS    Audience/ Supervisor Comments**

A resident asked about possible Meadow Pointe signage and fishing in CDD ponds.

A resident asked a question about tree stump grinding.

A resident asked about oversight of tree project.

A resident asked about OLM proposal.

A resident asked about re-sodding after street trees are removed.

A resident asked about a sidewalk issue.

A resident asked a question about a bible study in the clubhouse.

Mr. Johnson discussed documented losses from a Rizzetta employee from District funds.

<p>On a Motion by Mr. Johnson, seconded by Mr. Carlucci, with Mr. Hall opposed, the Board of Supervisors requested that Rizzetta reimburse the District for \$4,130.00 in funds that were stolen by a previous employee for the Meadow Pointe III Community Development District.</p>
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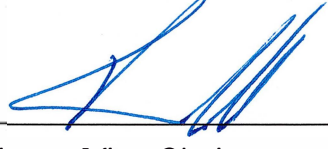
**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Daddio, seconded by Mr. Johnson, with all in favor, the Board of Supervisors adjourned the meeting at 8:52 p.m. for the Meadow Pointe III Community Development District.



Assistant Secretary



Chairman/Vice Chairman



Discussion for the Meadow Pointe III Board of Supervisors on April 17, 2019

- The amenity contract between Meadow Pointe III CDD and Rizzetta & Company Inc. includes a clause (Paragraph 9.b) whereby Rizzetta agrees to indemnify\* Meadow Pointe III CDD for any losses caused by their employees.

**9. INDEMNIFICATION**

- a. Obligations under this section shall include the payment of all settlements, judgments, damages, liquidated damages, penalties, forfeitures, back pay awards, court costs, arbitration and/or mediation costs, litigation expenses, attorney fees and paralegal fees (incurred in court, out of court, on appeal, or in bankruptcy proceedings) as ordered.
- b. Contractor will indemnify, save and hold the District harmless and shall defend the District from all loss, damage or injury, including all judgments, liens, liabilities, debts and obligations resulting directly from the negligent or intentional acts or omissions of Contractor's officers, directors, agents, assigns or employees, which cause harm to persons or property.

\* To **indemnify means** to reimburse another for a loss suffered because of a third party's or one's own act or default. ... The right to **indemnity** and the duty to **indemnify** commonly comes from a contractual agreement, which generally protects against liability, loss, or damage.

- Thefts of cash and/or CDD assets by a Rizzetta employee resulted in documented\*\* CDD losses of at least \$4130 over the period October 2016 to October 2019.
  - 80 gate remotes unaccounted for @ \$30 per remote = \$2,400
  - 34 keyfobs unaccounted for @ \$10 per keyfob = \$340
  - multiple discrepancies between clubhouse cash/check log and Rizzetta records = \$480
  - multiple discrepancies where mule/pressure washer gas receipts submitted exceeded maximum possible capacity = \$360
  - Sams Club cash back credits for 2019 unaccounted for = \$400
  - Multiple personal item purchases using CDD credit cards = \$150

\*\* Losses were only counted where a paper trail could be established proving the loss.

- **As elected stewards of the community, should the Meadow Pointe III Board of Supervisors seek reimbursement of \$4,130 from Rizzetta & Company Inc. under Paragraph 9.b of the Amenity contract?**

NOTE: This does not mean the MP3 CDD is requesting reimbursement from, or pursuing legal action against, any Rizzetta employee.