

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, March 13, 2008 at 6:30 p.m. at the SouthWood Golf Club, 3750 Grove Park Drive, Tallahassee, Florida.

Present and constituting a quorum were:

Alan Hanstein	Chairman
Mary Lee Kiracofe	Supervisor
Mike Brandon	Supervisor

Also present were:

James A. Perry	District Manager
Brian Crumbaker	District Counsel
Fred Greene	District Engineer
Abe Prado	St. Joe Company
Toni Trimarco	GVA Advantis
Matt Fitzpatrick	St. Joe Company
Rick Jackley	HOA Manager
Several Residents	

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the February 14, 2008 Meeting**
- B. Balance Sheet as of January 31, 2008 and Statement of Revenues & Expenditures for the Period Ending January 31, 2008**
- C. Treasury Report – January 31, 2008**
- D. Allocation of Assessments**
- E. Check Register 2/1/08 – 2/29/08**

Mr. Perry stated item two is approval of the consent agenda. The first item is approval of the minutes of the February 14, 2008 meeting. There are a few corrections by staff so we will go through those so that they are on the record. On page 1 unfortunately Abe was not here at the

last meeting so we will strike his name and then Mike Fitzpatrick should be Matt. On page 9 toward the bottom of the page it referred to Mr. Prado and that should be Mr. Robertson. On page 21 about a third down the page there is a reference to Unit 21 ARC site and it should be Unit 21 archeological site. Those are the only corrections to the minutes that we have.

On MOTION by Mr. Hanstein seconded by Mr. Brandon with all in favor the consent agenda items were approved with the amendments to the minutes as noted above.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2008-05 Election of Officers

Mr. Perry stated item three is consideration of Resolution 2008-05 election of officers. If you will recall there was discussion at the last meeting in regards to that and I remind the board of the current slate of officers which include Mr. Gonzalez as chair, Mr. Fennelly as vice chair, Mr. Hanstein as secretary, Ms. Kiracofe as assistant secretary along with Mike Brandon and myself as secretary and assistant treasurer, Rich Hans as assistant secretary and treasurer and Patti Powers as assistant treasurer. I know the board had some discussion about changing possibly the chair at the last meeting. I open it up for discussion by the board.

Ms. Kiracofe asked Alan would you be interested in the chair?

Mr. Hanstein stated I would be fine with it. Sean would remain vice chair?

Mr. Perry responded however the board wants to do that. If you want to make Alan the chair at this point and keep the current slate of officers as they are in place.

Mr. Hanstein stated we probably want to fill the secretary's spot with Mike or Mary Lee.

Ms. Kiracofe asked do you want to be secretary and I will stay in my role.

Mr. Perry stated I think the easiest way to do it would be to have Alan Hanstein as chair, Mike Brandon as secretary and the remaining slate of officers as is.

On MOTION by Ms. Kiracofe seconded by Mr. Brandon with all in favor Alan Hanstein was appointed chair, Mike Brandon as secretary and the remaining officers to remain the same as evidenced by Resolution 2008-05.

Mr. Hanstein stated since Jorge is not here do we need to also pass a temporary chair again or can I now sign those as of tonight?

Mr. Perry responded you are now chair and you can sign. If you want to run the meeting and go through the agenda you are more than welcome.

Mr. Hanstein responded no you are more than welcome to do that.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2008-06
Regarding Allocation of District
Responsibility for Street Tree and Landscape
Maintenance**

Mr. Perry stated item four is consideration of Resolution 2008-06 regarding allocation of district responsibility for street tree and landscape maintenance.

Mr. Crumbaker stated I do have a color map.

Ms. Trimarco stated basically what the map shows are the areas that the CDD is responsible for, which are the backbone roads and those are defined if the CDD owns the irrigation and installs the irrigation on the right of way, Central Park, the pocket parks and green spaces.

Mr. Crumbaker stated this came out of a discussion that I had with Mr. Jackley. Mr. Jackley had concerns about residents who had questions regarding what does the CDD maintain versus the HOA versus homeowners. This was an effort to try to at least come up with some sort of uniform plan of what we are maintaining currently. The resolution itself would adopt this plan for the time being but I want you to understand that it is not permanent. There have been discussions that at some point in time this board decides it wants to maintain every street tree because at some point you end up with a look that is not uniform or the HOA wants to donate some portion of whatever it may be that this can be subject to change and will likely change as new units come on line. We wanted to go ahead and formalize at least something that Rick could use to show people what areas the district is covering versus the HOA and the private interests and they could also tell as we expand what the plan would be in the future.

Ms. Kiracofe asked are the backbone roads defined by the city as major connectors? It is hard for me to tell for example Esplanade Way is that green when it goes north over by the Epic property?

Ms. Trimarco responded yes. The way it has been explained to me is if the CDD paid for and installed and maintains the irrigation system. The side roads inside the different areas within Southwood are not maintained, street trees, no mowing, that kind of thing.

Mr. Crumbaker stated currently the declaration provides that homeowners pay for the maintenance of the tree adjacent to the property but allows for the HOA or CDD in the future to assume that responsibility. The problem has been that that is a pretty expensive venture in order to maintain all the trees and all the common areas. This is the current plan but if we enter the budget cycle or in future years we decide that we need to go ahead and maintain the neighborhood street trees then we can certainly pick that up as an obligation as identified in the declaration.

Mr. Brandon asked aren't the neighborhood street trees maintained for a period of time after they are planted?

Ms. Trimarco responded they are under warranty but the maintenance is left up to the homeowners.

Mr. Brandon stated it seems like I have noticed somebody going around and spraying water.

Ms. Trimarco stated that is part of the warranty.

Mr. Brandon asked how long does that last?

Mr. Prado stated the warranty is a two year warranty but the contract for the installation calls for six months of supplemental watering.

Mr. Hanstein stated this has been a conundrum for both the HOA and CDD. You have something planted on private property that is warranted by the CDD effectively but the homeowners are responsible for maintaining that. You have that two year period if a homeowner is not maintaining it properly within that two years it may die. It is under warranty but who had the responsibility of maintaining it properly for that two years. I don't think this document really addresses that specifically. I think we still need to at some point try to address that. I know All Pro has tried to have classes and work with homeowners on learning how to do that.

Mr. Brandon stated the problem is when we get beyond that two year period. What happens if four, five or six years we have some people who hat rack the trees they don't use proper pruning techniques and all these backbone roads the irrigation system from that home irrigates that tree between the curb and sidewalk is the homeowners irrigation system. We have no way to monitor that. If they simply turn the controller off there is no water. There is no mechanism in place to enforce that or do anything to help the survival of that tree.

Ms. Kiracofe stated some people are confused also because it is in the city right of way.

Mr. Hanstein stated this doesn't address that issue this just addressed our responsibility. I think we can come back later and we still have an opportunity to address that. Probably from an education standpoint there is still more that we can do.

Mr. Crumbaker stated correct. This is only identifying those areas that the district is maintaining currently as of today.

Ms. Kiracofe stated and it is to formalize that.

Mr. Crumbaker responded correct so that there is something visual that people can look at and say okay this is a CDD area. Keep in mind if you decide to pick up additional maintenance areas outside of what has been planned here or what we are currently doing it is best to do that as part of the budget process because that is going to have an impact on your budget.

Mr. Hanstein asked what was the threshold between high maintenance and low maintenance?

Ms. Trimarco responded it depends on if it is open space, if it is fields a lot of them are on the once per month basis.

Mr. Hanstein stated so it is frequency.

Ms. Trimarco responded yes.

Mr. Brandon stated that was designed by you depending on the level of maintenance determined the shade of the color.

Ms. Kiracofe asked if this is formalized tonight what do you recommend our next step be?

Mr. Crumbaker responded until staff hears otherwise meaning that you decide that you want to do neighborhood street trees or you want to pull back the level of maintenance or whatever it may be for the time being it is going to govern what is in place today and as we move forward with additional units our maintenance program is going to be generally consistent in that we are not going to do street trees in the neighborhoods and that kind of thing. Until this board through requests of the public or the board on its own volition decides that they want to do something differently that this is going to be consistent.

Ms. Kiracofe stated let me rephrase that. Other CDDs where the HOA does this, the homeowner does this, the CDD does that. Do they operate in a similar way?

Mr. Crumbaker responded it depends on the CDD. My recollection of Celebration is that the district pays for everything, every single tree in that community between the curb and the sidewalk is maintained by the CDD. Many other and in fact most other communities I work with other than your common areas and your backbone roads it is up to the homeowner. In fact usually which is a little different here there aren't any trees at all on those roads, the homeowner has to put it in after they build their house. Even the installation is usually left up to the homeowner.

Mr. Hanstein stated that is fine. I'm not advocating that the CDD pay for interior trees. I think the next step that I would like to see is more education for the homeowners. I think as this gets formalized and homeowners are going to be responsible for their trees after 3 or 4 years as soon as somebody has to pay \$800 for their street tree when it is apparent that it is their responsibility and it is documented people are going to start turning their irrigation on more.

Mr. Brandon stated it is an educational process but there are some areas that I think need to be addressed like on Mulberry for instances. We maintain one side of the road we maintain the island but there is one side where they don't get maintenance it is not part of the CDD's responsibility. It takes away from the job on Mulberry. There is no uniformity there.

Mr. Hanstein stated it is a sticky wicket because you say Four Oaks looks great and then get down Barringer Hill which is not a backbone road but is a high traffic area and you say maybe we should start maintaining that.

Mr. Brandon stated I think you should have a minimum maintenance requirement of some sort when that tree dies four or five years down the road are you going to want to replace it or leave a void there? I think there needs to be some thought put into it.

Mr. Hanstein stated that is documented in the ARC isn't it?

Mr. Prado stated yes and that was the intent of this thing. The intent was to sort of give Rick the ability to go back and send a letter to a homeowner inform them that their tree is not doing too well and just for your information here is what the CDD has adopted for maintenance purposes and you happen to be on Twain and your trees are not covered under the policy that the district has already accepted, please take remedial actions for your tree and if the tree has died please be aware that you are responsible. The covenants already say that the CDD, the HOA or the residents have to take responsibility for those trees. The CDD by doing this is taking

responsibility for a certain amount of trees and given Rick the ability to send back something to the homeowners and say the tree is your responsibility.

Mr. Jackley stated I have a few things to add. I appreciate the board's efforts in getting this map together. One, the trees are planted in the right of way they are not on private property so you understand that is city property that the trees are planted in. Two, the irrigation system is not adequate for trees it is turf irrigation not properly designed for trees, certainly not in the early stages. I think the big thing you are going to find is that as the community matures you are going to see a distinct difference between the quality of the trees that the district takes care of versus trees in front of homeowners especially homeowners who don't care. I think when you have homeowners having to replace trees later down the road that are very expensive especially when you are trying to get something of the size that everything else is going to be otherwise they are going to put in small trees and you are going to see a little tree and a bunch of big trees. At some point in time I think either the HOA or the district is going to have to consider putting together a plan of maintaining the trees. I think also if a large entity takes care of them it will reduce the cost to homeowners because you will be able to bulk buy. Otherwise you are fighting 5,000 homeowners trying to get them to take care of the trees. That is a daunting task at best. It is just some observations that is not a matter of lobbying for one way or the other I just think the reality of the situation down the road you see a distinct difference between the quality of the trees and you are not going to have the consistency in the neighborhoods especially the village neighborhoods.

Ms. Kiracofe asked if this is formalized tonight do you have a plan for how you will educate the homeowners since you are going to be saying to some of them you have to take care of your tree based on what the CDD has formalized? What is your strategy for those trees that aren't in the CDD and that are in need of help?

Mr. Jackley responded I think the first step is to go ahead and distribute this map with a letter to all the homeowners. I would like to work with Mr. Crumbaker and whoever else is necessary to make sure the letter speaks properly to this situation and talks about what we are looking at. I think some people still struggle with looking at the map. We will do the best we can and kind of present a salvo upfront that the trees that are not part of the district are homeowners responsibility. Maybe give some guidance to include inside the package that says here is what you should do, you should fertilize it twice a year, you should provide adequate

water, you should trim, treat for disease for bugs. A couple of years ago we had a bad bug infestation on those trees.

Ms. Kiracofe stated so you see the HOA being very proactive once this is formulated.

Mr. Jackley responded absolutely. That is why I was so anxious to get this map so we could do that. Of course, I would like to work with the district as far as providing that information. I think it is something we should probably speak to with some degree of frequency.

Mr. Hanstein asked do you think homeowners can adequately maintain these trees if they have the proper education?

Mr. Barber responded education is going to go a long way but there are going to be people who are not capable of maintaining them due to disabilities or whatever. I think it is a case by case basis on that but I don't think this is as big of an undertaking as everyone makes it out to be.

Mr. Brandon stated the warranty is for two years. Once a tree is planted what is the likelihood, if it is going to die it is probably going to die within how long?

Mr. Barber responded the first five years.

Mr. Brandon stated Mother Nature is the only one watering those big trees that exist around the neighborhood so they are covered for two years under the warranty.

Mr. Barber responded right. I don't know how to address the covenants. My concern would be just making sure they are replaced by the homeowners later on if that is the direction they take that they meet some type of specification and size guideline and species. They can't just go to Home Depot and buy a Dogwood.

Mr. Prado stated the way the covenants are written it says they are responsible for maintaining the landscaping in front of your yard. I think the architectural review committee has certain requirements.

Mr. Brandon stated I think an educational program is in order. If it comes to a certain point that you are not fertilizing a mature enough tree.

Mr. Barber stated there is also disease and caterpillars or fungus. That takes scouting and identifying the infestation and catching it in time is critical on some of that stuff. That is stuff we need to be aware of. That is part of the maintenance program where someone is scouting and looking at that stuff just like Rick does for policing property and so forth.

Mr. Hanstein stated just like the lawn care companies that have come in at a residential level and now there is a ton in the neighborhood I think that would be an opportunity for free market. I'm sure there are companies out there that once the word started to get out that you are responsible for these trees and there is a high cost to replace, I'm sure those lawn care companies will offer tree maintenance services to those homeowners as well. I think that market takes care of it.

Ms. Kiracofe asked reasonable steps are formalizing this, they work on a proactive education plan and then we discuss future budget considerations and so forth.

Mr. Hanstein stated it may be prudent at a later date to get some type of estimates of what it costs to maintain every tree in the district.

Mr. Crumbaker stated or at the end of the day it may just be particular areas like you mentioned one of the boulevards where on one side you are doing it and doing the median but not the other side of the street. Maybe it is not all or nothing.

On MOTION by Ms. Kiracofe seconded by Mr. Hanstein with all in favor Resolution 2008-06 was approved.

FIFTH ORDER OF BUSINESS

Consideration of Rules and Policies for District Parks

Mr. Perry stated item five is consideration of rules and policies for district parks.

Mr. Crumbaker stated this was an effort that thankfully, Mary Lee, Joe Brown in my office and Rick Jackley and Toni met and worked through the policies to try to come up with a set of park policies to govern the pocket parks and community parks and whatnot in the neighborhood. I hope that everybody has had an opportunity to review this. I don't know if anyone has any comments on the policies themselves. I do have two quick changes that I would like to make. One I would like to make the other is a suggestion. In the table on page 3 of 4 the greater sign should be less than.

Ms. Kiracofe stated I have a couple of comments about that. I don't remember discussing these particular numbers when we had our brainstorming session and I would like to see the 10 and under I would like to see that higher because when you think about some families that are large if you have grandma and grandpa come and you go out to have a picnic it is going

to require you to get a permit. I think that is a little excessive. I would like to see the lowest number be 20.

Mr. Crumbaker stated okay.

Ms. Kiracofe stated I think it is rather punitive for someone to have to get a permit for 10 people to go out and have a picnic

Mr. Hanstein stated I agree with that. Based on this can we just strike that since that is the only place where the deposit is?

Mr. Crumbaker responded yes.

Mr. Hanstein asked can we strike the first two lines? Mike are you okay with 10 to 20 number?

Mr. Brandon stated just clarify for me if you would. That doesn't mean what you just described with a big family they can still go and enjoy the park.

Ms. Kiracofe stated if this were adopted the Fennelly's would have to get a permit to go out and have a picnic. That is silly.

Mr. Brandon stated okay I see this last bullet point organize, assembles or events 10 or more people.

Ms. Kiracofe stated right I think that low number in that last bullet should be 20 or more.

Mr. Crumbaker asked do you want to reduce the required deposit for 20 to 30 or keep it the same?

Ms. Kiracofe stated I think we just slide the numbers on the left up higher so 20 and below and then 21 to 30 and then 31 to 40 and 41 and higher. Are you okay with that?

Mr. Hanstein responded yes.

Mr. Crumbaker stated okay.

Ms. Kiracofe stated those are the only questions that I had about this.

Mr. Crumbaker stated the other thing I would like to add in here is just something regarding maybe strengthen improper behavior, cussing and that kind of thing. Just to make sure if Rick Jackley or whoever may witness such an event that that is under control because this certainly is a problem in the city and county parks on occasion.

Mr. Hanstein asked is there standard verbiage you have used before on that?

Mr. Crumbaker responded there is standard verbiage we have used for amenity centers and stuff of that nature. If that is okay we will reinsert that. If you want to just conditionally

approve these at least they are in place and next month we will bring back revised policies with the revised table and then an insertion for inappropriate behavior that we can then approve in final form at that time.

On MOTION by Mr. Hanstein seconded by Mr. Brandon with all in favor the rules and policies for the district parks were conditionally approved subject to the requested changes to be used in the course of the next month with a final draft to be presented at the next meeting.

Mr. Hanstein asked how are we going to distribute this other than being on the CDD website, we could post it on Town Talk as well.

Mr. Crumbaker stated we will post them on the CDD website.

Ms. Kiracofe stated we can put it in the community news section of the new website.

A resident asked can we comment on these policies?

Mr. Crumbaker stated we can post it and over the next month we can receive comments from the community.

Mr. Hanstein stated we approved it conditionally but we are always open to comments from homeowners and we can revisit this next month if there is something about the cost or homeowners feel that cost is something we want to discuss I'm sure we can come back to it next month. We just wanted to get something in place now so that we are legally covered on some of these things.

Mr. Crumbaker stated we will get it posted and if you provide your contact information we will make sure it is emailed to you as well so you have an opportunity to take a look between now and next month.

SIXTH ORDER OF BUSINESS

Consideration of Interlocal Agreement with Blueprint 2000 for Joint Use Stormwater Management Facilities Construction by Highway Contractor for Capital Circle South East (E2-CCSE) Revisions for Pond 4000

Mr. Perry stated item six is consideration of interlocal agreement with Blueprint 2000.

Mr. Crumbaker stated Blueprint 2000 is in the process of constructing a pond.

Mr. Prado stated as a function of the work they are doing right now southwest of Tram Road the 6 laning, there is a pond south of Capital Circle just east of Southchase formerly known as Paul Russell Road.

Mr. Crumbaker stated Blueprint is in the process of constructing and at some point in time the district is going to have to expand that for Southchase Boulevard and drainage from that boulevard. Instead of coming back down the road and having to go in and tear that pond up, have the additional cost of mobilization, bonding and everything else that would happen we approached Blueprint 2000 about entering into an interlocal agreement with Blueprint to go ahead and construct the additional capacity as part of their current construction contract which will save the district in the future. This is the interlocal agreement in relation to that.

Ms. Kiracofe asked is this agreement consistent with other interlocal agreements?

Mr. Crumbaker responded it is consistent with what we have entered into with Blueprint in the past in particular the ponds that we built.

Mr. Hanstein asked so we don't have oversight over the bidding process it will be whoever their vendor is chosen through whatever process that is and they will do the extra work.

Mr. Prado stated it is a design/build project between Genesis, Sandco, and Blueprint but it was the same process.

Mr. Brandon stated so we will just be responsible for the incremental cost to accommodate our capacity?

Mr. Crumbaker responded yes.

Mr. Hanstein asked are we approving the interlocal agreement with a dollar amount as a not to exceed or is this kind of an open door?

Mr. Crumbaker responded this is the dollar amount. This is a fixed cost. This is a project that is being advance funded because it is a Phase 2 requirement.

Ms. Kiracofe stated and the intent behind this overall is to save money for the district by doing this now.

Mr. Crumbaker responded correct. Going through the process if down the road we had to increase the size of the pond the district would have to go through the public bidding process in order to hire a construction contractor then we would have to get any easements or whatever we would need from the city or from whoever is going to own that pond such as DOT, we would then as part of that bid be subject to whatever future costs increases there are for fuel, etc. and

then there is the issue of mobilization and bonding and those costs, the add-ons that contractors add on whenever you enter into a contract and they have to come out and do the work.

Ms. Kiracofe stated it says the CRCDD would assign a project manager, is that Abe, Matt or who?

Mr. Crumbaker responded it is Abe. The district had entered into a personnel lease agreement so they will be the project manager.

On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor the interlocal agreement between the district and Blueprint 2000 was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Proposal from M Inc. for Unit 10 Alley Drainage Project Modification

Mr. Perry stated item seven is consideration of proposal from M Inc. for Unit 10 alley drainage project modification.

Mr. Greene stated I will start that off and we will have some discussion. Ever since I have been involved in this project we have had problems on Unit 10 because of the slope of the land. This is an alley problem. We tried some French drains.

Mr. Prado pointed out the location on a map.

Mr. Greene stated we tried to put French drains in there but when it rains like it has been raining that water just goes right past it, we don't have the capacity to handle it so this we hope will solve that problem. We are talking about putting in facilities in two different locations to intercept the water as it comes down those 4% slopes on those alleys.

Mr. Brandon asked is it flooding the alley and people's yards?

Mr. Prado responded yes it stages in the alley first. The real problem comes with intense rains where we have a lot of rain in a short period of time. It floods the alley, we tried to remediate as much as possible by building up the side of the alley but the top side washes away.

Ms. Kiracofe asked are we confident that this solution will alleviate Ms. Pope's problems with the backyard of her house? She has the white house on that big corner that I think has been suffering the most.

Mr. Prado responded that is correct.

Mr. Greene stated the amount is \$41,143.

Mr. Prado stated we would request a not to exceed amount. I think one of the things we are going to propose to the contractor is close the alley off while he does this work to save some of that maintenance of traffic that he has at the top at \$3,500.

Ms. Kiracofe asked and the source of this funding is not the O&M?

Mr. Prado responded it is a capital improvement so it will be advance funded.

On MOTION by Mr. Brandon seconded by Ms. Kiracofe with all in favor the proposal from M Inc. for Unit 10 alley drainage project modification was approved in an amount not to exceed \$41,143.

EIGHTH ORDER OF BUSINESS

Consideration of Extension for Contract Performance for the Capital Region Community Development District Unit 31 Infrastructure Improvements

Mr. Perry stated we would like to table item eight and bring it back. There are some issues that still need to be worked out.

NINTH ORDER OF BUSINESS

Consideration of Change Order No. 7 for Unit 29 and Unit 30

Mr. Perry stated item nine is consideration of change order no. 7 for Unit 29 and Unit 30.

Mr. Greene stated this change order is for M of Tallahassee, Inc. and is a reduction of \$34,888. We have taken all of the non-discretionary items out of the contract. We recommend your approval.

Ms. Kiracofe asked and the reason for removing all the non-discretionary items?

Mr. Greene responded we are down to finishing the contract except for the sidewalks.

On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor change order no. 7 with M of Tallahassee, Inc. for Unit 29 and Unit 30 for a reduction of \$34,888 was approved.

TENTH ORDER OF BUSINSES

Consideration of Reduction in Retainage for Unit 29 and Unit 30 from 10% to .5%

Mr. Greene stated we are requesting that you consider reducing the retainage for M's contract for Unit 29 and 30. Right now it is 10% and we are recommending reducing it to .5%

which would be about \$37,000±. The bid item for the sidewalk which is the only remaining item in the contract is \$35,000.

Mr. Crumbaker asked has the city signed off on everything else?

Mr. Prado stated we have already done the punchlist. The only outstanding issue is the sidewalk which is actually on a section of Grove Park Drive near the town center which is not accepted by the city.

Mr. Crumbaker asked when do we anticipate that they will finish the sidewalk?

Mr. Prado stated the sidewalk has already been built. The problem is it was built in the wrong place so the contractor is working with the landowner to see if he can get an easement or if he needs to tear it up and rebuild it.

On MOTION by Mr. Hanstein seconded by Mr. Brandon with all in favor the reduction in retainage for M of Tallahassee, Inc. for Unit 29 and Unit 30 was approved.

ELEVENTH ORDER OF BUSINESS Units 6, 9 and 18 Street Tree Final Payment Request for Retainage

Mr. Greene stated this is a request from Greenways of America for final payment in the amount of \$3,284.10 and we recommend approval of that subject to Toni accepting them and making sure we have final release of liens.

Mr. Greene stated the releases of lien are attached.

Mr. Hanstein asked when do you think you will inspect them?

Ms. Trimarco stated we have inspected them and All Pro is satisfied with them. We have asked because of the traffic issues for barricades to be put around them whenever they are near a house under construction and we are monitoring that very closely.

Mr. Greene stated then there are no conditions.

On MOTION by Ms. Kiracofe seconded by Mr. Brandon with all in favor the final payment for the Units 6, 9 and 18 street trees was approved.

TWELFTH ORDER OF BUSINESS Staff Reports

A. Attorney

There not being any, the next item followed.

B. Engineer

1. Consideration of Work Authorization No. 97 Rev. 2

Mr. Greene stated I want to hand out work authorization 97 revision 2, what I have added is the scope of services would be through the end of September 2008 which is the end of the fiscal year. This is mainly for work that we do in connection with the construction for the 2000A bonds and I wanted to clarify that. The other thing that didn't come out exactly as I had hoped it would is the first nine items are the things we have been doing for the district for every bond issue. No. 10 we are going to do a prequalification of contractors again this year so you could read that the increase was all for the updating of the contracts for prequalification and that is not so, we put a few hours in there but it is a combination of all the above, where we draw up the contract, send them out to bid, process the pay requests and all of that but this is for a period of time through the end of September this year. We request your consideration.

Mr. Hanstein asked how does that compare with the budget amount?

Mr. Greene responded this is for construction and is included in the bond issues for all the engineering and everything. This is about the same rates we have been receiving from the district except for a few hours for the prequalification.

Mr. Hanstein asked is this across all projects?

Mr. Greene responded this is for all the bond issue items. Normally what we have been doing is every bond issue since we are supposed to have a bond issue at the end of the year that didn't materialize so instead of coming up with a new work authorization we decided to make a revision to this one so it would flow together.

Mr. Crumbaker stated at the end of the day this is just hourly, correct?

Mr. Greene responded it is hourly plus expenses.

Mr. Perry stated the scope is consistent with previous years too.

<p>On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor work authorization no. 97 revision 2 through September 30, 2008 was approved.</p>

2. Consideration of Work Authorization No. 118 Rev. 1

Mr. Greene stated the next item is consideration of work authorization no. 118 revision 1. We need some additional surveys, topographic survey for LDR5, this is approximately 9 acres and this work will be done by Allen Nobles & Associates. We are just adding this to a work authorization we have for them so this would be an increase of \$5,850.

Mr. Crumbaker stated this is all advance funded, correct?

Mr. Prado responded that is correct.

On MOTION by Ms. Kiracofe seconded by Mr. Brandon with all in favor work authorization no. 118 revision 1 was approved.

3. Street Trees Unit 10 & 19 Final Payment

Mr. Greene stated I have one additional item and that is a request for final payment for some street trees in Units 10 and 19 in the amount of \$6,881.86 and is from All Pro. This is subject to Toni's review and getting the final release of liens.

Ms. Kiracofe stated Unit 10 has been there for quite a while. Is this along Overlook in the custom area?

Mr. Prado responded this is pretty much in the custom area.

Ms. Kiracofe asked and in Unit 19?

Mr. Prado responded Unit 19 is a similar scenario where we had done most of the St. Joe built homes at the time but had a couple of custom homes and they have come on line since the closeout.

On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor the request for final payment from All Pro for Units 10 and 19 was approved subject to review by Ms. Trimarco and receipt of final release of liens.

C. Property Management Report

Ms. Trimarco stated the street trees in Unit 23 that installation has been completed and accepted. The light pole situation I have absolutely no update whatsoever. The city's representative with Power Engineering Ray Mitchell and I touch base approximately every week to ten days and he has no update for me. I am open to suggestions on how we can move this situation forward.

Mr. Crumbaker stated bring me in the loop and we will send a demand letter of some type to the pole company although the relationship is through the city so we will have to somehow finagle that but at the end of the day it may be just talking to the assistant city attorney and seeing if I drafted a letter and they were willing to sign it that they send the letter because it is their contract. If they are willing to just sign it I would be more than happy to pen the letter to send to the pole company and demand that they take care of it.

Ms. Kiracofe stated this has been on the table since July of last year. We have already paid for the light poles.

Ms. Trimarco asked what information do you need from me?

Mr. Crumbaker responded if you could go to the city or whoever you are dealing with get a name or just get me the information who it is, what poles, location any information you have and a contact person you have been dealing with and I can call the city attorney's office and talk to them and say we have been working on these poles, these poles have been out for X number of months, your person in the field seems to be running into dead ends and we want to see if we can push this thing along.

Ms. Kiracofe stated for Mike's benefit this is at Merchants Row and at Mulberry. Even when we were here last quarter the city said they are working on it and it will be taken care of. The minutes reflect positive answers from the city but no action.

Ms. Trimarco stated also I request that we ask for a response on the other poles that were supposed to be replaced. We have not heard anything back from that issue just that the engineer looked at them and we don't know the results. They are supposed to be in production but we don't know when they are going to arrive.

Mr. Crumbaker stated that one we also went through the city to them.

Ms. Trimarco responded yes.

Ms. Kiracofe asked can you copy us on that information too? A letter from you costs the district because it is your time but for us to contact the commission and say it is past time.

Mr. Crumbaker stated for the short term that may be the answer if you want to call them and see if you can get them to advance the ball a little bit then I will hold off.

Ms. Kiracofe stated no, go ahead but we can have all of our data so when we call these guys we can refer to the contract or whatever it is you are going to provide.

Ms. Trimarco stated I have no copies of contracts or anything else. I can talk to Ray Mitchell.

Mr. Crumbaker stated get me Ray Mitchell's contact information and let him know that we are talking to the city attorney's office and talking to the commissioners so that he understands and is not surprised.

Mr. Trimarco stated he had asked me for my assistance in chasing this down. I think he would appreciate any help.

Mr. Hanstein stated I know these lights are out of production but this company is still a vendor of the city on other poles so we have some leverage there.

Ms. Kiracofe stated these are the ones that are hand cast.

Ms. Trimarco responded yes.

Mr. Brandon stated just for my clarification were a few of these installed and then it was recognized that there was a defect so we started installing different ones. Is that what happened?

Ms. Kiracofe stated the heads fell off.

Mr. Brandon asked are there others out there susceptible to the same problem?

Ms. Trimarco responded they sent a structural engineer to look at them and he identified 12 that were not properly manufactured. I don't know where they are I don't know how bad off they are. I have no other information other than he identified 12.

Mr. Crumbaker asked who is the engineer?

Ms. Trimarco responded I don't know. It is Shakespeare Engineer and I am also speaking to a gentleman Richard Martin with Graybar he is trying to help find information for me.

Mr. Crumbaker stated if you can send all of those names and then our contact the district had with the City of Tallahassee to install those poles. Is there any way we can track the agreement we had with the city?

Mr. Prado responded the easiest way to get it may be from the city but we can look for it.

Mr. Trimarco stated Mr. Mitchell so far has been cooperative. I have no problem asking him for that.

Ms. Kiracofe stated but it is the guy who manufactures these and the city does business with that is dropping the ball. To bring you up to speed Mike, Toni came to the party late because we had another manager taking care of this.

Mr. Brandon stated we are addressing this issue we should address it with any of the other ones that are still standing out there that may have problems down the road.

Ms. Kiracofe stated they did replace some of them.

Mr. Crumbaker who technically owns the poles when they are installed?

Mr. Hanstein responded the city even though we pay extra for them.

Mr. Crumbaker stated at the end of the day it is their liability associated with it. It is a city pole that was improperly manufactured and it seems that if we spoke to the city attorney's office and elected officials then at the end of the day they would be pretty motivated to try to get that rectified especially in the instance where the heads have actually fallen off.

Mr. Hanstein stated there has to be some replacement that is acceptable. If they are truly out of production and this company cannot make them there has to be something close enough.

Ms. Trimarco stated they can manufacture these poles but they have to close down the normal production line because these are special.

Benches and Trash Receptacles

Ms. Trimarco stated you had asked me to price some trash cans, benches, doggie stations. I met with the vendor that the City of Tallahassee uses spoke with him about durability issues and these are the recommendations he has made to me. It is the black trash can very similar to what we have and the bench. This product is made out of some kind of PVC and is supposed to last forever. He made a comment that the benches we have currently are very, very high quality. He commented that these should last for many more years. Not knowing exactly how many we are going to need I asked him to quote a price on 10 and installation and everything is a little over \$17,000. This does not include doggie stations. They are about \$100 a piece. The benches and trash cans being the large ticket items.

Mr. Hanstein stated I think we discussed this before but I think we probably need to get the HOA and neighborhood representatives involved in this to find out what amenities they want in their parks. I would look to Rick if he can talk to the neighborhood representatives and mention that we are receptive to this. I have gotten a lot of feedback from homeowners that live near parks that don't have any of these amenities at least want a trash can. Ideally I think we could probably put one of each at these prices in every single park but I don't know that that is

what the neighborhood wants. I think that is the most important thing to find out what the neighborhoods really want.

Ms. Trimarco stated if we can also address the issue of where we want to place these such as along nature trails or do we just reserve them for parks. That would help me answer questions too.

Ms. Kiracofe stated the bottom line is the budget. We have to be fiscally responsible and I think when you discuss this with the neighborhood representatives someone may say we want 10 but there are certain limits.

Mr. Hanstein stated there are also places where some people think are parks but are not technically parks.

Ms. Trimarco stated there again is another point I need clarification on.

Ms. Kiracofe asked who can provide that to her?

Mr. Hanstein stated we talked at a previous meeting about creating a park plan. I don't know who had the ball on that. There are some CDD areas that were not intended for parks. I think specifically we were talking about Summertree, there were some areas on Summertree that are CDD property that were never intended to be parks. I think along alleyway 4 is a good example. Those homeowners are acting like that is a park. People walk their dogs in there and they want a doggie station. They could probably use a trash receptacle. I'm not sure of the best way to proceed. If we want to just put it out there that we have these available and let the homeowners come to us on a neighborhood by neighborhood basis and make the request I think that might be the most appropriate way.

Ms. Kiracofe stated let the neighborhood representatives say how they are using the park. It only makes sense.

Mr. Hanstein stated I do appreciate that fiscal responsibility on the budget Mary Lee one of the things that is good about this was to have Toni look at other opportunities, if you look at this it is 10 trash receptacles and 10 benches for the price of 2, I think they were \$4,000 each. That is great, thank you very much.

Ms. Trimarco stated this does include the 5% discount that you asked about and I asked about the benches in the bottom of the plaza and those are not for sale they are there for repair.

Mr. Hanstein asked would they be willing to send one of those out so the board could take a look at it and make sure it is comparable to what we have?

Ms. Trimarco responded I can ask. I did ask if he would be willing to come to a meeting and give us a presentation on the products and he said yes.

Mr. Hanstein stated I would be interested to see the material that is used.

D. Manager

Mr. Perry stated if you will recall we are going to have an audit committee meeting right after this meeting.

THIRTEENTH ORDER OF BUSINESS Other Business

There not being any, the next item followed.

FOURTEENTH ORDER OF BUSINESS Supervisor's Requests and Audience Comments

Ms. Smith stated I wanted to thank you so much for having this meeting here tonight. This has been very difficult for me to get to the meetings during the weekdays in the mornings and having to go to work. It is easy to be frustrated about issues when you aren't able to attend the forum at which these things are discussed. An item is how hard you are working on the lights I didn't know that. That is very good to know and I'm very happy to know that I don't have to be as frustrated when I look down Mulberry Park and see those lights leaning. I want to say thank you again for doing that. I encourage you to have more meetings here because I think the homeowners would start attending. I also want to thank you for the website. That is very valuable because again it has been hard. Towntalk.com hasn't been the forum where these things have been advertised. Now you have your own forum and I can go on and see when your meetings are and get an agenda and I want to thank you for that. I encourage you to have copies of your documents for the rest of us for meetings so we can see what you are doing. I would also encourage you to let the audience members comment on some of these items or all the items before you vote on them because you might learn something from us or we might be able to learn something from you before you make your decision.

Mr. Brooks stated my wife and I have been here since June 2006. This is my first time attending this. I have been curious about this creature. I have had a lot of time working with county government and state government, etc. and also DOT and infrastructure issues work plans

so I am very interested in how this beast kind of works. I want to echo a lot of the comments that you made I appreciate you being out here tonight. Is it a five member entity?

Mr. Perry responded that is correct.

Mr. Brooks stated you have a website now so we can start looking at information about it but I do think it is important for the continuity between the homeowners association and you the tree issue is a very good issue. Rick has indicated exactly some concerns that even I have as a homeowner about the battle of ownership, etc. There are some touchy issues and you need to be sensitive to that and it does help to have the homeowners participation. Thank you very much for being out here and I look forward to seeing you again in the future.

FIFTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – April 10, 2008 at 8:30 a.m. @ Brokaw-McDougall House

Mr. Perry stated our next scheduled meeting is April 10, 2008 at 8:30 a.m. at the Brokaw-McDougall House. Related to your comments earlier we have set the meetings for this year and there are quarterly meetings being held onsite and they are denoted on the website also.

Ms. Smith asked would you consider next year having all the meetings onsite?

Mr. Crumbaker stated I will make a general pitch. One of the problems we had this past year is cost because I don't think there is any objection to having it here. We approached Florida High, the amenity center and other locations and we have to pay \$37 for the city location but it is \$350 for these locations.

Ms. Kiracofe asked as a governmental entity are we allowed to take discounts if they waive the cost?

Mr. Crumbaker responded I would have to look at that.

Mr. Hanstein stated there are some requirements we have to have a phone line available in case somebody calls in. By next year we may be meeting quarterly so every meeting could be here.

Mr. Perry stated we will be setting the schedule in the July/August timeframe.

Mr. Crumbaker stated probably as part of the budget process because the more meetings we have here would have a direct impact on our budget.

On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor the meeting adjourned at 7:50 p.m.

Secretary/Assistant Secretary

Chairman/Vice Chairman