

**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 7, 2010 at 6:30 p.m. at the Good Samaritan United Methodist Church, 3720 Capital Circle SE, Tallahassee, Florida.

Present and constituting a quorum were:

Mary Lee Kiracofe	Chairperson
Barry Brooks	Vice Chairman
Alan Hanstein	Supervisor
Jorge Gonzalez	Supervisor
Wayne Toothman	Supervisor

Also present were:

James A. Perry	District Manager
Joe Brown	District Counsel
Abe Prado	St. Joe Company
Robert Berlin	Operations Manager - GMS
Norman Robertson	PBS&J

FIRST ORDER OF BUSINESS

Roll Call

Ms. Kiracofe called the meeting to order.

Ms. Kiracofe stated I would like you to consider an adjustment to the agenda. I would like to recognize Glenda Conley who is here representing the SouthWood Business Owners Association and if we can move audience comments to the first of the meeting and also have it at the end in case other people come in.

On MOTION by Mr. Hanstein seconded by Mr. Brooks the agenda was adjusted to have audience comments at the beginning and also at the end of the meeting.

Audience Comments

Ms. Conley stated I appreciate the opportunity to speak with you. The SouthWood Business Association is one year old. We started meeting together a year ago in September and

monthly since then. We made our organization up of business owners and managers in the SouthWood area and anyone else who has an interest in the business community here. We really want to see more visibility for our businesses particularly at the entrances to the SouthWood Community and we think that is really important to help our community grow and help the business community in particular grow and sustain itself. That is important to attract new businesses and it seems like that is on everybody's wish list. We would like to see more businesses out in this area. We meet as a group on a monthly basis, we network, we have speakers. We learn about events and activities that are affecting us as a business community and a couple of months ago Wayne was our speaker and at that meeting there were questions raised about the signage at the entrances. We were encouraged after your meeting that month to form a committee and meet together and come back and try to bring some proposals to you. We have had three or four meetings as a committee and we have focused primarily at the entrance at Blair Stone and at Merchants Row. We have met with two people from the city's sign division of the growth management department and they were most helpful they reviewed all the code requirements, made suggestions to us about what might work and what wouldn't work, what the setbacks were, what the city allowed for currently and possible amendments to the code that might be coming. They told us the code is really old, the sign ordinance is very old and they envision some updating of that at some time in the future. The locations that seem to best meet the city's requirements are those strips of land the CDD owns because of the setback requirements from the pavement. We literally walked out there and looked at that. We feel like an electronic sign would probably best meet the businesses needs and we already have a prototype now for a high school so once we saw that we said this is exactly the kind of thing we were thinking about. We think it would create additional awareness of the businesses and the business park and in Town Center. We are concerned about the commuters who are coming into SouthWood everyday, the residents who live here everyday, not so much the people who use Capital Circle to get to the airport coming from downtown but eventually we would like to see SouthWood as being a destination for dining, shopping, entertainment and professional services. We feel like more visibility you can give the community the sooner that kind of thing is going to happen. We even talked about how we pay for it and we feel like businesses who want more visibility would be willing to pay an annual advertising fee and capital costs for construction but within a reasonable amount we think most of the businesses, certainly me and the other members

of the committee said yes, we would want to buy in on advertising so that we can be in that rotation on the electronic sign. We would propose that the business association determine what is acceptable and certainly the city code has some parameters about what you can and can't put on these things. We would be willing to take on that responsibility if that was your desire.

We found out there were already plans in the works for a sign at Capital Circle so we thought this is just timing things coming together and we would like to be a part of that planning process because we realize there are going to be permit applications, there are going to be some code amendments and we are so happy that this is the time apparently to become involved. We think that this kind of visibility will make that vision of SouthWood a destination a reality.

Ms. Kiracofe stated thank you. I appreciate all the effort you put into this. I know it has been time consuming and you have an ultimate goal in mind and you have been working on it for quite a while so I appreciate first of all you coming and sharing this with us. I had a couple of questions for you and I know other supervisors do as well. Who at the city did you meet with, do you recall?

Ms. Conley stated we met with Ann Randolph and Anthony Maccaron.

Ms. Kiracofe asked they are with growth management?

Ms. Conley stated yes they are in the growth management department. Ann is the supervisor of inspection services. Currently they know all things "signs".

Ms. Kiracofe asked beyond the code of the signage what changes to the PUD would this require?

Mr. Gonzalez stated I'm not sure specifically which ones they require but it would be pretty easy to itemize.

Ms. Kiracofe asked cost associated with changing the PUD is there any cost associated with that?

Mr. Gonzalez responded I don't think there would be much cost to do that. It is probably just striking and adding some wording to the PUD.

Ms. Kiracofe asked would you own and operate the sign? Would your business association be the owner of the sign or are you asking the CDD to grant an easement or are you still hashing that out?

Ms. Conley stated I think that is something that we would want to discuss with you if the CDD wants to own it and then take the revenue to support the construction and maintenance of it

and have us do the busy work kind of thing. That is probably one solution. The business association being that we are only a year old we are on the verge of becoming an official organization with articles of incorporation probably sometime in the next six months. Since we are not a legal entity we really couldn't own anything right now but I can see that in the future I just don't know if that is the way you want it. What would you prefer?

Ms. Kiracofe stated I understand tonight your intent is not to ask us to make a decision but to open the discussion, let us know what you are finding out, what you recommend and then we open it up for discussion and we can discuss it as a board and you would be available for questions.

Mr. Hanstein stated thanks and I can probably shed some light. I was the school board member who worked through the Florida High sign so I have a little insight I did work with Anthony. It was a long process as I think this always is in getting that approved. I also had to work with a committee different from the ARC but is specific to commercial and other property, he had to approve the architectural design of the sign as well. A few things that would be different although that sign is a great asset and a great value, because it was not specifically in any of the other restricted zones we did have to go through permitting but it wasn't considered a billboard. Also by the type of content we have on it I suspect that from our conversations with them asking us what we have on it that you might because it is forward facing on the street and it is viewable if you have business information out there that you might have to go through another hoop which is that whole other billboard committee they have and what a billboard can have and how that gets permitted. The only other thing was that it was expensive so that is part of the conversation. Knowing what we paid for the sign at Merchants Row which was expensive as well adding the LCD portion especially if it is only one side, Florida High has two sides, I wouldn't think would be a significant increase. Part of that from the Florida High side if you want to talk about that offline who the vendors were, get information about that I would probably try to get all those ducks in a row, find out how much it costs. From Anthony's standpoint I think they are more just the nuts and bolts like putting up a sign from growth management but I think there are other people that we had to talk to as well and I would definitely get with Mark and his group in the neighborhood as far as part of that design and what it would be and whether he would approve it. Just personally I think it is a good idea to have something. If it is not that I would love to see just business names out there. We have been fighting for that for six years to

get just business names out there, even since Houston's was there. Hopefully, we will be able to provide something if you can work this out.

Ms. Conley stated one of the things that the committee discussed if it were an electronic sign it really would be limited to essentially the name of the business and maybe the logo. There would not be the event and "call us this week because it is life insurance awareness month" there wouldn't be any of that. We like the idea of the electronic sign because if you try to do a monument sign and you have plaques and you only have five of them and there are twenty we didn't like the idea of that. One of the things that growth management told us was that currently those signs can only rotate every so often but we thought better to have it up there for this period of time and I will catch this commuter today and then maybe they won't see me for two or three days but they will see me next time. We were all willing to take that rotation into consideration.

Mr. Hanstein asked if there is a commercial property owner in the neighborhood if for some reason wants to but can't afford it we don't know what the pricing is or they don't participate do you feel that because of the way you are charging to recoup the revenue do you feel like it should be open to all vendors that are in Town Center and around the neighborhood or should it be restricted? This is just something to think about because you might have some businesses that want to participate but for some reason they can't afford it, you may be pricing them out of that market whereas if it is done by the neighborhood and is open to everybody maybe that might be something for the board to take if it is a CDD sign.

Ms. Conley stated some people may not feel the need to have a sign it is just like anything else, newspapers, radio, some people don't feel like they need that visibility so I would prefer that people who want to participate have that option but there again the cost might make a difference.

Ms. Kiracofe asked can you reiterate the ideal location?

Ms. Conley stated the southeast corner by CVS there is a strip of land the CDD owns and there was another one that we couldn't identify on the city map that belongs to St. Joe. The tag on it had owner undisclosed or something like that.

Ms. Kiracofe asked Abe the big sewer thing is on the north side of Merchants at Blair Stone?

Mr. Prado responded that is on the south side.

Ms. Conley asked of Merchants or Blair Stone?

Mr. Prado stated of Blair Stone.

Ms. Kiracofe stated it is on the CVS corner.

Mr. Prado stated it is 40 foot utility easement right there south of Blair Stone Road where the 36" force main runs.

Ms. Kiracofe stated that could present an issue.

Mr. Prado stated you mentioned the entry feature and that is one of the problems we encountered is that the utility department doesn't want anything within that piece.

Mr. Brooks stated first of all déjà vu all over again. This was an issue I brought up shortly after I came to the board but from a perspective of really a homeowner the business concept I am with you, would offer an opportunity for better communication if the CDD looked at it for events here in SouthWood as well, particularly if it is an electronic sign that you could adjust the message on. If there is a homeowners' meeting tonight or there is a CDD meeting tonight we would be able to inform the neighborhood. I think the concerns that came to me and I guess they would still be out there on the table when I brought that proposal up, obviously besides the cost and I think I was looking based on some experience from my office, depending upon the sign and whether it is color, etc. you are looking at \$17,000 to \$25,000 for the sign and there are multiple vendors that are able to do it and I can connect you with some too because we put some on but it is the aesthetics of the neighborhood. I hear what you are saying about the monument signs. I don't know that having a big monument sign is necessarily something that we would like to see in the neighborhood. An electronic sign, if it is done tastefully, is a way to start getting information out on the street so I'm with you on that. Another point too is the City of Tallahassee is really behind as far as their ordinances go on their signage because it was actually an appeal that I drafted and submitted to Jim English that has thrown that sign ordinance into the hopper again for the commission to start looking at. They had told us that one of the signs we put up with the tax collector that it was an illegal sign and we had to shut it off and basically I told them forget it, it is going to stay running. You approved the permit it is a governmental entity and there is an exception for a governmental entity so there is a way I'm going here too. If it is a CDD owned sign then you fall into that kind of category that we fell into as a tax collector, it is a governmental entity but then you run a risk that it has to be for a public purpose but I think from what I understand from my sign vendors because they were wanting me to sign some kind of petition that they got going around right now that they are

trying to get back into what can be on these signs. Because they have put a lot of these signs up in the community and they have the spine structure, etc. but there is a lot of investment already there. I think the commissioners are going to get a lot of pressure from not just the business community think of the banks that have invested in color signs and all this so it will probably be revisited soon. It may be something that you want to wait before you really sink a lot of money into as a business entity to make sure the City of Tallahassee is going to support it, just some caution.

Ms. Kiracofe asked if you get to advertise multiple events or businesses does that take it to the stage of being a billboard and makes it fall into a whole new category?

Mr. Hanstein stated we have another one at Florida High on the football field and we had to go through a whole other process with that and that effectively is a billboard because we are advertising companies. A lot of it has to do with who owns the billboard and what you are advertising. There is Piggy's on Capital Circle, Piggy's can advertise information stuff about Piggy's. They can't put up American Express shop here or Allstate they can't put up somebody else's information. Then it gets to a billboard and they have a whole other structure for billboards and there can only be a certain amount of them and where they are. On Florida High we had a little bit better luck one of the reasons it sailed through in only six months was that it is on a dark corner, there are no homeowners over there, it couldn't be seen we told them we would shut it off at 9:00 p.m. every night it is automatic it goes on at 7:00 a.m. There were a bunch of other hoops we had to jump through, the football one is only on during a football game it is off as soon as the game is over. For everything they had another rule.

Mr. Brooks stated that is part of the problem and that is what my argument was to Jim, number one, it doesn't apply to us in the appeal which I think he went with and number two, this is a moving target based on the whim of Ann and Anthony. I think that kind of resonated. They told us 10 second transition or 6 second transition I'm just saying I think it needs to get codified before you go forward.

Mr. Hanstein stated it definitely sounds like a good conversation to get started with.

Mr. Gonzalez stated I think everybody has good suggestions but before you get too far down the road and folks spend money and resources and time something else to consider is signs is one of those things that people tend to have opinions about. With the visibility of the location you are talking about I think it would probably be a good idea and I don't know the conduit

maybe there are a couple different ways to do it to gather some grassroots kind of support and if not support at least awareness within the community so you don't get too far down the road and then have surprises particularly if you have to do things like amend the PUD. If you have to amend the PUD that has a public realm connotation that when people find out about it through their notice people tend to react to it in a different way than if you found some kind of grassroots level public awareness of it.

Ms. Conley stated I appreciate that because in the committee we talked about going to the homeowners association and talking with them but we felt like we needed to know what kind of direction we would get from you because being the governing body if we had your support first to move in the direction then we would then be able to go to the homeowners and maybe have a little more concrete type proposal to tell them instead of just we are thinking about a sign what is your reaction. I do see the point of the visibility part and that is why at the corner or Blair Stone and Capital Circle if that sign faces into the intersection then you really don't have any homeowner displeasure similarly the sign is reconstructed down on Merchants Row maybe we just add the digital picture to it that is already there. I am not an architect maybe it is better to construct something new and that is to be determined but again that doesn't face anybody's house and we would decide what the time parameters would be. We did have those discussions with Ann and Anthony about how Ann made it would be how often it changes, what could be on that line, the civic center can advertise events, churches can have what they have versus the billboards and maybe some of the push back you might get from the billboard companies and we were looking for a way to make ourselves more visible and be able to better serve the community.

Ms. Kiracofe stated thank you for bringing your progress report to us. I hope you have gotten more information so you can take that back to your committee.

Mr. Toothman stated I appreciate your time.

SECOND ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the September 9, 2010 Meeting**
- B. Balance Sheet as of August 31, 2010 and Statement of Revenues & Expenditures for the Period Ending August 31, 2010**
- C. Treasury Report – August 31, 2010**
- D. Allocation of Assessments**

E. Check Register

Mr. Perry stated item two is approval of the consent agenda. We ask if there are any items the board wants to discuss regarding the consent agenda?

On MOTION by Mr. Brooks seconded by Mr. Hanstein with all in favor the consent agenda items were approved.

THIRD ORDER OF BUSINESS**Discussion of Landscape RFP****A. Bid Package**

1. **Notice of Solicitation**
2. **Instructions to Proposers**
3. **Organization Information of Bidder**
4. **Non-Collusion Statement**
5. **Acknowledgement of Receipt of Documents**

B. Services Requested Detail

1. **Scope of Services**
2. **Landscape Service Agreement**

C. Maintenance Bid Forms

1. **Bid Sheet**
2. **Project Map**

D. Evaluation Criteria

Mr. Brown stated basically there is an outline in the agenda of what is going to be in the bid package starting with item 3A down through 3D. We talked about this before and the timeline we are looking at is to run an ad in the Monday Democrat. The package will be available starting Tuesday of next week at noon. We are planning to have a mandatory prebid meeting with all the proposers on the 20th, that is 8 days after the packages are first made available. The intent with the prebid is just to sort of introduce everybody that has picked up packages to the district, see if there are any additional questions and let them all do their drive through with Robert to see the district and see what they are submitting bids to maintain. We are

anticipating to make the proposals due on November 8th in advance of the November 17th board meeting. That gives us plenty of time to get the packages in and get distributed out to the board for their review in advance of the board meeting.

In the past we have talked about doing a committee and I was going to bring that up one more time. I think the board's opinion was there was no reason for a committee I think the board just wants to review it directly so the committee doesn't really fit in. I just wanted to confirm that is the case.

Ms. Kiracofe asked is there any change in opinion on that, that the whole board would review?

There not being any,

Mr. Brown stated unless there are questions about any of the particular items in the bid package the only other thing I wanted to discuss with the board is the evaluation criteria which is the final item in your agenda before we get to staff reports. In particular I wanted to see if there is any direction from the board on evaluation criteria no. 6 which is geographic location or local preference. The way I have set this up here for review is allocated 5 points to it and created a geographic area that consists of a five county region, Leon, Wakulla, Gadsden, Jefferson and Liberty. This is how I see it, it is a local preference so you are providing some degree to manage bidders from some locality however you want to define that is one of the things, whether we want it to be five counties or do you want to narrow it down to just Leon County. The other issue being how many points to allocate to it because obviously that is the other part of the preference (1) are you within this area the board has defined and (2) what degree of preference are we providing. I think 5 points is maybe a little high that is just my opinion but the way I look at it is all things being equal if you have two proposers that were all even scores maximum points in all the other categories 5 points is 25% of the total points you can get for price. If you view it in terms of difference in price it is 25% of that category which is fairly significant in my mind. I don't know if the board wants to consider lowering that. I think Jim feels like 5 is okay as long as there no set rule on this I just wanted to raise the issue because I wanted to be sure that I had board direction on what you are comfortable with including the scheduling.

Ms. Kiracofe stated I think our ultimate goal is that the proposal be considered fair, ultimately fair to all bidders. I have no problem with the five county area or the amount, the 5 points that is ascribed to that.

Mr. Brooks stated my preference for the geographic location I was looking for just solely Leon County bidders. I don't have a problem reducing that to 2.5, cut the 5 in half but if it is a Leon County firm then that is the preference they get. I say that for the fact again we are a community development district located solely in Leon County and we don't cross into these other counties that are provided. I would like to show our preference to keeping the work here locally or the business here locally. If you are uncomfortable with that as opposed to this I would prefer seeing it go off altogether. My opinion is it is Leon County or it is nothing and I'm fine with nothing too because in the State of Florida there are natural preferences to state firms in Florida's procurement purchasing rules and statutes. I would just prefer to see us give favor to our own county.

Mr. Hanstein stated I agree with Mary Lee I am fine with the five county area. The 5 points if this is an absolute 5 points and the supervisors don't have a specific say in it then I think probably reducing that to 3 or 2 ½. It is almost at that point though such a nominal amount that it is like we recognize that local is important.

Mr. Brown stated it is still a preference the way this is set up is you either hit it or you don't and 2 points can make a big difference out of 100 total points.

Mr. Hanstein stated I will throw in that I like the five county area because I do think you might have a vender who is in Jefferson that still participates in our local economy, might even live here but because of the necessary infrastructure bases their company in Jefferson or Gadsden or Wakulla. I won't lay it on the points I am fine with 5 points. I'm fine with it the way it is.

Mr. Toothman stated we are a DRI, development of regional impact, so our region is basically this 5 county region. Is that a fair statement?

Ms. Kiracofe stated so you are okay with the 5 counties. What about the point value?

Mr. Toothman stated I think the points are fine.

Mr. Gonzalez stated I think the 5 points and the 5 counties are reasonable.

Mr. Brooks asked is that accurate that the DRI is considered this 5 county area that is provided?

Mr. Gonzalez stated it is actually a broader region, the Regional Planning Council covers even more counties than that.

Mr. Brown stated for the record I wasn't sure from the previous meeting, a couple months back when we discussed this, what the actual direction was and what we were pursuing.

I do remember that Barry at that time suggested Leon. I kind of pulled these out of my hat because they border on Leon County and I put them in there as a basis for us to talk about how the board wanted to define it.

Mr. Hanstein stated I was curious how Liberty got in and I was going to ask that because that is the one county that does not touch Leon County but I'm fine with all 5.

Mr. Brooks stated just for the record I think I want to offer a motion.

Mr. Brooks moved to strike consideration of a graphic location and just rely on State Statutes and general purchasing requirements of the State of Florida.

There being no second to the motion the motion dies for lack of a second.

Ms. Kiracofe asked Joe, do we need to take action on this proposal or do we still have questions?

Mr. Hanstein stated I want to roll back to 4.1.5 under fertilization. Do I recall that 4.1.5 I know when Robin does this do you have to have somebody who is licensed? I saw some verbiage in here but I didn't see anything specific to that. I saw it specific to the chemicals but not to the applicator, to the person applying. I just want to make sure we have it in there. If we approve this it could be motion subject to making sure that language is in there.

Mr. Toothman stated I believe we are covered under (h) all city, county, federal regulations.

Mr. Hanstein stated we are making the blank statement that those regulations would require the applicant have a person to do that and that is covered, that is fine.

Mr. Berlin stated it clearly states, will be licensed for the use and application of same.

Ms. Kiracofe stated I would like to add that first of all I appreciate Robert and staff putting this together. I know this was a lot of work. I appreciate the personnel dress code part since it says we are a family community and so forth so I think it is important to have that in there. I appreciate adding that part.

Mr. Toothman asked while we are on fertilizer the 1 pound of nitrogen per 1,000 square foot is that in excess of the best management practice for fertilization?

Mr. Berlin stated it is in compliance.

Mr. Toothman stated we do want ant treatment and I didn't see where we have ant treatment in here.

Mr. Berlin stated ant treatment falls under insects, 4.1.6 and it is called out in that number not just fertilization but a number of places. I also have sort of a catch phrase and all of that if we get complaints where I see ants then I can go to the contractor and say you need to do another application here. It is not unlike what we are doing right now when we spot a nest we get it. There is a line item in there that says your insect control is everyday, every time you are out walking around looking, mowing and picking up trash you are also looking for insects. If you spot ants you treat it. If there is a problem with that if it is an epidemic of ants and you are losing money then you come and talk to me and we will make a decision on whether we are going to pay any more money. I put it in there because ants are ants they come out when it rains a lot you have to hit them and then when it is dry and hot like it has been you don't spend any money on ants. You have to look everyday not just for ants but for other kinds of bugs. We constantly have to look and that is what is called out.

Ms. Kiracofe asked what action do we need?

Mr. Brown stated a motion to approve the landscape RFP.

On MOTION by Mr. Brooks seconded by Ms. Kiracofe with all in favor the landscape RFP was approved.

Ms. Kiracofe stated I would like to add that this color coded master plan map that is part of this is so helpful. I recommend that for all the new supervisors who take our places on the board they have this in their packet every month because it is very helpful with all the unit numbers.

Mr. Hanstein stated I wanted to thank Robert and the rest of the staff again for putting that together and working on it for a solid amount of time to get it right and hopefully that will benefit the district with some accurate proposals and hopefully some proposals. I know last time we only had a couple and hopefully we get some that come in that everybody is happy with the actual RFP.

Mr. Berlin stated we will be supplying an electronic copy in with the package of the maps if they want to blow them up bigger. Post Buckley sent us some maps in 24 X 36 format. These we just finished, Mario Vecechio and I, we made some changes to that one to make it even

clearer than the existing maps that are out there plus he added a few more just so you could learn about SouthWood. The other electronic thing will be the bid sheet if you want to put it on your computer and do it. We will check everything but we thought it might easier. What you are seeing now is something just to look at.

Mr. Toothman asked how do we notice people that this is on the street? If they come to me or one of the supervisors are we allowed to speak to them or do we just shy away from it?

Mr. Brown stated that is fine. One, we run the ad which is sort of like the baseline but we can reach out if you think there are particular companies that we think might be interested in submitting a proposal there is nothing to stop any of the supervisors or Robert for that matter calling them up and saying we are issuing an RFP, the ad will run on Monday, packages are available you can pick them up when everybody else can. On the other hand you don't want to get into detail about anything or appear like you have given anybody an advantage or the inside edge or find corners to cut to potentially win the bid or something. But there is nothing wrong with anybody saying there is this RFP if you are interested go get a package.

Mr. Brooks asked it will be available on our website, right, so somebody can pull it from there?

Mr. Brown stated we can but truth be told really I want people to come pick it up because we need to be able to keep a record of who has picked up packages, who has come to the prebid meeting.

Mr. Perry stated a copy of the ad we can place on there that way it references back.

Mr. Brooks stated my point is not necessarily for the people who are bidding that is not who I was contemplating. I was thinking of the residents who may be particularly interested like Wayne was going through the fertilizer.

Mr. Brown stated this should already be on the website.

Mr. Perry stated I don't know that it is.

Ms. Bishop stated the agenda package is on the website.

Mr. Brooks stated as long as it is posted.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Attorney

1. Memorandum

Mr. Brown stated I have one thing to follow-up from the last meeting, the board's discussion about liabilities associated with tree maintenance. Generally with respect to falling limbs or falling trees that kind of thing it is essentially a negligent standard, a reasonable person standard. It kind of boils down to whether the district has actual or constructive notice that a tree or a diseased limb poses a danger to somebody's property or personal injury or something. We are talking about a very fact intensive inquiry and there are a number of cases out there that deal with this issue so depending on the facts you have and the judge you are before you will see a spectrum of cases dealing with different fact sets that may or may not find that you are liable under that negligence standard for damages resulting from a falling limb or tree. Basically, we need to do what we have been doing which is we have a landscaping company that is out there all the time and when they see something that looks like a diseased tree or tree that is posing a danger that is something they need to deal with and the district needs to deal with. A different stance with respect to plant or root growth that might be protruding from district property onto adjoining property, we don't have any obligation to trim back limbs that might overhang on somebody else's property as long as there is no reason to think it poses a danger to that person's property or roof for that matter. They have a right to trim it back to the property line at their own expense if they want to do that. If we had a root that was growing through and potentially damaging somebody's foundation they can trim that root back but we don't have any obligation to come in and take care of the issue. The same is true with respect to root growth into the right of way or in sidewalks. That can change for instance if Leon County were to pass an ordinance that required businesses or if you plant a tree in the right of way or something you are required to maintain that or keep that root growth back from interfering with the asphalt or sidewalks then we would have that duty or if you voluntarily undertook a duty of maintaining the root growth from interfering from the sidewalk or the asphalt then we could expose ourselves to liability. I think at this point we don't trim back roots or prune anything then we haven't undertaken anything like that. The one other scenario that you commonly see is where you have limbs protruding into a right of way that might be covering up a street signal or stop sign. In that case if there is an accident as a result of a motorist not being able to see a stop sign or street signal and is caused by growth from a district maintained, owned tree then of course we would be subject to liability in that event as well. That is sort of the spectrum of general groups of facts and scenarios and the extent to which the district might take some action.

Ms. Kiracofe stated that is good information.

2. Consideration of Quit Claim Deed for SouthWood Plantation Road Right of Way

Mr. Brown stated the second item is consideration of a quit-claim deed for SouthWood Plantation Road right of way. There are two items in the agenda, one is a quit-claim deed itself and behind that you will see a page from the plat for SouthWood Unit 26. We can start with that one. You can see there are two dotted lines running through Block B lots 22 and 23 and one through Block C lots 9, 10, 11 and 12 up to the top of the plat. That is the Old SouthWood Road right of way. A long time ago St. Joe deeded the district an easement over that right of way for construction purposes. Obviously, that property has now been developed and essentially St. Joe is going to ask the district to quit claim deed any interests it has in that right of way so that those lots don't have a construction easement running through them. In my opinion it is really a non issue it is just a quit-claim deed it is not a warranty deed. It seems pretty straightforward to me.

Ms. Kiracofe asked do you see this as a housekeeping matter?

Mr. Brown responded yes it is basically a housekeeping matter. A while back we did a construction easement over the entire project which provided for releases when lots were transferred to third parties so we still have easement as necessary for the district to do any future construction and of course, this plat I don't think this page has the dedication but for instance you see the common area there to the north that has been dedicated to the district by plat and of course the roads are public. This is just a minor housekeeping item.

On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor the quit-claim was approved.

B. Engineer

1. Consideration of Unit #35 Sinkhole Repairs

Mr. Robertson stated the first item is consideration of change order no. 8 to Sandco for the construction of Unit 35 infrastructure. This is for an increase of \$9,030. This is a lump sum amount to repair several sinkholes that have opened up in TR209. Part of the permit required that these sinkholes be repaired in a very specific way, which includes undercutting the side banks to 2 foot below the pond bottom and replacing it with geotextiles and then backfilling in

places and sod back over it. This is \$9,030 is to repair all of the sinkholes that are currently in that pond.

Ms. Kiracofe asked the funding for this would be advance funding by St. Joe?

Mr. Robertson responded I believe it is going to come out of the 2008 bond if there is any money left over in that then if it is insufficient then it will be advance funded from St. Joe.

On MOTION by Mr. Brooks seconded by Mr. Hanstein with all in favor change order no. 8 to Sandco unit 35 sinkhole repairs in the lump sum amount of \$9,030 was approved.

2. Consideration of Esplanade Pavement Overlay

Mr. Robertson stated the next item is two proposals from CW Roberts. I will start with the proposal for the Esplanade in Tallahassee. This is to essentially put the second lift of asphalt on Esplanade north of Blair Stone through the round about and all the striping associated with that. You will see this is currently a unit price. We originally received a lump sum that we felt if they went under this was more of a not to exceed cost using \$82 per ton of asphalt. That is the same cost we got when we overlaid Four Oaks. You will notice there is a reduction, a credit for 125 tons of asphalt. When CW Roberts put the asphalt down on Four Oaks Boulevard they used 125 tons less than they anticipated so they are crediting it to this project. Our recommendation is to approve this contract for \$51,966.

Ms. Kiracofe asked the funding for this will come from the 2002 bonds?

Mr. Robertson stated this will come from the 2002 bonds unless those are insufficient in which case St. Joe would advance fund.

Ms. Kiracofe stated when you say round about you mean the end of Esplanade.

Mr. Robertson stated it is a cul-de-sac not a round about.

Mr. Brown stated if the board is going to consider this for approval the 1% bond whether the board wants to waive that bond requirement.

Mr. Robertson stated they did say there was an additional 1%, it is the same situation that we had on Four Oaks as well where you did approve the proposal.

Mr. Brown stated on Four Oaks it did require a bond. This is a smaller project, which I guess would be one consideration to take into account here. There is a statutory scheme depending on the amount, a contract under a certain amount the board is allowed to waive the

bond required. Over a certain amount you can't consider waiving it. These are smaller contracts, well below the threshold so that is why we have the issue of whether to waive it or not.

Mr. Brooks asked have we been asked to waive the bond?

Mr. Brown responded no, if you look at the proposals they just indicate that they don't include it in their price they indicate that for the bond it would be 1% extra.

Ms. Kiracofe asked what is your recommendation?

Mr. Brown stated it is \$519 and the other one is only \$18,000.

Mr. Hanstein stated that is the bond price but the bond covers the entire project.

Mr. Perry stated correct.

Mr. Hanstein stated to me it is worth the \$500 I would rather require it and add the 1% on top.

On MOTION by Mr. Brooks seconded by Mr. Hanstein with all in favor proposal 928 from CW Roberts for the second lift of asphalt on Esplanade north of Blair Stone through the cul-de-sac in the amount of \$51,966 plus the 1% bond was approved.

3. Consideration of Unit 29 & 35 Pavement Striping

Mr. Robertson stated the next proposal is 928A and this is for SouthWood miscellaneous striping. This is a proposal to do the striping in Unit 29 that has not already been finished because there is one stop bar on Goldenrod, all the striping on Mossy Creek that is within the 29 boundary which I believe is a couple hundred feet south of Goldenrod all the way up to Orange Avenue and then the striping along Orange Avenue. There are three separate costs within the proposal, Orange Avenue was for \$13,705, Goldenrod was \$200 and Mossy Creek was \$3,835. It also has the 1% bond option if you choose it. It is our recommendation to approve it.

Mr. Brooks asked I notice on Four Oaks when they put the yellow striping down they have it right up against the median again where I thought we were trying to move them off the median a little bit like we did on Blair Stone and Four Oaks. Is that the final striping?

Mr. Robertson stated that is not the final striping and we will discuss that with them. There is a thermoplastic that is permanent there that can't go down until 30 days after the second lift has been placed.

Mr. Brooks stated the point is that is what I thought. So good, just remember that if we can, to move it off the shoulder.

Mr. Prado stated there is a section of Four Oaks that was not built to put the extra foot of asphalt on there. We will go back and check but it might be that there.

Mr. Brooks stated just keep that in mind when they are doing this striping on this project.

Mr. Toothman asked why do we have to come back and do thermoplastic it is a relatively new road. Was it not in the contract?

Mr. Robertson stated I believe that we didn't put the second lift of asphalt on all of Unit 29 and 30 I believe those came in several different times and we usually try to do that because there is construction of homes and it tears up the road and that tears up your striping as well. I believe that is one of the major reasons that we waited so long to put this on. Now, all the asphalt has been laid for all the alleys and all the roadways out there and most of the homes are built it is time to put it down.

Mr. Toothman asked with all this the city accepts the roads?

Mr. Robertson stated yes.

On MOTION by Mr. Brooks seconded by Ms. Kiracofe with all in favor proposal 928A from CW Roberts for Orange Avenue, Goldenrod Way and Mossy Creek in units 29 and 35 pavement striping to include the 1% bond was approved.

Mr. Hanstein asked when the thermoplastic goes down on Four Oaks we had already contracted for the RPMs in that same cycle.

Mr. Robertson stated yes.

Mr. Hanstein stated so that is 30 days and that has been down a couple of weeks.

Mr. Robertson stated a couple more weeks. I think they are going to try to do all of that because CW Roberts will probably do all the striping at one time so it may be 30 days after Esplanade is paved. That would probably be the most beneficial.

Mr. Hanstein asked does Mossy Creek have a second lift yet?

Mr. Roberts stated yes.

Mr. Berlin stated except for that last section which it is going to have.

Mr. Prado stated Four Oaks has the final lift all the way. It is just the turn lane on the very last piece.

Mr. Berlin stated to add to that when they do that turn lane they are going to put down all the RPMs, the additional stuff that you approved earlier in the year. It is the same guy doing everything. We are back on the same page.

C. Property Management Report

1. All Pro Reports

Mr. Berlin stated the first section as usual is the All Pro weekly reports.

2. Operations Memorandum

Mr. Berlin stated the next thing is my report.

3. Variance Report

Mr. Berlin stated FL 130 is a real pretty pond and that has been approved. I do not have the operating permit but I know it has been sent out. Norm got me the letter that Post Buckley generated a long time ago and handed that to growth management, they accepted the pond, the operating permit is in place and it will probably get to our St. Augustine office and it will come back and I will be there. No one has called me to tell me anything out of the ordinary. I did have a board member tell me there was a light bulb down, two of them went down that night they were fixed the next day. I apologize I still have not gone to the lake and sampled it yet but I spoke with the lab and they said the chemicals have a shelf life for a year or so and that is fine. I will try to get to it as soon as I can.

Norm spoke about the erosion on TR 209 they will be working on that real quick. I got a call from Creative Child and they were wondering why we couldn't put a curb cut in right across the street from them so the mothers wouldn't have to bump the strollers over the curb to get onto the walking trail. If you are familiar with that area right there when we built that originally with St. Joe that area is filled up quite a bit and so it drops off there are some retaining walls there. I told her that I would bring it by the board to let them know that there was somebody who requested that but in order to do that we would have to go to growth management and ask them if we could go in their street and put a curb cut. I did leave a message but haven't heard back.

Mr. Robertson stated that should actually be public works.

Mr. Berlin stated public works okay. On the plan the cut is up the roadway so you just have to walk a short distance to get into the park.

Ms. Kiracofe asked is there a safe way for them to get from Creative Child into the park?

Mr. Berlin stated they have to go through the crosswalk. They go down to Shumard cross it at Shumard go up to Terrabone Grove Park and cross right there where the curb cut is. When I went back and looked at the master plan that is where that is supposed to be otherwise we would have curb cuts everywhere.

Ms. Kiracofe stated they are not asking for a curb cut from the front side of Creative Child.

Mr. Berlin stated they want one on Grove Park on the park side so they can come across that crosswalk that continues down along Grove Park. Now if they cross right there they have to bump up over the curb and then it drops off quite a bit to get down to there. I don't think we want to try go there and just to build that little piece of sidewalk itself even if it was approved would be quite costly you have to bring in a lot of fill and everything.

Ms. Kiracofe asked is it a safety or liability issue?

Mr. Berlin responded no, people walk across Grove Park wherever they want to walk across and I guess some of the mothers probably complain that it bounces the kids a little bit. It is just the nature of the beast.

Mr. Hanstein stated even if we put the curb cut there, there would be no crosswalk. It is not like there is a crosswalk right there.

Mr. Berlin stated ideally where they come out of the parking lot after they drop the kids off and get their baby in the stroller in the parking lot they come out where the parking lot is. There is a curb cut that goes through the driveway but they wished there was one on the other side so they could just wheel right across.

Mr. Hanstein stated I was worried that somebody would think it is an implied crosswalk and there is nothing defined there and that is a corner traffic kind of moves around and there are probably sight limitations which is probably why they put the stop signs on Grove Park on the other side.

Mr. Berlin stated you could go down to the park crossing but the problem is there is a legitimate crosswalk there but if you put the cut there that is where the fence and retaining wall is

and it drops down. You would have to put stairs and you haven't accomplished anything. That is what I tried to explain to the young lady but I will call her back. I just wanted the board to know just in case you were approached.

Mr. Brooks asked didn't Gil look at all of that when we did that cut?

Mr. Robertson stated when we made the cut from Ivy Green Trail we originally looked at doing two locations and one of them was right by that daycare center. We looked at it and spoke with public works about it and my recollection was there were two problems with it. One, they didn't want to have the mid block crossing because once you put that cut in it is implied that it is a crosswalk and then you have to put a stop sign up or at least caution signs and there was a lot of liability there. The other problem was you couldn't meet ADA code and since it connects to a city street you have to meet the ADA code even though the path itself does not meet ADA, you have to meet ADA getting to the path. The only way to meet ADA was to do switchbacks, which became cost prohibitive.

Mr. Berlin stated that is excellent. The last item is an application that was presented to me about mid month September probably the 16th or 17th maybe a little later when Rebecca hand delivered it to me. We went out and discussed this and I also discussed it briefly with Kathy and it is unusual. Most of the event stuff takes place in Town Center. They do a walk in the park and they have some tables with water set up but they don't have any kind of stage or anything like that on CDD property. They have two road closings, they are going to have volunteers this that and the other. Obviously, the biggest thing that jumps out is where is everybody going to park. I took her out there and showed her and said you are going to have to try to force the first wave of people into the Town Center parking lot and there is no reason why they can't park some cars on the green area opposite the next set of buildings that we have been mowing. Lastly I told her that there has been a lot of backlash from the buddy walk with people parking in the medians. She told me she had signage and she was going to tape the area off she had a lot of parking staff, people who are dedicated just for parking cars. I hope to meet up with her in the next week or two because she has no signed agreement and she has not left the deposit because we haven't approved anything yet.

Ms. Kiracofe stated I have been in communication with her regarding the parking situation especially the median on Four Oaks and she received messages last year following the event because there were problems in that area and she has a plan in place. She is very confident

that her plan in place with security and with volunteers and with yellow tape and everything short of lying out there herself to prevent people from parking in there she is confident that the plan will work.

Mr. Berlin stated she passed that same feeling onto me.

Mr. Brooks stated just as a thought whether they do the July 4th celebration on Tom Brown Park I noticed the city will go out there prior to the event put rebar in the ground and then wide yellow rope. The City of Tallahassee will go through and punch rebar in the ground and tie yellow rope to it and I think it has a T top to it and it goes all along the grass area and I think that might be something that Robert can see about.

Mr. Hanstein stated the expense was to the provider.

Mr. Brooks stated the expense was. Once it is done then you keep it.

Ms. Kiracofe stated as long as they don't hit any irrigation lines when they put the rebar in.

Mr. Hanstein asked then we would purchase these things but we would get the provider to put them in?

Mr. Brooks stated or we figure out what a reasonable fee is for maybe whoever our vendor is let them keep the material on their lot and just say we have an event coming up can you go ahead rope it like the day before.

Mr. Berlin stated you are going to pay a lot less in my opinion to have your contractor put that type of material in than you are going to pay when you have to start replacing a valve in a main line. One good valve one main line break is \$1,000. How much rope and how long does it take a guy at \$8 an hour to eat up \$1,000?

Mr. Hanstein stated the thing about the buddy walk when I rode out there that was bad was it was fresh sod, it was obvious you had just put it down that bull nose right there and there were cars parked on the fresh sod. That was frustrating to see we had just paid for this and put it down. I don't think there was any permanent damage but just the idea that somebody would park their car there thinking that was okay.

Ms. Kiracofe asked do we know if the merchants have been notified?

Mr. Berlin stated that I can't tell you but the last time I talked to her I told her to give me a couple of weeks until after the board meeting.

Ms. Kiracofe stated I think with the buddy walk too there was the transition in the HOA staff there was not a point person there and the merchants didn't know about that one.

Mr. Berlin stated I read about it in the paper the next day. Let me add this, it is legal to park in medians as long as you don't obstruct the flow of traffic. If they pull all the way off the road because it is in a residential area it is legal to park there. If we put the rope up we are saying we don't want you to park there I really don't think the City of Tallahassee police department is going to come and pull the rope up and say you can't do that. Aside from just going back to the commission and saying will you make this whole place a no parking zone and we will put a sign up every 50 feet we don't want that either. I think it is going to be the easiest way to take some of the pressure off. I will tell you that the phone rings a lot after these. Other than telling them that it is not illegal to park there it might be something we want to try and see if it holds it down a little bit.

Mr. Brooks stated just try an area. It is under the threshold so I think that can be something that maybe Robert can work out with Robin's staff.

Mr. Berlin stated the rope from Home Depot is very inexpensive and you would want your contractor to do it since they can locate the main line. It is not that it is that deep when you go to drive that pin in and even if it is back into the grass two or three feet once they see the rope they are not going to park on the street.

Ms. Kiracofe state there used to be rebar at the HOA from all the egg hunts.

A resident stated from POPS there is rope.

Ms. Kiracofe stated maybe have a conversation with the HOA.

Mr. Hanstein stated it might be a good event to start it with and try to help her out too.

Mr. Berlin stated it is coming up and we can mobilize on this very quickly and give it a try. I got two emails just before I walked in the door from homeowners saying they were very upset about this and want to know what is going to be done about the parking.

Ms. Kiracofe asked do we need a motion to approve this application? Do we need to direct staff?

Mr. Perry stated I think staff has direction from the board in regards to the rope.

<p>On MOTION by Mr. Hanstein seconded by Mr. Brooks with all in favor the application for the American Cancer Society event was approved subject to their payment of their fee.</p>

D. Manager

Mr. Perry stated the only thing I have for the board is you approved last month the budget and that was certified after approval of the budget itself.

FIFTH ORDER OF BUSINESS**Other Business**

There not being any, the next item followed.

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

Mr. Hanstein stated this has been a great four years, it has gone too quick, I have enjoyed it. I was thinking about my first meeting when we used to meet at the Brokaw-McDougall House in the morning and I got there because I was new at this and I was trying to get my kids to school and I had all that traffic going downtown I got to the meeting about five minutes before it started and Jim said you know we start at 10:00 a.m., right. I am honored to have been elected to do this and I am proud of some of the things, listening to homeowners, going to meetings and I became close to the neighborhood. Hopefully, someday more people will come out. The CDD West Side I'm proud of that we got that done. The extra park benches, trashcans and doggie stations we have in all the parks I know they are being used. The park policies that we just looked at getting that done I'm proud of that. Improving the infrastructure after Tropical Storm Fay that was a downside when it happened and I think how the neighborhood came together after that and how quickly we were able to recover and get better infrastructure in place. Getting the field supervisor services out to bid I think could be one of the biggest things that we have done over the past four years on top of having Robert. Managing the budget for those years and I think keeping it in line hopefully the future supervisors will be able to do that. It is a different time, four years ago was very different than what we have now and I know you guys are going to have a tough job. I want to thank all of the supervisors and there are a bunch that have been on here. You may not remember Mercedes, Cory, Mike, John, and Gil was recently here. I want to wish all the future supervisors luck, Eli, Dave and whoever wins the other seat. I think they are in for some fun. It is absolutely the best and at the end I just want to thank staff, Jim great job I really appreciate everything you have done and Brian who I think will be here in a minute. Norm and Fred who is not here and not even on the phone, I miss having Fred here. Abe, even

though you are not staff, for the last four years you have done as much as any staff member and I appreciate that support. I appreciate the support of St. Joe in the neighborhood. All Pro you are like one big staff, we couldn't have done what we have done over the past four years without you and I thank you. However, the next go around goes you guys have done a spectacular job and being a resident too I appreciate it. Obviously the other two supervisors who are going with me it has been fabulous, thank you very much.

Ms. Kiracofe stated I think Jorge, Alan and I were out here before any roads were built.

Mr. Hanstein stated when Amy and I looked at our lot there were no roads. Amy was our salesperson, we bought the lot and before we closed on it she called and said I don't want you to get scared but I'm moving to South Florida I have a job in sports marketing and I don't know if I will be able to make enough selling lots in South Florida. She left and St. Joe sold probably \$20 million worth of lots and obviously the neighborhood has been a success. The first time I came out here I had a rental pickup truck from Enterprise and we got stuck basically where my house is right now and one of the St. Joe guys with a front loader picked the back end of this truck up and pushed me all the way out basically back to where Four Oaks is because there was a little dirt path right there.

Ms. Kiracofe stated even though we were here before the first roads we started coming to these meetings before we were on the board so it has been more than four years that we have been participating in this process. I would like to thank the staff, I think you are extraordinary, I think you have provided the ultimate professional service and you are a wonderful resource and you are a good asset to this district. Also to All Pro I think you are the epitome of customer service and quality. To my fellow supervisors, thank you, I have learned something from each of you and I genuinely enjoyed working with each of you and the parade of other supervisors that have been around the last four years. It has been an extraordinary experience so Eli, Barry, Wayne, maintain the quality of services, watch the bottom line just do what you have been doing.

Mr. Hanstein stated I just want to thank Robert. I think probably there is no single person that has done more for the district since he has been here than Robert as far as boots on the ground, working with vendors, making everything happen, helping us out and become a friend. I appreciate it, Robert.

Mr. Berlin stated I appreciate that but what makes this job so easy is staff is so easy to cooperate. I get all kinds of support from Abe it is unbelievable, even just the use of the printer and Post Buckley and Joe Brown too. I hate to say this but it really is an easy job when it comes like this.

Ms. Kiracofe stated I have very fond memories of the very first Christmas trying to launch a tree floating in a boat on Central Park Lake, figuring out how to do a car battery and a tree that had lights and Robert came to the rescue and more times than I can count these guys out here from Easter egg hunts to crazy things that we found in the grass to calling at the last minute that this has happened I need your help so that is the context but I have many stories to share with you about weekend calls and so forth but Robert we have a lot of stories to share but you made that Christmas tree work.

Mr. Gonzalez stated it does feel like I have been since the 60's actually it has been an experience seeing the work of the CDD transition from design to construction to operation and management and seeing it over all these years and all of the folks I have served I have enjoyed working with everybody, with staff. I think there is nothing but good times coming.

Mr. Toothman stated thank you all for being here and for your work. It has been an honor being on the board with you and I appreciate your work and I appreciate you putting me on the board.

Mr. Brooks stated on behalf of Wayne and myself since we are going to be the remaining carry over board members we have three resolutions we would like to present tonight. The first one is Resolution 2011-03 is a resolution of appreciation on behalf of the Capital Region Community Development District in honor of Jorge Gonzalez' service on the board of supervisors. I would like to read this into the record.

Whereas, Jorge Gonzalez has provided dedicated service as a supervisor on the Capital Region Community Development District board of supervisors, and

Whereas, Jorge has provided valuable leadership as a supervisor of both the district and the SouthWood Community, and

Whereas, the board of supervisors individually and on behalf of the district extends its sincere gratitude to the devotion of time and leadership given by Jorge in his service as a supervisor, and

Whereas, the board of supervisors individually and on behalf of the district extends its sincere appreciation for Jorge's dedication to the SouthWood Community as a whole.

Now, therefore, be it resolved by the board of supervisors of the Capital Region Community Development District:

Thanks and commends Jorge for his service and commitment to the district and the SouthWood Community.

Dated this 7th day of October, 2010

Capital Region Community Development District

Mr. Brooks stated we have a similar resolution for Supervisor Alan Hanstein.

Whereas, Alan Hanstein has provided dedicated service as a supervisor on the Capital Region Community Development District board of supervisor, and

Whereas, Alan has provided valuable leadership as supervisor to both the district and the SouthWood Community, and

Whereas the board of supervisors individually and on behalf of the district extends its sincere gratitude to the devotion of time and leadership given by Alan in his service as supervisor, and

Whereas, the board of supervisors individually and on behalf of the district extends its sincerely appreciation for Alan's dedication to the SouthWood Community as a whole.

Now, therefore, be it resolved by the board of supervisors of the Capital Region Community Development District:

Thanks and comments Alan for his service and commitment to the district and the SouthWood Community.

Dated this 7th day of October, 2010

Capital Region Community Development District

Mr. Brooks stated one more resolution to put in the record.

Resolution 2011-05

Whereas, Mary Lee Kiracofe has provided dedicated service as a supervisor on the Capital Region Community Development District board of supervisor, and

Whereas, Mary Lee has provided valuable leadership as supervisor to both the district and the SouthWood Community, and

Whereas the board of supervisors individually and on behalf of the district extends its sincere gratitude to the devotion of time and leadership given by Mary Lee in her service as supervisor, and

Whereas, the board of supervisors individually and on behalf of the district extends its sincerely appreciation for Mary Lee's dedication to the SouthWood Community as a whole.

Now, therefore, be it resolved by the board of supervisors of the Capital Region Community Development District:

Thanks and comments Mary Lee for providing service and commitment to the district and the SouthWood Community.

Dated this 7th day of October, 2010

Capital Region Community Development District

On MOTION by Mr. Brooks seconded by Mr. Toothman with all in favor Resolutions 2011-03, 2011-04 and 2011-05 were approved.

Mr. Brooks stated this is a plaque that is for our chair who has done an absolute wonderful job for the CDD not to mention SouthWood as a whole. We all know her hard and tireless work as an HOA member but this year she spent all that energy working for the CDD and helping this board of supervisors accomplish significant headway in the district. Mary Lee, on behalf of the board let me present you with this plaque.

Ms. Kiracofe stated thank you.

SEVENTH ORDER OF BUSINESS

Audience Comments

Ms. Bibler stated this comes from the homeowner rep meeting we had a few nights ago. One of the reps said that he had several complaints about the fact that the sprinklers were sprinkling the street on many streets and I wanted to make sure that you guys heard that. Thank you so much for the plantings around the pond. I don't know if you have seen it lately but it is doing wonderfully. I especially appreciate that part of all the hard work he has done.

Mr. Berlin stated let me give you something to take back to the HOA. We do have a problem with the sprinklers down there. They are right on top of that huge pump station and other than coming up with some other kind of heads, it is a small area of grass, when that thing

kicks on it throws out a lot of pressure there and we are constantly trying to keep it down because it looks like we are wasting a lot of water going on the street and stuff but it is probably the highest pressurized zone running through Mossy Creek.

Ms. Bibler stated he wasn't necessarily talking about Mossy Creek, I think he was talking about Biltmore. He was asked precisely where he was talking about and he said everywhere on all the streets but he did mention Biltmore.

Mr. Berlin stated it is hard to water that little tiny strip of grass effectively and the trees with a small head.

EIGHTH ORDER OF BUSINESS

**Next Scheduled Meeting – November 8, 2010
at 6:30 p.m. at the Good Samaritan United
Methodist Church, 3720 Capital Circle SE,
Tallahassee, Florida**

Mr. Perry stated our next scheduled meeting is November 8, 2010 at 6:30 p.m. in this location.

On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor the meeting adjourned at 8:02 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman