

MINUTES OF MEETING  
CAPITAL REGION COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Capital Region Community Development District was held Thursday, October 13, 2011 at 6:30 p.m. at the Southwood Community Center, 4675 Grove Park Drive, Tallahassee, Florida.

Present and constituting a quorum were:

Barry Brooks	Chairman
Wayne Toothman	Vice Chairman
Eli Nortelus	Supervisor
David Ramba	Supervisor
Glenda Herrera-Gray	Supervisor

Also present were:

James Oliver	District Manager
Joe Brown	District Counsel
Norman Robertson	District Engineer
Robert Berlin	Operations Manager - GMS
Abe Prado	St. Joe
Several Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Brooks called the meeting to order at 6:30 p.m.

**SECOND ORDER OF BUSINESS**

**The Pledge of Allegiance**

Mr. Toothman led the pledge of allegiance.

**THIRD ORDER OF BUSINESS**

**Approval of Consent Agenda**

- A. **Approval of the Minutes of the September 8, 2011 Meeting**
- B. **Balance Sheet as of August 31, 2011 and Statement of Revenues & Expenditures for the Period Ending August 31, 2011**
- C. **Treasury Report – August 31, 2011**
- D. **Allocation of Assessments**
- E. **Check Register**

Mr. Brooks stated item three is approval of the consent agenda. I have reviewed the minutes quickly and they are clean unless anyone has anything to note. The balance sheet is basically up to date, the treasurer's report and everything looks good.

On MOTION by Mr. Ramba seconded by Ms. Herrera-Gray with all in favor the consent agenda items were approved.

**FOURTH ORDER OF BUSINESS**

**Consideration of Proposal from Atkins for Traffic Study on All School Zones**

Mr. Brooks stated the next item is consideration of proposal from Atkins for traffic study on all school zones.

Mr. Robertson stated I am distributing a proposal that was not in the package, but was emailed this morning. Just a clarification rather than for all school zones, this proposal is specific to the JP II and Florida High Schools. This proposal is broken up into three parts to identify where the problems are coming from and the direction we recommend moving forward with to solve the problems around those schools.

The first part of that would be traffic observation. We will take five locations and place somebody at each location that has been discussed with a few different people where they are experiencing problems today and station someone there for two days during the morning and afternoon traffic to observe and see what is happening there, whether it is sheer quantities of cars coming through causing congestion or if it has to do with traffic guards or circulation problems. It is an opportunity to observe and see what is taking place.

The second task would be to meet separately with a representative from each of those two schools to pull information from them on their policies and procedures and the history behind the traffic and what they know and get as much information as possible.

The third task is really to get with Wyatt Bowyers who is an expert on this type of situation and who is going to be able to quickly analyze this and discover what is causing the problem and if there is a solution to fix it, what that solution is and we can help identify who is responsible for that solution. The third part is an analysis and report.

Mr. Ramba stated we have analyzed and reviewed the information for Orange Avenue, which has been our focus. We had the traffic numbers and the determination of the numbers for people who come in through Southwood Plantation Road to Biltmore through to Longfellow or

any of the cut through streets and this is basically the hole that is left. We have reviewed the rest of the community and this is the hole that we are filling.

Mr. Ramba moved to approve the Work Authorization no. 5 with Atkins for traffic evaluation of the two school zones.

Mr. Nortelus stated please keep me posted on the dates in task 2. I have looked at some of their plans and I would like to talk to them and raise some questions with regard to their plans.

Mr. Robertson stated I will do that. Just for clarification Mr. Ramba, this is filling a hole in the traffic study. There are certainly more roads out there that haven't been brought to our attention as a problem so I wanted to clarify that this is to specifically identify problems caused by the schools just by meeting with the schools. We anticipate there will be counts needed we don't specifically state that we are going to do counts in each one of these locations but where we find it is appropriate we will do counts and turning movements. I just wanted to make sure that was clear.

Mr. Ramba stated we have both your counts and Carolyn's counts for the impacts at Conley these are the other two schools. What we were missing was the two schools. We live here and we know which roads and I think these are the roads that are most impacted by the school traffic and I think there are some things we can do and this is what we are trying to do, fill in from the other two schools for all the roads that may be impacted.

Mr. Toothman stated we met probably a year ago with Commissioner Ziffer and several others and both the principal of JP II and Florida High attended that meeting and both seemed willing to help solve the problems with us. I don't see there being real heartache coming from either school to help solve the problem.

Mr. Brooks stated I think we were also going to include Creative Pre-School in this mix.

Mr. Robertson stated yes.

Mr. Ramba stated I would like to add that Creative be added in task 2 as a person you talk to. The directors there are extremely helpful so if we could add to talk to the Creative folks they have good suggestions. They have different parents that walk their kids to school, they have parents in golf carts bringing their kids to school, they have parents who drive and drop their kids off at school. Some park on Grove Park some go through their two-lane entrance at Creative so if we make sure we talk to Creative as part of task 2 that would be helpful.

Mr. Powell stated since my son started at Florida High this year and we have been enjoying being close enough to walk with him to school with our dogs we have been really surprised at how difficult it is for these kids to cross Terrebonne. People are making right hand turns to drop off at Florida High or they are coming in for JP II and all they care about is getting to their destination and you are lucky if someone will actually slow down and let you cross the road. If we could at least get a crossing guard there that would be helpful. I'm not sure what we would have to do to get that, there is a big yellow sign there but it doesn't seem to help. There are a couple of crossing guards at the other entrance to Florida High but there is nothing at Terrebonne.

Mr. Brooks stated obviously Terrebonne is part of it.

Mr. Robertson stated for clarification Schoolhouse Road at Terrebonne and I believe we have another intersection that included Terrebonne as well. Terrebonne is one of the major roads we will be at.

Mr. Brooks stated Terrebonne at Grove Park at this end.

Mr. Robertson stated what we have is a location I believe on Grove Park Drive between Terrebonne and Park Crossing Trail. The locations we have here are not set in stone and it says that in the proposal that these locations are based on the information that we had at that time and if while we are out there we notice another intersection and I'm going to take note of that one specifically if we notice there is another intersection that really needs to be looked at versus one of these we will move over to that intersection. We are not set in stone with these we are going to the ones that are most appropriate for the problems at the schools.

Mr. Brooks stated note for right now no. 6 would be Terrebonne at Grove Park Drive. I deal with that one too.

Ms. Smith stated we have had a development in that the StarMetro folks are telling us that they were going to take the T Route out of Southwood and the CCOC Complex and stopping it at the Koger Center that is going to add a bunch of people to start bringing their kids in cars to Florida High because a lot of kids ride that T Route because it is a direct route for a lot of them or they catch the connection downtown and come in that way. They are looking to do that and a lot of us are really against it because it is taking service out of here but be aware of that because that is going to add even more traffic.

Mr. Brooks stated the busing should be a portion of whatever we look at.

Ms. Herrera-Gray asked nobody has complained about Esplanade Overlook area with the state workers?

Mr. Brooks stated we will focus on the schools but you can bring that up.

Ms. Herrera-Gray stated I'm just asking because I deal with it. The state workers fly down Esplanade to go to Scottsdale or get out on Blair Stone to Capital Circle.

Mr. Brooks stated that whole Esplanade particularly if you get down to Merchants Row then you have the headache of the parked cars.

Mr. Ramba stated I think one of the greatest things in Southwood and we will give St. Joe credit these big intersections make it nice, it makes them slow down and three of us may try to go at once but you have so much room you really don't have accidents.

Ms. Herrera-Gray stated I don't want to spend it now I was just asking.

Mr. Nortelus stated if there is money left over from this then we can do that but that is another school, Scottsdale is an increment.

Mr. Nortelus seconded the motion and on voice vote with all in favor the motion passed as amended to include Creative Pre-School.

**FIFTH ORDER OF BUSINESS**

**Consideration of Series 2011 Refunding Bonds Ratification Resolution 2012-01**

Mr. Brooks stated item five is consideration of Series 2011 refunding bonds ratification Resolution 2012-01. This is one more final shot at the apple and it basically encompasses all the work we have done with our bond refinance and approves everything that we have done and says we really need it.

Mr. Ramba stated I reviewed this in detail with the guys who refinanced the bonds and it is exactly what we talked about last month. Basically on September 14<sup>th</sup> they sold the bonds, they sold the bonds for what they said they were going to sell the bonds for, we have refinanced the bonds and saved the exact amount of money that we talked about last month at the meeting.

On MOTION by Mr. Ramba seconded by Ms. Herrera-Gray with all in favor Resolution 2012-01 was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Agreement for Potable Water Line in Connection with Drinking Fountain**

Mr. Brooks stated item six is consideration of agreement for potable water line in connection with drinking fountain. This has been provided to us by our attorney. I think St. Joe has indicated that the HOA still needs to pass on this as well in final form. Our attorney is asking us to approve this in substantial form at this point and hopefully, once we sign it and the HOA signs it we will be able to do our installation of the water fountain.

On MOTION by Mr. Ramba seconded by Ms. Herrera-Gray with all in favor the agreement for the potable water line in connection with the drinking fountain was approved in substantial form.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Amendment to Landscape Maintenance Agreement**

Mr. Brooks stated item seven is consideration of amendment to landscape maintenance agreement. It is my understanding that we are already looking at our first option we need to execute with All Pro for landscape service. I know we did our big package with them and the other competitors in December so we are looking at this issue again. Unless there is any comment we can go ahead and approve a two-year term addition.

Mr. Ramba moved to approve the amendment to the landscape maintenance agreement with All Pro and Mr. Toothman seconded the motion.

Mr. Barber stated I want to thank the board for the opportunity to work with Southwood and as a resident of Southwood it is just an honor to give back to the community and provide the services we do and be involved in helping with the various issues that come up. I appreciate the opportunity you gave my staff. I would like to thank Jen Saurino and Kim Bishop for the hard work that they do. There is a lot that goes on behind the scenes that no one really knows until you come with us and ride the area. You have the opportunity and Commissioner Ziffer took the opportunity and Alan Hanstein also had taken the opportunity. I encourage any of you to do the same. We maintain about 450 acres here to a higher level and there is someone from my staff

out here on weekends cutting grass and it is all done and managed properly and it saves the board and community money.

Mr. Brooks stated I know I speak on behalf of the board we also appreciate our partnership with All Pro over the years you have really helped us with our expenditures because of your knowledge and expertise has helped us reduce our budget costs over the years and we continue to make improvements and you are very responsive to suggestions from our neighbors and we appreciate that and we also appreciate your quick response in the event we have storms and can't get the city out because they are busy in other areas we are very fortunate that we have All Pro at our disposal during those times and we thank you for that too.

On voice vote with all in favor the motion passed.

#### **EIGHTH ORDER OF BUSINESS**

#### **Consideration of Engagement Letter from Carr Riggs & Ingram to Perform the Audit for Fiscal Year 2011**

Mr. Brooks stated item eight is consideration of engagement letter with Carr Riggs & Ingram to perform the audit for fiscal year 2011. We already went through the selection process a few months ago and chose Carr Riggs & Ingram to perform our audit. This is their engagement letter identifying the scope and cost.

Mr. Ramba stated their cost is exactly what they bid.

Mr. Brooks stated there is a caveat that Mr. Oliver wanted to point out to us. When they made their proposal we weren't necessarily that far along with the bond refinance so as a part of their proposal they have language that provides that caveat in the event they do something that is outside the bounds of what they normally do. They may come back for some sort of cost reimbursement or maybe not. I wanted to point that out to everybody that it would probably be anybody's that came to us.

Mr. Ramba stated I would move to approve the engagement letter and let them know that we are not going to approve any costs above the proposed fee.

On MOTION by Mr. Ramba seconded by Mr. Toothman with all in favor the engagement letter with Carr Riggs & Ingram to perform the fiscal year 2011 audit was approved subject to no additional costs due to the bond refinancing.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney - Memorandum**

There not being any, the next item followed.

**B. Engineer**

**1. NOPC Update**

Mr. Robertson stated item one is an update on the NOPC. The update is the same as it was last month and that is the letter is currently in St. Joe's hands and nothing has been submitted to the city.

Mr. Brooks asked the city hasn't made any movement to put this on any kind of agenda or anything?

Mr. Robertson responded I haven't heard anything.

**2. Work Authorization No. 4 for Shepherds Branch Monitoring**

Mr. Robertson stated this is work authorization no. 4 for Shepherds Branch monitoring in the amount of \$16,500. The reason we tabled it last month was this is the proposal and scope we have done in the past for our continued monitoring that we do once a year for Shepherds Branch it is a requirement of the DRI and I was made aware just before the last meeting that there might be a potential to get out of future monitoring, not future mitigation, but future monitoring for Shepherds Branch. What we discovered is we were at a point that if we meet all the success criteria as outlined then we can submit a request to stop future monitoring events. After several meetings and some requests for additional information it may be possible to get out of those events. That is why I have broken it down and you can see the fee is broken down by task 1 which is our typical monitoring and task 2 is to make that request and respond to their request for additional information on requesting no more monitoring in the future.

Mr. Brooks stated this could potentially be our last work authorization for monitoring for Shepherds Branch.

Mr. Robertson stated if we do not meet the criteria we will stop at task 1 and inform you.

Mr. Toothman stated we will continue to monitor and mitigate it we just won't be required to submit to DEP our findings. Is that correct?

Mr. Robertson responded to the best of my understanding that is correct. Our goal is to get out of that responsibility and no longer need for Atkins or any other entity to come in and actually do that full monitoring event that is being required as long as we can get them to sign off on, you met your obligations we are good.

Mr. Toothman stated I think it is wise to not have the oversight of DEP.

Mr. Ramba stated my motion would be to approve this with the caveat if DEP flinches at trying to not let us do that, that you contact the board and let us know because a lot of us on the board know Secretary Vinyard and we know what they are trying to do up there. If you get a staff level problem with this please let us know because we will be able to do something about that. There is no reason now with where this is that they should be reviewing what we monitor.

Mr. Robertson stated we will absolutely do that. The request letter is straightforward and we will know quickly based on any comments that come back and if there is something in there that causes an alarm we will definitely let you know.

Mr. Ramba stated we should be able to overcome that.

Mr. Ramba moved to approve work authorization no. 4 for Shepherds Branch monitoring with instruction to staff that if there is some blockage over the monitoring issue to report back to Mr. Ramba and Mr. Toothman seconded the motion.
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Mr. Toothman stated I would like to make sure that we get a report published for the people who are concerned about it in the community, just something we can put on the website if they are interested they can look at it and read it.

Mr. Robertson stated I will make sure that we have any of our findings and reports that we bring copies to the meeting that follows them being submitted.

Mr. Powell stated I'm curious about this. Are any of these reports actually on the CDD website?

Mr. Robertson stated I do not know.

Mr. Ramba stated they are not right now.

Mr. Toothman stated I read the last one just because I went to Norm's office.

Mr. Powell asked can you summarize the type of monitoring that is being done?

Mr. Robertson responded I cannot summarize what is being done our environmental group handles that.

Mr. Ramba stated I have done these with Phoenix Environmental Group that is a local well-known environmental mitigation firm. They literally go out and look within the jurisdictional wetlands that they have disclosed within the area of Shepherds Branch and they will determine whether the same plants were there two years ago when they did this and today. There will be certain types of plants, which determine whether or not those would be jurisdictional wetlands and whether they are still alive. It is almost like walking through the woods and seeing plants and saying they are here. It is science but the federal government says that wetlands are navigable waters of the United States and through both the federal government and state government we have determined wetlands are items, which even though it is a marsh out there in the woods those are navigable waters of the United States. The way they determine waters of the United States are based on plant materials that are located within the jurisdictional boundaries of the wetlands determination. The engineers and the guys at Atkins go out and they look for certain types of plants.

Mr. Powell stated my question is related to the endangered species act and if they are monitoring both plant and animal species that are either threatened or endangered or are on some kind of watch list.

Mr. Toothman stated they are monitoring for exotics and invasive plants. I don't believe they are doing anything with endangered species.

Mr. Powell stated the habitat management plan has a discussion of gopher tortoises and botanical.

Mr. Toothman stated I'm not sure but we would have to look at the gopher tortoise relocation plan to see if there was monitoring once they burrow into the ground. Once you move them and they burrow in I would believe that is the end of the monitoring.

Mr. Ramba stated you don't get a crossover between wetlands mitigation and gopher tortoise because the two don't mix. We have an endangered species plan for Southwood. We have a wetlands mitigation plan for the CDD. This is the wetlands mitigation plan of Shepherds Branch and you won't find a gopher tortoise burrowing in the mud.

Mr. Powell asked so this Shepherds Branch monitoring is only for wetlands?

Mr. Ramba responded you have habitat mitigation in there but there is no ESA in Southwood that meets the requirements for being within a wetland jurisdiction program. We have a gopher tortoise plan but it is not this. The habitat they have in there is making sure you still have squirrels down there, nobody has poisoned anything and invasive species haven't overcome the plants that are designated under the federal government plan as a wetlands area. The habitat portions of this plan aren't ESA type designations. The bald eagles, gopher tortoises and fox squirrels those are the only ones we have here in our endangered species plan but they don't overlap with the plan you are required to send to DEP because that is a Fish & Wildlife permit.

Mr. Powell stated you just mentioned that there is an endangered species plan for Southwood. I didn't know about that. Is that posted on the CDD website?

Mr. Brooks stated if it is not posted we will be glad to make sure it does get posted.

Mr. Ramba stated it is about 10 or 12 years old.

Mr. Brooks stated any of those documents should be linked on our website anyway so we will make sure that is there.

Mr. Powell asked is there monitoring of unauthorized access to the Shepherds Branch area in terms of motorized vehicles, things that just shouldn't be there? The reason I'm asking is because now at the end of Biltmore somebody has taken the barrier out to do some work on one of the houses on Salinger and cars have been going back there, 4-wheel vehicles have been going back there, there have been reports of romantic get togethers back there, neighbors walking and being surprised by what they came upon. It is a serious concern.

Mr. Brooks stated Robert has heard what you said and he will follow-up with All Pro to make sure the barrier is restored. As far as any official monitoring by the board, no. We don't really have an enforcement arm for that type of issue but if you see it you can report it to Robert or report it to the police right away. Even with someone using their golf cart around Central Park Lake or something. That is not our mission to do the enforcement side of it we don't have the statutory authority to do that. That doesn't mean that it can't be done so we have to rely on the city and we would in turn report it if you told Robert about it.

Mr. Ramba stated that land is St. Joe land and that is trespassing. If there are people using that we need to ensure that it is blocked off. Obviously that is an inappropriate use of somebody else's property.

Mr. Brooks stated it is not the first time that issue has surfaced and it is cyclical and there has been dumping back there before, they go in off of Schoolhouse Road and drive in there and there will be dump loads of debris that appear over a weekend. Robin and his crew have done some work trying to maintain it as best they can. Share that information when you see it happen is the best thing.

On voice vote with all in favor the motion passed.
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### **3. Work Authorization No. 5 for Southwood Schools Traffic Evaluation**

Mr. Brooks stated this item is on the agenda in error but I think what Norm wanted to do was to follow-up on the Conley School portion.

Mr. Robertson stated it was a way to keep it separate from work authorization no. 5. We did the Conley School, which has a much simpler problem and we met with the school and I provided all the information from my observation and from talking with the school and from several homeowners to Wyatt and he and I discussed it for a while and he sees three different alternatives that could possibly involve board action. There are some definite possibilities that wouldn't involve as much board action but of the three that he sees, number one would be to work with the school on their crossing guard. He felt that was probably the most danger, the crossing guard is causing a lot more problems than anything else right there because of the frequency of him stopping traffic and somehow the district could get with the school and see if there is a policy to either limit his number of trips by time or number of cars that go through or some method of reducing the amount of times he goes across.

Another option that we saw was also related to coordinating with the school, it wasn't one that seemed as plausible as the crossing guard but it was switching the two entrances in the morning and allowing the buses to go where they were originally planned to go and have the parents use the school's entrance at the intersection and come out at the four-way stop does provide a certain level of benefit from the traffic stacking along Orange Avenue. The concern with that was that the school has found it is more beneficial to have the parents in the other lot in the afternoons and would probably prefer to keep it that way. You may want to discuss it with the school they may not want to switch back and forth in the mornings and afternoons.

The third alternative was a little more pricey and that was to widen Orange Avenue 500 feet either side of Four Oaks. That widening is something that is part of the master plan it is planned to get widened eventually but if that intersection was widened it would increase the amount of traffic that can get through that intersection at any given time.

Mr. Prado stated Orange Avenue was never slated to be widened the right of way is provided but it is not a requirement.

Mr. Ramba stated the master plan has Four Oaks and Orange Avenue have the turn lanes, the school is not using those turn lanes as the places for the students to be dropped off so if we actually did the planned turn lanes for Orange Avenue we don't get any benefit from it because four buses go through there not the parents, which was the intent when they built the school and designed it, that the turn lane would be put in at Four Oaks, which is something I encourage the CDD to try to fund but they changed where the kids are dropped off. I question the ability for them to put in little green cones to say we can't use the turn around. They literally have taken over that area and our roads to determine how the traffic pattern takes place. While no. 3 is absolutely the option we won't be able to do because they changed around with the school bus I think they need to take a serious look at no. 1 and no. 2 and tell us what they think. I drop off my daughter at Lincoln and they have a very small turn around but it doesn't take that long. The appropriate place for them to do that would be the front of the school if there was a turn lane but the school has really redesigned their area. I think we always defer to the school because they are an elementary school. We have to understand that an elementary school is just another government that we are contemporaneous owners with over a piece of property and they are a resident of our neighborhood so if there is something that we feel like we need to do we can push a little harder on the school because they are no more than another neighbor in this area and they designed that place for the bus loop. If you look at the original design that we looked at last month the bus loop would go around the back and the drop off would be around the front. It is more because of ease of parking of the teachers because they park the teachers up front that they have changed that around. It is really not a good benefit to us. The teachers run out of spaces if you let the students go through there because some parents like to take their kids into the school.

Mr. Robertson stated from our meeting with the school the reasoning they gave us for switching it was all about the afternoon. They completely agree with in the morning getting dropped off it is a breeze. Their problem is more in the afternoon parents get there 20 minutes

early to pick their kids up so they start stacking in that loop and what they are saying is the loop they are using now that was originally planned for the buses has more stacking capacity. They have even looked at expanding that capacity their reasoning was they were trying to get cars off of Orange Avenue but obviously, it did not get all the cars off Orange Avenue. I wanted to make sure that I clarified that was the school's official statement in our meeting.

Mr. Brooks stated that puts an interesting perspective on it. They are a neighbor in Southwood they need to hold up to their end of the bargain. It sounds like what you are saying is the communications are they acknowledge all of this.

Mr. Ramba stated they could drop the kids off in the morning up front and afternoon stack them up out back. At least help half the problem with us and the kids don't know the difference. If you tell your 7 year old to go to back in the afternoon they will do it.

Mr. Robertson stated my impression from our meeting and Wayne was there as well but my impression from the meeting was complete willingness to work with the district because it is a problem for them as well. It is a different problem for them but it is a problem for them and they are very concerned about the safety of their students and concerned about the parents that are calling and complaining about that.

Mr. Ramba stated we are all going to work in the morning, when the kids get off school at 3:00 p.m. we are not there.

Mr. Robertson stated what we explained to them at the meeting was that I see you made this move because it helps you in the afternoon but it is causing us problems in the morning and they are aware that our concern is morning traffic.

Mr. Brooks asked what do you need from us as supervisors to move forward with this?

Mr. Robertson responded I guess it falls on the board to decide how they want to move forward. What I was providing was three alternatives. My recommendation is first to work with the school on the crossing guard and to speak with them about the possibility of switching the entrances.

Mr. Toothman stated that is where I'm kind of going. Is there a standard for crossing guards within traffic planning, how often they should interrupt traffic? I don't know the answer to that.

Mr. Robertson stated I don't know the answer to that either.

Mr. Ramba stated there is not.

Mr. Brooks asked are the supervisors comfortable with the direction that Mr. Ramba provided which is that we want 1 and 2?

Mr. Ramba moved to authorize staff to pursue option 1 and 2.

Mr. Ramba stated talk to them about the crossing guard. The parents have figured out it is faster to park in front of people's houses and walk their kid across the street and then walk back which is two stops, one for the kid one for the parent. We should talk to the school and say tell the guy to get two or three kids together; that is one option. The second option, I think we push for switching them around, the buses go through the front as the school was designed in the morning when everybody is going to work at the exact same time everybody leaves here between 8:00 a.m. and 9:00 a.m. and then in the afternoon when they want to come in at 3:00 p.m. I don't care what they do because nobody is coming home at 3:00 p.m. I think we talk to them about the crossing guard and try to encourage them as nicely as we can as a good neighbor. We do 1 and 2 but just tell them to wait for a couple of kids. As soon as a kid walks up the guy is excited about stopping traffic in all four directions and as soon as they get across the parent then walks back with the guy. Get a couple kids there and in the afternoon see if we can let them keep it the way they have it but in the morning have them use the front of their school to be the drop off because that is how that entire intersection, that is how St. Joe designed it, that is how we all believe it should be. If you are stopping the traffic then you can let parents turn left the whole time into that and let them drop off their kids we are all saving time and effort and money in trying to go somewhere.

Mr. Brooks stated there is a motion on the table to pursue options 1 and 2 that you brought to us today.

Ms. Herrera-Gray seconded the motion and on voice vote with all in favor the motion passed.

#### **4. Nature Trail Easement Request**

Mr. Brooks stated we are going to talk about our nature trail easement request we submitted last month and we have one member from the neighborhood, Ms. Moore, to speak to this issue but let's have Norm start us off.

Mr. Robertson stated just an update we submitted a letter to St. Joe to request an easement over the portion of the proposed trail that we brought a couple months ago so we made the request to get that easement from St. Joe and requested a response and we have not received a response yet. I felt it may be worth taking a look while we are waiting on that response between now and next month to also take a look at a couple other items that have been brought to my attention recently within the community about some striping that is missing and some second lifts of asphalt that we have on a couple roads and a few street trees and sidewalks and take a look at that and maybe compile a list of necessary improvements that are still needed to finish out some of these jobs and cost estimates associated with them.

Mr. Brooks stated that is probably not a bad thing for us to do because those are the bond proceeds that would be eligible to be used on those types of items. We do want all that kind of stuff brought back to us as well next month.

Mr. Robertson stated we will provide you with other alternatives whether it is approved or not I think you can look and see what is most important. Robert called me the other day about some striping on Biltmore that is needed so there are a few items out there we can put on the list.

Ms. Moore stated I'm new to the community and I'm new to the CDD so I'm not exactly sure what your responsibilities are. It sounds like the upkeep of the nature trails are part of the CDD. We do use the nature trails since we moved here and we love them. I do notice what I consider dumping on the nature trails. Some branches fall off trees and you can see where branches fall off. I can see where there are piles of stuff that has been deposited on the nature trails. Who do I contact or who is responsible for that cleanup?

Mr. Brooks stated meet with Robert Berlin after the meeting and he is your best contact in the district with any matter.

Ms. Moore asked he is the liaison between the homeowners and the CDD?

Mr. Brooks stated any of us but just for ease contact him. He has an office here in Southwood.

Mr. Ramba stated we are just going to call him. Robert will go to your house and walk with you to where it is at and see the dumping and he will send a letter to the homeowner because it is not these guys, it is not All Pro.

Ms. Moore stated sometimes it is the commercial entity that is trimming some of those trees and dumping it on the trails. The other night we were walking and it was very obvious

what home it was coming from because it was a certain kind of tree that not many people have in that small area and their trees have been recently trimmed.

Mr. Brooks stated any issue that you have or questions about the neighborhood or whatever even if it is not us Robert has contacts with the City of Tallahassee with all these other people for us.

Ms. Moore asked having said that the common areas the small ones when there are trees that have fallen over or dead bushes or something like that I contact him?

Mr. Brooks responded yes.

Mr. Powell stated I wanted to mention something that Norm said about re-striping. Would that include the bike lanes?

Mr. Ramba stated that is exactly what we are talking about.

Mr. Robertson responded it depends we have to take a look. There are two type of striping that take place out here and one of them is a temporary paint that goes down on all the roads after they have first been overlaid, we put a second lift of asphalt on and after they are overlaid you can't put the permanent striping on you can only put the paint on. They are required to cure for 30 days and in some cases they wait to put that permanent paint on until later.

Mr. Brooks stated the answer is yes, we will look at it if that is an issue you want to raise.

Mr. Powell stated there is no asphalt there, this is like a real old surface I'm not sure what it is.

Mr. Ramba stated they haven't done the second layer. Until they put the second layer on they don't put the permanent paint on so you end up with that 30 day temporary on the original asphalt until we get enough development in Southwood that triggers the overlay.

Mr. Powell stated that is a safety issue.

Mr. Brooks stated it is but this is all part of what we asked Norm to come back with. He said the second lift on certain roads and also the thermoplastic or striping, we have tree issues we need to look at and we have sidewalks. You and I live on a block where we have sidewalks that are not completed yet. We don't have a lot of money but the point is we want to make sure that we as supervisors are weighing these issues along with that nature trail issue particularly if the nature trail issue we don't get the easement then we have some other options.

Mr. Robertson stated I will look at Shumard. I was under the impression that Shumard did have all its asphalt and if there are parts that are missing we need to know that but if it has all been overlaid and its all had paint put on and it is still experiencing those problems then we have a different issue on our hands. It is probably at this point a city issue if everything has been completed.

Mr. Brooks stated I know you have been riding a lot lately if you notice anything like that in the neighborhood in other parts let Robert know because he will communicate with Norm the different areas where you have a concern.

Mr. Powell stated sometimes I am out at 7:00 a.m. and it is dark and people aren't paying attention even if you have all kinds of lights and fluorescent vests.

### **C. Property Management Report**

#### **1. All Pro Reports**

Mr. Berlin stated the first items in the report are the All Pro reports.

#### **2. Operations Memorandum**

Mr. Berlin stated my operations report is also enclosed. On lake maintenance 253 is the pond just to the east of Madura, 160 was inspected and passed about four months ago and now it is up for a permit and we don't see any reason we wouldn't pass that. We called in asphalt repairs on Longfellow, Grove Park and Riverton and found out that those had not been entered into the system. They did the repair on Riverton we are still waiting for repair on the hydrant meter and sidewalk on Biltmore is probably the worst turn around we have had. I haven't heard of any security or accidents.

I had one person call about using the park for a birthday and I directed her to the website then get the page back to me. You will have the breast cancer walk at the end of the month. This weekend we have the Conley SWARM coming up. It is not on CDD property but we are going to put ropes up to protect the medians as best we can. We are in possession of the drinking fountain and we will pour the slab while we wait for the agreement to come through. I never heard anything from FDA so I guess we didn't kill the fish with pesticide. On reuse we have two meters in. I got a two-month bill on both the reuse meters and it was about \$2,000 for two meters for a two-month period. We were paying about \$3,000 each per month for potable water.

The community garden update they had a meeting the other night they pretty well decided to scale the project back a little bit. They have 22 plots out there and they have about \$5,000 in the bank so they are thinking about developing maybe 22 or 23 of them. They need about \$8,000 to make the whole thing fly and they are about \$3,000 short so they are going to do some fundraisers. It looks like the way things are going with the fundraisers and stuff probably not until spring before they break ground. They do have a water meter there now in place. There was some talk about possibly hanging a sign on top of the sign saying lots for sale or something to reach their goal. We are just monitoring that. Mr. Toothman asked me to check with All Pro and I will call you on that. I will speak with the webmaster to see that the habitat management plan is posted on the website.

Mr. Toothman asked where did we decide to put the drinking fountain?

Mr. Berlin responded right opposite the tot lot. If you go out and look at the pool you will see the shower and we are going to come straight off that shower, which lines right up with the tot lot. The fountain has a no barrier access wheelchair accessible plus the doggie fountain, which means the non-handicap people will have to bend a few inches further to get a drink. We will pour a slab, set the fountain on it right up against the poolside of the trail. I'm going to have the property line laid out and there is a discussion between counsel and St. Joe about an easement for the line and I will be working on that. We can do that work without the agreement. Worse case scenario is we decide to buy a meter and plumb it ourselves but I don't believe that is going to happen.

### **3. Variance Report**

Variance report is included in the agenda package.

#### **D. Manager**

Mr. Oliver stated Jim Perry asked me to tell the board he is working on the annual report for the district. He has it in draft form and is awaiting finalization of the fiscal year 2011 financials and will provide it to the board for review before it is sent to the residents.

Mr. Brooks stated I'm going to submit a letter for it as chairman of the board and tell everybody what we are trying to do.

**TENTH ORDER OF BUSINESS****Other Business**

Mr. Brooks stated the other business I have tonight is we need to do our election of officers for the upcoming year. If we can settle on our officers Joe will make sure that at our next meeting we can do whatever we need to ratify and put those new people in the positions.

Mr. Ramba stated we have chair, vice chair and three assistant secretaries.

Mr. Oliver stated I'm showing that Mr. Nortelus serves as secretary.

Mr. Brooks stated what we have worked out here kind of as a tradition is typically the vice chair, which at this point is Wayne Toothman we will look to have him take over as chairman. I will step out and become an assistant secretary so the issue becomes looking for a vice chair and secretary.

Mr. Ramba stated Eli has been such a good job as secretary he should move up the food chain.

Mr. Brooks asked Ms. Gray do you want to move up to secretary?

Ms. Herrera-Gray responded yes.

Mr. Brooks stated we don't need to vote on that tonight but that is our slate.

**ELEVENTH ORDER OF BUSINESS****Supervisor's Requests**

Mr. Nortelus asked is the Y pulling out of Southwood?

Mr. Prado responded no. We are working with them to try to keep them here. We have some unresolved issues that we are trying to work out with them. They are not pulling out. We have reached an agreement with them that we think will work for us long term. There are a couple minor issues that need to be worked out but I think we have a long-term agreement in place with them.

Mr. Nortelus asked what about the two empty spots?

Mr. Prado responded we are working on that. The main thing we are pursuing right now is a hairdresser type thing to go in there.

Mr. Toothman stated I have received a couple emails from the Florida Association of Special Districts about Governor Scott basically what they are saying is a war on special districts which could or could not affect us. There are 1,500 special districts in the State of Florida and there are some counties that have 60 or 70 special districts a lot of taxing overlay and I think that

is what they are going for not so much development districts like we are. I would like to ask Joe to keep up on whatever activities that are going on with that.

Mr. Brown stated our firm does. We actually monitor all of that. Cheryl Stuart keeps a close eye on all the legislative developments affecting special districts.

Mr. Ramba stated I had dinner with the governor about a month ago and talked to him specifically about that and it is a next year deal. It is something we have to be aware of we have to think about and talk about. There is some distinguishing between government districts that were created by referendum in 1914 versus development districts that were created here in 1996 and that is what they are working through but it is not a 2012 legislative session issue it will be something they determine that they may want to address in 2013. It is something we need to be aware of but it is not immediate between now and the January session.

## **TWELFTH ORDER OF BUSINESS**

### **Audience Comments**

Ms. Smith stated I have a question about lighting of our commercial areas. It seems like we have a pretty nice standard in the Southwood Community with a lot of commercial lighting looking really good and they opened the new McDonald's and I notice their lighting at night is all over the road and it is not really pointed down it is pointing up. Is there a standard they are supposed to be following or did the rest of our commercial sort of do it out of aesthetics?

Mr. Toothman stated I know what the issues are because I work at the one at Falls Chase and they are basically lighting what they call French fries and they are shooting the lights up at the French fries. It takes a lot of shielding and whatnot to get it focused in but they can do it. If you look at the one at Falls Chase they were able to focus the light where they needed it.

Ms. Smith asked so do we not have a say in those?

Mr. Toothman stated I think we have an architectural standard but I don't know if it is the dark sky initiative.

Mr. Brooks stated we will ask Joe or staff to look at that issue.

Mr. Brown stated we could do it but you would be better served to call the city.

Mr. Brooks stated that is what I mean, whoever is responsible to make a call.

Mr. Ramba stated let's ask them because I have noticed that too. There is a way for them to shield that just like they do with turtles in Daytona Beach and everywhere else so if we can ask

them what is the standard. They are going to put in whatever their basic package is if we can get them to do an upgraded package that would be nice.

Mr. Brooks asked what you are saying Wayne is that is an issue that we should just report to the city that we don't think their lighting is consistent with what their permit or whatever it was?

Mr. Toothman stated I don't know if we can go that far but we can certainly make the statement that their lights are bleeding out of their property onto our property.

Mr. Ramba stated maybe impacting traffic.

Mr. Toothman stated I suggest we do a letter to them.

Mr. Brooks stated we will send them a letter.

Ms. Smith stated the only reason I'm thinking we have standards is because of the lighting we have now and the courthouse used to have a lit dome and that went away. There seems to be a standard out here.

Mr. Powell stated a few meetings ago there was a discussion of revising the habitat management plan and I wasn't sure what had happened on that I wasn't at the last meeting.

Mr. Brooks stated we are still in process. Robert is who you need to supply your name to if you want to participate and I'm going to help as the supervisor representative on that effort. We have had people say something in the audience but that has been it.

Mr. Berlin stated I was trying to get everybody together who wanted to participate for a meeting. It has been tough trying to get everybody together. We did the same thing with the lake.

Mr. Ramba stated we have a responsibility to do that and there are some issues. Everybody knows that all the fox squirrels die on Blair Stone Circle because there are great big oak trees there and they like to go there.

**THIRTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – November 10, 2011 at 6:30 p.m. at the Southwood Community Center**

Mr. Brooks stated our next scheduled meeting is November 10, 2011 at 6:30 p.m. here in the Southwood Community Center.

On MOTION by Mr. Ramba seconded by Ms. Herrera-Gray with all in favor the meeting adjourned at 7:45 p.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman