

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, August 11, 2011 at 6:32 p.m. at the Southwood Community Center, 4675 Grove Park Drive, Tallahassee, Florida.

Present and constituting a quorum were:

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

Also present were:

James A. Perry	District Manager
Joe Brown	District Counsel
Robert Berlin	Operations Manager – GMS, LLC
Norman Robertson	Atkins
Abe Prado	St. Joe
Several residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Brooks called the meeting to order at 6:32 p.m.

SECOND ORDER OF BUSINESS

Affidavit of Publication

Mr. Perry stated the affidavit of publication for the public hearing is included in the agenda package. There is no action needed by the board.

THIRD ORDER OF BUSINESS

The Pledge of Allegiance

Mr. Brooks stated we will dispose of the pledge of allegiance because we are without out flags tonight.

FOURTH ORDER OF BUSINESS

Approval of Consent Agenda

A. Approval of the Minutes of the July 14, 2011 Meeting

- B. Balance Sheet as of June 30, 2011 and Statement of Revenues & Expenditures for the Period Ending June 30, 2011**
- C. Treasury Report – June 30, 2011**
- D. Allocation of Assessments**
- E. Check Register**

Mr. Brooks stated the next item is approval of consent agenda. There is one item in the minutes and it was attributed to Mr. Toothman and you were talking about Unit 26.

Mr. Toothman stated Biltmore is the name.

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

FIFTH ORDER OF BUSINESS

Public Hearing to Consider Adoption of the Fiscal Year 2012 Budget

- A. Consideration of Resolution 2011-10 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2012**

Mr. Brooks stated this is our public hearing to consider the adoption of the fiscal year 2012 budget. Mr. Perry is going to walk us through some items in the budget, highlight some variances and then we will have two resolutions that we will need to pass.

Mr. Perry stated there is a copy of the budget in the back of the room if you would like to have one. By way of process this board earlier this year approved a budget and subsequent to that we have had some adjustments to the budget and tonight is the formal adoption of the budget. I will walk through a few of the items that have changed. If you recall when you approved the budget there was no increase in assessments for any property owners and that flows through for the one we are proposing tonight. In addition to that under the administrative section of the budget we had a few changes. We reduced attorney fees by \$10,000 for an annual budget of \$40,000-and that was based upon the discussion of counsel at one of the meetings we had after approval of the budget. We also added a new line item in the administrative section called annual report for \$6,850 and that would be production of an annual report for the district to be mailed to each of the landowners within the district boundaries. The cost of that is for production and mailing and we anticipated the report would probably be between 21 and 27 pages and that is the estimate of the cost for producing that report. It would include a report on items the district has done during this last fiscal year and also the financial status of the district.

It would of course be unaudited because we plan on sending it out after this fiscal year end but our audit is not finalized usually until 9 months later. We will have financials in there but they will be unaudited. In addition to that there were additional reductions in some administrative costs such as printing and binding, other current charges and insurance for a total reduction in that area of expenditures of about \$5,000.

On the next page is the expenditures related to the field services and I will go through the changes we have made and then talk about some of the items themselves compared to last year. We reduced landscape maintenance new units by about \$5,000 that is what we are proposing and we also increased the budget stabilization fund by \$10,000 and if there are items that come up in next year's budget that are unforeseen we can utilize those funds in order not to pass on an increase in assessments. We will try to build up that dollar amount so that we have a little bit of reserve to carry those things through year after year. In addition to those changes if you will recall for the budget we are looking to adopt tonight we have had significant reductions in our landscape based upon the proposals we received from our contractor and those total about \$195,000. We also increase pond repairs by about \$10,000 for this budget. We also added a line item for irrigation system upgrades for this budget of about \$35,000 along with an increase for pump station maintenance of \$20,000 for this budget. Based upon what we anticipate for cost savings of using reuse we have reduced the utilities line by about \$20,000. Again, that budget stabilization fund has been put in place.

On page 2 it shows the assessments for each type of unit for fiscal year 2010, 2011 and 2012 and you see there hasn't been any changes in each of those three years.

After that page is the operating funds reserve and a short narrative of each of the different line items. After that you get into the budgets for the series 2001A bonds, 2002A bonds and the 2008 bonds. Again there have been no changes related to that budget that we proposed back earlier in the summer.

On the last two pages are the allocation of fixed and variable costs and the determination of the assessment to St. Joe. That is the one thing I really want the board to remember is if you will recall we entered into agreement with St. Joe that they were contributing a developer contributions, which are above and beyond their fair share. This is the last year of their contribution and in this budget for 2012 it is \$86,000 so that will go away next year completely.

That is an overview of the budget. If you have any questions I will answer them as best I can.

Mr. Nortelus asked did we say something about the travel budget in regards to that association?

Mr. Perry stated there are some dollars in travel and we also increased the dues, licenses and subscriptions for the Florida Association.

Mr. Brooks stated one item I wanted us to continue to look at and it can be something that we look at after the budget is passed and during the year is the communications element. I know we have the annual report and that is going to be a great start for us to be able to share with our neighbors what the district is doing and how it did this year, etc. I think my mission was some sort of ongoing communication effort even if it is on a quarterly basis and I think we recommended to our manager to consult with the HOA and see if we can pool resources and when they do their Front Porch News or even their emails that we are more formally a part of that just to share information that we deal with and I think our neighbors would benefit from. While we don't have any budget to address that, that may be something I bring up during Wayne's tenure.

Ms. Herrera-Gray stated they also agree to try to not use so much paper. I know this is the first round but maybe the following year maybe have more accessible websites. Obviously, not-everybody is going to do electronic but minimize the cost.

Mr. Brooks opened the public hearing on the budget and asked are there any comments from the audience? Hearing none I will close the public hearing on the budget.

Mr. Perry stated on page 2 of the resolution I will insert under section 2 the first sentence there is a blank and it will read, the sum of \$4,994,205 and under that it says total general fund and the amount in there will be \$1,597,767 and the debt service funds will be \$3,396,438 for a total of all funds of \$4,994,205.

On MOTION by Ms. Herrera-Gray seconded by Mr. Toothman with all in favor Resolution 2011-10 was approved.

B. Consideration of Resolution 2011-11 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Brooks stated the next item is consideration of Resolution 2011-11 imposing special assessments and certifying an assessment roll.

Are there any audience comments on the assessments?

There not being any,

On MOTION by Mr. Toothman seconded by Mr. Nortelus with all in favor Resolution 2011-11 was approved.

SIXTH ORDER OF BUSINESS

Consideration of Direct Collection Agreement for Fiscal Year 2012

Mr. Brooks stated item six is consideration of direct collection agreement for fiscal year 2012.

Mr. Perry stated this is a direct collection agreement with St. Joe with regard to their O&M and debt service assessments. This is consistent to what we have done in the prior years and this provides for St. Joe to fund on a monthly basis throughout the fiscal year the O&M and also to fund their debt service payments on a basis of 20% due February 1, 20% on March 1, 20% on April 1, 20% on September 1 and 20% on October 1. This is consistent with what we have had in prior years and there are no changes other than a mailing address that counsel noted.

On MOTION by Mr. Toothman seconded by Ms. Herrera-Gray with all in favor the direct collection agreement for fiscal year 2012 was approved.

SEVENTH ORDER OF BUSINESS

Acceptance of Draft Audit Report for Fiscal Year 2010

Mr. Brooks stated item seven is acceptance of draft audit report for fiscal year 2010. Again, we are running a very sound ship according to our auditors so it is a positive audit.

Mr. Perry stated I'm not going to spend a lot of time on the audit report but there is one opinion and several findings in the report that I like the board to know about. The first one is the auditor's report itself and in the third paragraph is their opinion and basically that opinion says that in all material aspects the financials are fairly presented in conformity with accounting principles and basically this is a clean opinion. If you ever see anything on an opinion page that says, except for, that gives you cause for concern. Again, you don't have that and this district has never had that. It has always had a clean opinion in regards to the financials that have been

presented and the audited financials are consistent with what we present to you on a monthly basis. At the end of the report on page 24 is a report on internal control and again under the heading of internal control over financial reporting the last paragraph the last sentence is what is referred to informally as a clean opinion. They didn't find any deficiencies in internal control or financial reporting that they consider to be material. Again, if there is any issue of concern they would note it as such in this report. That tells the board that the controls are in place that should be in place and there are no concerns of the auditor. Finally you have on pages 26 and 27 the management letter and there are a number of items in here in regards to the auditor general and compliance. You will note in each of those it either says we are in compliance with it or they did not find anything to give recommendations to the board. Again, nothing for the board to be concerned about and it assures you that we are being compliant with the rules of the auditor general as far as reporting and other controls related to the district.

Mr. Toothman stated every page has "draft" written on it.

Mr. Perry stated this is a draft report. I don't expect any changes to this. We have gone through it but didn't have a final report for you tonight but again, I don't expect any changes at all. We do ask the board to accept the report. If there are any changes that they propose we will bring those to the attention of the board but I don't see anything.

<p>On MOTION by Ms. Herrera-Gray seconded by Mr. Toothman with all in favor the audit for fiscal year 2010 was accepted with the caveat that any changes be brought back to the board and staff authorized to transmit it to the State of Florida.</p>
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EIGHTH ORDER OF BUSINESS

Consideration of Matters Related to Project Finance

Update on Current Status of Project Finance

Mr. Brooks stated item eight is consideration of matters related to project finance.

Mr. Brown stated if everybody remembers your underwriter, Kevin Mulshine, was trying to set up a refinance structure that would involve a senior/subordinate lien structure. The reason he was doing that was to address some of the risk in the series 2001 bond area associated with some of the larger commercial properties, which are some of the assessment payers in the 2001 area. For instance Datamaxx has not paid its assessments on time for the last two or three years. They have had a tax certificate sale but regardless the rating agency that gave them enough

concern that based on the senior/subordinate lien structure even using that structure weren't willing to give us the rating on the refinance that we wanted in order to get a 7 ½% savings, which was the target we set at a board meeting many months ago. What Kevin has proposed and what he has gone back and approached the rating agency with is rather than a junior/senior lien structure is essentially splitting the refinancing into two issues so there would be 2011 refinanced A and 2011 refinanced B for example. The A would be secured by all the residential properties because the risk there is highly diversified, almost all of the residential units are constructed upon you don't have the same concentration of risks as you do with the commercial and the B would be secured by the commercial properties. The result of that would be the commercial properties would receive little to no actual assessment reduction, their assessment wouldn't go up and they would probably see maybe a percent or some sort of reduction but nothing significant. The residential side would see a reduction of 10% or more whereas we had been looking at 7.5%. Essentially, we were trying to do one issue and blend all that area together and residential can get a little better percent but you put them together Kevin was hoping he could be 7.5% across the board for everybody but that is not going to happen we are not going to get the rating we want. That is why he is looking at this other structure. In addition because of what is going on in the market right now he thinks there is an opportunity to capture a couple of additional percentage points in savings for the residential areas. Maybe now we are talking about 12% or 14% savings for the residential area.

What I'm requesting from the board tonight is (1) to give us some approval in that direction and continue to proceed to pursue that structure. Kevin does think at this point we will get the rating we want based on that structure. The second piece would be to continue tonight's board meeting to a date about two weeks from now and we would come back at that time with a delegated award resolution and what that resolution does is based on certain parameters goes ahead and provides authority to the chair to sign any financial related documents that need to be signed after you approve the resolution so we can go ahead and proceed with refinancing and try to capture those additional savings that are available right now that may not be available after the September board meeting. What the delegated award resolution does is finalize versions of all the most important documents associated with the financing so your trust indenture, which will set up all the structure and your continuing disclosure agreement and your limited offering statement, which is your marketing document that goes out to bondholders, describes the issue,

the district that kind of thing. That would all come back to you at the continued board meeting so you would have an opportunity then to say yes, no, ask additional questions but we would actually have some documents there for you to look at to get a better handle on what is being proposed.

Mr. Brooks asked do you need formal direction from us about going down this path?

Mr. Brown responded a motion approving staff to pursue the structure I just described and at the end of the board meeting we have a motion to continue the board meeting to a date and time certain.

Ms. Herrera-Gray asked can the commercial property have any kind ratification that we do this, split it into two? Can they come back and try to sue or anything like that for us doing that?

Mr. Brown responded no they don't have any grounds. It is also our intent as we move forward with this to try to figure out ways to be sure that the commercial properties to the extent we can we ensure they have an ability to come back in a year or two and all these issues have call dates in them which prevents you from coming back and refinancing for a date so we can have an earlier call date that means they can come back in a year or two when the market may be better, their situation may be better and they can capture that savings.

Mr. Brooks stated I think the key for the record is that this is a unique opportunity economically and we found a way that could really benefit the regular homeowner, the average homeowner very positively and we don't want to lose the opportunity to get that benefit because our commercial properties may be a little bit more speculative than what our homeowner situation is. Yet it is not going to negatively impact commercial properties they are just not going to get the level of benefit. I think we want to try to take advantage for the majority of us of homeowners and the commercial owners will get a little bit of the benefit with the caveat that they could be proceed later if things improve in that commercial area of Southwood we can go back to bat for them and look at refinancing the bond specifically to benefit them. That is what we are trying to do, trying to reduce our assessments based on the bonds and I think this is a great opportunity for us to explore.

Mr. Toothman stated about 20% is commercial and 80% is residential so this is a really good savings for the residential but the commercial is a critical part of Southwood and I agree with the way we are going I guess it is the proper way of doing it but we still have to keep the

commercial people in our mind when we make a decision because they are critical to the homeowners of Southwood.

Mr. Toothman moved to direct staff to pursue the structure described to prepare the associated financing documents for the continued meeting and Mr. Nortelus seconded the motion.

Ms. Bibler stated I'm just wondering would that savings necessarily go back to the residents on their assessments totally or is there any leeway of using any part of that or doing any of the things that we talked about doing that we could do if we had the money. I'm just asking the question I'm not making a judgment of whether it should or not.

Mr. Brooks stated that is a fair question but my take on it is no, because the bonds were specific about what projects would be handled by them so if those projects have been done then that is what that debt is there to support.

Mr. Brown stated that is the intent but there are situations where you can do that and we haven't really looked at that avenue and I would be hesitant to say no absolutely not in this situation without looking at it. It is something we can look at and talk to the underwriter about.

Mr. Abernethy asked does the interest reduction savings apply just to the houses that are in that bond structure or is that savings over all the residents?

Mr. Brown responded it would apply just to the properties that secured the 2001 series. The 2002 series that was issued a little later will be up to experience the same sort of benefit in another year or so. It is really a timing issue at this point.

Mr. Brooks stated further on that point if we blaze a trail this way there is a real strong likelihood that we could do the same again and depending upon the market hopefully get the same benefits for that next series as well.

Mr. Brown stated you could do it with the 2002's right now but you would be paying 101%. If you wait another year you are paying just 100% of the principal amount so it makes sense to wait.

On voice vote with all in favor the motion passed.

Mr. Brown stated I encourage anyone who has questions to give me a call so we can be prepared with the answers at the continued board meeting. Can we look at the calendars now?

Mr. Brooks stated 6:30 p.m. on the 25th and we will be in this room to specifically address the financing issue related to the 2001 series bonds.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney - Memorandum

Mr. Brown stated I have some updates on the community garden. It is apparent now that Sustainable Tallahassee is not going to sign the license agreement that was in the agenda package last month. They are going to provide insurance still naming the district as an additional insured for the community garden group's activities on the district's property but we are going to have to do a little bit of a different structure for the rest of the agreement. What I'm proposing for the board tonight and would ask is that you approve the general structure I'm about to describe and give Wayne final approval authority so we can keep this moving forward. I don't want the group to lose momentum and have the whole thing fall apart because we keep running into a roadblock. To the extent we can keep this moving I would like to. What I'm proposing for structure now is to take much of what was in the license agreement and reformat that and incorporate it into their individual participant agreements that we wrote in the past and in addition have them set up a deposit with the district so there is a cash deposit in addition to the insurance. All we would ask Sustainable Tallahassee to sign is an agreement stating that if for any reason the insurance lapses they will provide us with notice and the insurance is already in place with the district named as an additional insured. That is what I propose if that sounds acceptable to the board then I ask for a motion approving that structure and authorizing Wayne to have final approval authority.

Mr. Toothman moved that he be given final approval authority for the reformatted participant agreements for the community garden and Ms. Herrera-Gray seconded the motion.
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Mr. Abernethy stated I appreciate your flexibility in trying to get past this hurdle with Sustainable Tallahassee and look forward to seeing the project implemented.

On voice vote with all in favor the motion passed.

B. Engineer

1. NOPC 7 Update

Mr. Robertson stated just an update on where the NOPC is and at the moment it is literally in the same place it was at our last meeting. It has not been presented to the city yet I think they are still looking into it.

Mr. Prado stated we are still waiting.

Mr. Brooks stated you had indicated to me that a lot of it has to do with St. Joe management shifts and those folks have to get comfortable with it before it travels back to city hall.

Ms. Bibler stated this is a copy of the draft agreement between St. Joe and the city and I emailed this to you also. I also wrote an email but it was late in the day and I was afraid you wouldn't get it. I am going to read to you my email: Dear supervisors, please find attached the latest version of the above referenced, which is what is in your hand, this is the version emailed to St. Joe, Abe Prado, by assistant city attorney, Linda Hudson, on 5/19/11. The document was recently obtained pursuant to a public records request and contains edits Ms. Hudson made to the original agreement, which was drafted by St. Joe. Please note that this agreement addresses neither assignability nor enforceability. I called Linda Hudson earlier today to discuss how the agreement would be enforced if the NOPC were approved and St. Joe, I'm not saying that they will but if they do not deliver on what they said they were going to do because they are basically saying give us the goodie now. She said she supposed that if St. Joe did not follow through within the timeframe they would be in violation of the DRI and the city would issue stop work orders on any construction underway, and I would assume would not issue any more development orders until they came into compliance. I don't want to see anybody stopped from working anywhere I don't want to see that. I suggest that a better option for enforcement would be that the NOPC 7 would become null and void and they would refer back to NOPC 6 if they didn't do what they said they were going to do. I asked if she thought that some type of enforcement provision should be part of the agreement and she didn't think that was a bad idea. She said there may be other ways to enforce and the board may want to discuss this and send her a letter requesting that such a provision be added. I asked her whether the city commission could

grant a conditional approval and her answer was yes. So one way to enforce would be the commission issuing an approval that conditions the actual change to the DRI on a timely completion of Orange Avenue extension per the agreement. In other words instead of St. Joe getting approval immediately based on something they promised to do later they would need to follow through before having the benefit of the change. In either case or some other the agreement should be assignable to and binding on any future purchaser or change of ownership entity. On another note the agreement should specify signage to identify Orange Avenue to Four Oaks is the most efficient route to both schools and state offices. I think we talked about all the traffic using that route to try to get people off Grove Park when people are going to state offices. As we talked about that may be complicated by Conley. I am pleased to also note that the full section for Biltmore from the existing end of Mossy Creek to Biltmore St. Joe originally discussed that they would go ahead and build that full section and then do the little arrow temporary road beyond and I guess they are going to build it in that manner.

Mr. Prado stated I don't think we were going to build a full section of Orange Avenue I think it has always been a temporary right through there for the time being.

Mr. Brooks stated I never understood it to be the full road, the idea was to make sure you could get traffic flowing through there and the idea is it is a permanent road to be accompanied with whatever comes in next to it that makes a match but that other little strip, which wasn't anticipated to be there would be of a temporary nature. I think that makes sense.

Ms. Bibler stated that makes perfect sense. What I was indicating was Mr. Weir they talked about doing the full section and I am letting you know it is a little different than what was originally talked about.

Mr. Brooks stated when I talked to Bill Weir early on in the process and Abe at the same time that was the concept that was floated to me that that is something they would look at as a possibility.

Ms. Bibler stated I'm not saying that Orange Avenue extension is a panacea solution to all of this and it just gets done. I feel the NOPC should be approved. I'm just letting you know. At least if this ends up being what we get we just need to make sure we get it.

Mr. Brooks stated I hear what Carolyn is saying and I think if that is a legitimate way to approach it, I don't know how St. Joe would take it but if we as a board want to offer that as a suggestion then I think we would draft some sort of letter that says, we appreciate all the work

you are doing but let's just make sure that we get what this says before the benefits are handed out.

Ms. Bibler stated and that it is assigned.

Mr. Brooks asked is that a reasonable approach?

Mr. Nortelus stated I think that is reasonable because how it is now there is no teeth to it.

Mr. Brooks asked Abe do you have any issue with that kind of letter from us? I know we are not mandated but you said Ms. Hudson was willing to accept.

Ms. Bibler stated she suggested that you guys do that.

Mr. Nortelus asked is it in her authority?

Mr. Brooks stated she is staff she can include it and say it came from us would be how she could do it. It is not binding.

Ms. Bibler stated you can always copy it to the commissioners also it can't hurt.

Mr. Toothman stated if that is the direction you want to go we are going to have to make that statement. I doubt that city staff is going to do anything to hinder their position.

Mr. Brooks stated we would send it to the appropriate people but I think Ms. Hudson since she and Carolyn had that dialog and she indicated interest and she is the one actually going through St. Joe to work this up. I would definitely copy her as the staff person.

Mr. Nortelus stated-I would say do it.

Mr. Berlin stated from a maintenance standpoint, you are going to build the outside curb but we are not doing anything beyond the curb. We are not doing any landscaping or anything.

Mr. Robertson stated right.

Mr. Berlin stated we are not running any irrigation so really the embankment of the road is between you and the city. I don't have to watch that real close.

Mr. Prado stated the city is not.

Mr. Brooks stated it is either St. Joe or us to maintain.

Mr. Prado stated there is no landscaping that is a county road.

Mr. Berlin stated what we are talking about is a lift of asphalt if we needed to do a crossing and stuff later on but when you do the design for the irrigation.

Mr. Prado stated I will have it then.

Mr. Brooks stated that is a legitimate point because when I saw the adjustment when Carolyn emailed it to us that it would be St. Joe or us that would be responsible for maintenance

so it is a good question what does that maintenance mean. It is just a road without anything else around it.

Mr. Berlin stated if there are potholes they are going to call and I can't call the city on that so it is small stuff it is not a big deal we will help out.

Mr. Brook stated why don't we direct staff to draft a letter that incorporates what we talked about tonight and Joe or Jim can do the letter.

Mr. Perry stated I think he is probably the one to do it.

Mr. Brooks stated thank you for bringing that to us and we will proceed with that. School is right around the corner, Conley is going to be open and functioning so expect some heat from folks who want to see instant gratification on this traffic issue but it is not going to be there.

Mr. Toothman asked is there any way we can get this done before school opens?

Mr. Prado stated no.

Mr. Brooks stated I just want you to know this isn't an issue that is going to be resolved before school starts or even probably through half the school year. We are making inroads intended to resolve it but it takes time.

Mr. Toothman asked did we ever get the traffic circle issue plan for Conley Elementary and actually see if they are in compliance?

Mr. Robertson stated I'm almost certain they are not in compliance with what they originally designed. The question is how that is enforced and how they bring that up to speed. Cliff Lamb is someone I am going to get in touch with to speak to about that, he was involved with the design, I'm not sure he did the circulation plan but I can get started on speaking with him. Definitely something to consider I do think that it is going to be a much bigger concern once Orange Avenue is opened up. At this point it is a concern but I think it is really going to be amplified once you open Orange Avenue up between Southwood Plantation and Mossy Creek.

Mr. Brooks asked Wayne is your point you want to see something before the school year starts where we understand what they are supposed to be doing and they understand what they are supposed to be doing?

Mr. Toothman stated in my mind that is the ideal way of doing it because the first day of school they start out right.

Mr. Robertson stated I can give him a call tomorrow or the next couple of weeks. You are probably right that it is something that needs to be addressed prior to that road. We don't have any control over how Leon County schools are doing their circulation but we can at least discuss.

Mr. Brooks stated let's make sure that for both Conley and Florida High that we touch base with whoever the appropriate people are and Mr. Perry I don't know who the appropriate staff person is for that but just to make sure their traffic patterns are going to follow whatever they are supposed to be in accordance with all the plans. I think we can at least do that.

Mr. Robertson stated we can come back at the next meeting with what the circulation plan should have been and kind of an idea of what is going on now.

Mr. Brooks stated school will be in by the next meeting.

Mr. Toothman stated I'm wondering if the police department is a critical player in this also along with the circulation plan. I will volunteer to go meet with the principal and I can take Norm with me and we can talk about how they are going to accept the traffic onto their property.

Mr. Brooks asked is that okay?

Mr. Perry stated I think the engineer really is the most knowledgeable.

Mr. Brooks stated why don't we do that Wayne if you want to bring your school resource officer or whatever appropriate traffic officer is to make sure.

Mr. Toothman stated there was a police officer with the City of Tallahassee who basically was in charge of this area and I will get his name and try to mastermind that way everybody will be happy.

Ms. Bibler stated I will tell you that they sent out an email saying the traffic pattern wasn't going to change from last year.

Mr. Books stated Wayne keep staff posted and they can share with us whatever we need to know.

Ms. Bibler stated once the Orange Avenue improvement is made the main thing is to stop them from parking on Four Oaks and letting the guard walk them across the street. That is just going to be killer for the traffic situation that is a major thing there.

2. Unit 26 Trails

Mr. Robertson stated last month you asked me to take a look at the trails and see if there was anything that might fit within that \$75,000 range for what is remaining in the 2002 bonds. I did take a look and I will pass these out they are an exhibit and some prices. What you are looking at is you will see in gray what is called the future 10 foot wide trail, that is the trail that is not constructed where the dash green is down on the bottom of that is the trail that is constructed. I believe it comes all the way up makes that right after Mossy Creek goes over a bridge and stops. That is where that gray portion picks up and take it up and over Biltmore. The question last month was is there another way that is a little more cost effective to connect these trails through the existing infrastructure to Biltmore and taking a look at it if an agreement can be put in place and an easement granted there is potential to vary from that gray future line to come down to this blue line that is there and bring it across and down into that existing park system in Unit 26. What I have provided are costs to construct it with various materials. A typical section for these materials is on top of this exhibit. The first red section that is going to be 10 feet wide to match the existing trail but once you get to that blue portion I think at that point it would be appropriate to scale that down to a more affordable cost and anything between 5 and 10 feet that a pedestrian could walk along. You will see the different costs, you will see the mulch, the asphalt and concrete, obviously the asphalt is the cheapest option there for all the alternatives and I'm not sure my recommendation would be asphalt it is not always the most pleasant thing to have. They do tend to radiate more heat, it also doesn't match the existing trails that are there now but of course the existing trails that are there now are concrete and that is the most expensive option. The other two options I provided for are a little more I won't say environmentally friendly I know the city likes the mulch idea and actually requested that we do mulch trails when we were designing Unit 31, which is that unit to the north that was started and never finished. Those were to be mulch trails with steel edging on either side that was so we didn't have to take debits on trees that we remove and then go around planting new trees all over the place. We would actually leave the trees there and have minimal impact on the ground. That is why you see the mulch option. I also provided a cellular grid option, which I wasn't able to get something printed off but if you go online and Google Geoweb that is a brand name for a cellular combined system you will see all kinds of information. You can walk on it you can ride bikes and drive vehicles on it if it is designed right. You can plant grass over it, you can put gravel, whatever you want it.

Mr. Brooks asked does anyone have any questions for Norm concerning the different materials in his presentation?

Mr. Toothman asked are these prices from permitting all the way through construction?

Mr. Robertson responded these include design, permitting and a 20% contingency. I'm hoping this is the start to finish cost, preliminary, there are still some issues we have to deal with on these, we don't have the grades and I believe there are a few dips in here and you might have to bring some more rough work in. You just don't know the intricate details to this but that is what the 20% contingency is for.

Mr. Toothman asked would we take this from the bond money?

Mr. Perry responded in the 2002 bonds there is \$76,661 still in the construction funds.

Mr. Brooks stated Norm pointed out that the current trails are concrete so concrete will look like it fit and wasn't a fix even though that is what it is. The other issue is we still have to have the regular gray trail built whenever the appropriate time is for it to be built. We are not anticipating it will go away. This is just an idea to take the trail that stops just after the Mossy Creek bridge and continue it further at least until that new area is developed. Did you say that 5 foot was the current?

Mr. Robertson stated what is interesting is that 5 foot would match up with the sidewalks in Unit 26 and those little parks they have so 5-foot would be a good number to use to connect where the original proposed trail is to this concrete expansion trail.

Mr. Brooks stated my feeling is that kind of fits because it is not what we anticipated being the actual trail when it is officially done, it will be that other trail, the real trail that connects. If 5 feet can get us through and provide a good route once the original trail is in that may be all we need right now.

Mr. Toothman stated this is at 5 feet and you still have the 10 feet in the red.

Mr. Robertson stated the 10 feet in the red is correct and that is what those costs reflect. I also have backup costs in case you wanted to do that red section in concrete and then have something that is not quite as noticeable, maybe not be confused with the golf cart path area, you can use the mulch trail in lieu of. That is an option too if you want to tie it in there.

Ms. Herrera-Gray stated I don't think price is that much difference except for concrete. What would be the longevity of mulch?

Mr. Robertson stated the mulch is going to decay over time and it is going to get displaced and washed away. The Geoweb the only maintenance there if it is installed properly would be mowing if you used grass and if you use gravel kind of remains where it is. There is maintenance with anything, concrete, lime rock and the asphalt.

Ms. Herrera-Gray stated asphalt is only about \$8,000 between the 5 feet or the 10 feet to get the extra 5 feet but I don't know if that is what you want.

Ms. Bibler stated if you will remember that it is also a bike trail 5 feet is pretty narrow to pass each other. We want people to use it, we want them to make a loop and hopefully people will really use it. I think 5 feet is a little narrow.

Ms. Herrera-Gray stated I don't think it is right for bikes and you see a lot of parents with strollers.

Mr. Robertson stated the mulch definitely not, the Geoweb 5 feet would be fine. It just depends on your preference. The asphalt there is a question on how constructable it is at certain widths.

Mr. Brooks stated they have 8 foot machines.

Mr. Robertson stated I think they do and it is really dependant on what is available. I have to do a little more research on it. I'm sure there are machines that do 5 feet but I don't know how available they are here.

Mr. Brooks stated I think it is obvious just looking at the numbers we are looking at now. Take out concrete 10 feet and take out concrete 8 feet and then the rest are kind of our options. If you want to go with concrete that matches the actual trails now then we are dealing with the issue Carolyn pointed out, which is the width. If you go with asphalt you can do any of it but you are going to have the issue that it doesn't match. Does it matter? Geoweb I think you take out the first two, the 10 foot and the 8 foot, those are gone so you are dealing with a 5 foot issue with Geoweb similar to the concrete and then mulch. I think we talked about the fact that it is a bicycle issue as well and I'm with that, I agree. Does anyone object if we remove mulch from the list?

Ms. Herrera-Gray stated it is just like pine straw you are replacing it all the time.

Mr. Brooks stated let's remove mulch from the equation. Now we are down to Geoweb that is only 5 feet so now you are looking at asphalt and concrete 5 feet.

Mr. Nortelus asked the 20% contingency is in here but it is not guaranteed that you would need that 20%. I don't think concrete is out totally.

Mr. Robertson stated that is something that can be addressed and that is where I was going to go with this. The only major benefit to knowing ahead of time which material you are using that I can see right now, obviously, it is going to be from a permitting standpoint on stormwater issues because there is probably a tree removal issue when you start putting in concrete and asphalt you are looking at the city saying anytime you get within a certain radius of a tree even if you are not removing the tree you have to act as if you did and replant for it. Then if you use asphalt or concrete and they decide we need to deal with stormwater because of the impervious area whereas if you use the mulch or Geoweb they are allowing you to get within a smaller radius of those trees and reduce the amount of stormwater retainage.

Mr. Brooks asked this is St. Joe property we would be looking to connect with so do we have to get an easement from St. Joe? I guess they are going to have some sort of say in the process. Abe, do you have anything to add?

Mr. Prado stated no, this is the first I have seen this proposal and I can't really address it right now.

Mr. Brooks stated so understand that is still out there too.

Mr. Powell stated I just have a comment on this. You mentioned the issues about stormwater, have you considered pervious concrete?

Mr. Robertson responded I have. I love pervious concrete, I remember when we first talked about this I was saying the same thing so I completely understand where you are coming from. Two issues that arise, (1) the city does not like pervious concrete and I think they would probably have good reason not to although it was probably poor construction if you ever go to Target that is a poor example of it being constructed and that really has put a sore spot and that is going to be a tough sale but the other problem is that bikes are going to be on this and kids running and things like that and when you fall on a concrete sidewalk you might skin your knees a little bit, if you fall on pervious concrete it is a different story. It is a little messier and it seems to be a safety issue. I have never seen anyone recommend riding a bike on pervious concrete. That is one of the concerns that have been brought up.

Mr. Powell stated I have a concern because this is a nature trail and two of the choices here are probably the most environmentally unsustainable materials you can use for such a

purpose. I think that is something of concern and the Geoweb looks like it can handle bikes. It is more expensive but it lasts a while and I think it is pretty benign environmentally and I think that is something that should be considered.

Mr. Robertson stated that is why it is on here. In looking at Southwood and what the residents want and is the direction the board has taken, that is probably a pretty decent option. It may be a little more expensive.

Mr. Powell stated it is pervious too.

Mr. Robertson stated the city will only consider it 50% pervious because there is some compaction that takes place. It is probably comparable to what they consider pervious concrete. There are some good materials out there like this being used in place of concrete.

Mr. Toothman asked if you use Geoweb what were you going to put in the webs?

Mr. Robertson responded dirt. For this type of application you can put in topsoil and just plant it. We would probably get the recommendation from a certified geotechnical firm but in all likelihood we would put topsoil in there.

Mr. Toothman stated I am very familiar with Geoweb. What happens with that 2" of soil and you drive across it when it is wet that ruts will appear so if we did Geoweb a small aggregate on top of it and that would still give you 75% pervious.

Mr. Robertson stated I think there is definitely different surfaces that we can look at putting on there I agree with that and hopefully we are not driving over it too often, a bicycle might put a little dent in it.

Mr. Nortelus stated it is a nature trail you are going to have bikes.

Mr. Robertson stated I was saying the bikes are going to do what a car would do.

Ms. Herrera-Gray asked what about the turf they are using in playgrounds now? It is like recycled tires.

Ms. Bibler stated that gets shoveled onto the ground as far as getting around trees and being able to put it in.

Mr. Brooks stated we appreciate all the input and I guess my concern is we can go on and talk about this and debate it forever but we have to rely on the engineer to bring us some recommendations on what can be done at a cost that is where we are, which is \$76,000 and we have to make sure we can bike on it safely and can walk and hike on it because that is what the uses are for. I don't know what direction we need to provide you tonight.

Mr. Nortelus stated you said the budget.

Mr. Brooks stated he knew the budget already. Do you want direction from us on what material we would like to use or width?

Mr. Robertson stated I think my main goal in providing you all the different materials is to show you that this is definitely something that is feasible, something that can be worked out and get easements and things of that nature. It is in the cost range.

Mr. Brooks asked for tonight's purposes let's not try to decide because we still need to make sure St. Joe is okay with the alignment and make sure it can be properly permitted. Maybe you can come back to us at the next meeting and you can look more into the Geoweb or other alternatives out there and make a suggestion to us then. I don't mind taking this and I can see it being a trial for us to test some alternatives for more nature friendly materials so that when we start adding more trails which is contemplated maybe that is something we can look at incorporating more into our neighborhood.

Mr. Nortelus stated you brought up some good points there might be other options we might be able to try and the Geoweb concept you talked about looks good.

Mr. Toothman stated the county has their cross country course has these cracked oyster shells and it is a good surface to run on and it stays together pretty good. If you are in an area that washes out when it rains the material is going to wash away every time it rains so Robert is going to have to go out there and grab somebody to put it all back. I don't know if it is wise to go with something that will move.

Mr. Berlin asked Abe, is there any possibility at all that Joe would entertain an agreement between the district and St. Joe for a joint use of the golf cart path?

Mr. Prado responded no.

Mr. Berlin asked what if we built it adjacent to the golf cart path, just widened the golf cart path?

Mr. Prado stated I am going to go with probably not.

Mr. Berlin stated it would just be temporary until funding could become available to build the actual trail.

Mr. Prado stated my initial thoughts are no.

Mr. Brooks stated I think I asked Abe that and from St. Joe's perspective there is a liability concern with walkers meeting golf cart drivers.

Mr. Robertson stated what I might suggest is maybe I can continue to do due diligence to make sure that this is truly something that could go through and then between now and next month do that due diligence and provide you with a proposal for the design and also present you with materials and say here is what I found.

Mr. Brooks stated different alternatives, etc. and maybe if there are residents who want to participate in that they can contact Norm and give him some suggestions.

Mr. Robertson stated I am open to any emails.

Mr. Brooks stated at least bring back the different costs like you did and also maintenance would be a key factor to bring back too because we have to budget for that. I think it is an opportunity to look at some different structures for these trails through here because you look at the asphalt around Central Park Lake and you can see how it is starting to crumble. I keep thinking we need to start setting money aside eventually to start figuring out what we are going to do to start repaving it or doing something to it.

C. Property Management Report

1. All Pro Reports

Mr. Berlin stated the first thing is All Pro's reports that are included in the package.

2. Operations Memorandum

Mr. Berlin stated the second report is mine. I was out the last week of July but any questions on that are also contained in All Pro's.

Lake maintenance we have operating permits on 162, which is in Unit 10, 090 is the one off of Orange Avenue there is a series of 090's this one is the one that is closer, the one to the north I expect to have a request for that coming in any time, they must have been permitted at the same time or close to it. We have a number of things I only have one on here for the street signs as far as calling into the city. On that same note since we have the infrastructure we have set a reuse meter at Orange and Four Oaks. I was informed today that the reuse meter had been set at Blair Stone and Capital Circle but that is not true, a tap has been made no meter is set. I questioned the initial height they have I wished they could leave it that low. I believe I have been told it has to be higher and I will check into that tomorrow morning with the city. The city is doing an informal test on the booster station, which will provide the pressure to Southwood

and beyond on the 16th we will be able to give them a good portion but we will not be hooked up to the second meter, it is not even set yet and we have to get our locates in order to open the ground. There is some confusion on the city from that standpoint. We have been working on this test. On the 23rd is the formal test with the engineers and they will have a lot of people out here, a guy from Atlanta and Mike Chiabelli is going to be here and hopefully we will have both meters hooked together at that time. That is where we are with the reuse.

As far as the things you approved before all of the clocks are set and we will be setting a new clock eventually at Orange, the old clock is only a couple of years old but St. Joe has had a land sale and eventually they will be building apartment sites here and they are going to be extending Esplanade 800 feet so the district will be picking up the entries and we will need another clock to be able to supply it. The clock that exists there now only has a couple more stations available to it and wouldn't be able to take that on so we will replace that with a newer clock and still keep that clock in existence.

I didn't have any security reports. There have been no requests for special events. In October there is a trick or treat trot that the Y is putting on but it is all in streets and everything and my communications with the Y has been they are going to park everybody in Town Center. The district is not involved in that.

3. Open Items

Mr. Berlin stated we have three open items and I will start at the bottom and work back. The FDA water test results for fish kill in Central Park Lake, there was a fish kill in Central Park Lake a couple weeks ago it was reported by a homeowner. She felt that pesticides had gotten in the lake and called FDA and FDA came out and took water samples. I met with the field representative from FDA and we are on the list just to get the results. It is my personal opinion that there aren't any pesticides it is a lack of dissolved oxygen, the lake was down to next to nothing and filled back up, it was covered with weeds, it rotted and the fish just didn't have enough oxygen in that little spot. It is not the first time this has happened. Unless somebody is running around the lake spraying something that we don't know about, a homeowner or someone, I don't expect to see anything on that.

The second one is a homeowner request for a tot lot shade. There is not much discussion there, I did not request any more bids but I dug through the files and Playmore is the provider of

the tot lot structure and Toni Trimarco when she was here got a quote in 2007 and I included those in there plus the estimate to install it. You can see it is quite high. If you want me to go back I can try to pull some more quotes. There is nothing in the budget to cover this.

Mr. Brooks asked are there any comments on that tot lot shade issue? I know they did that at Florida High's playground but there again there are no trees around Florida High's playground. I don't know the cost.

Mr. Berlin stated I will be happy to investigate all that but they are expensive.

Mr. Brooks stated Alan Hanstein might be able to put you in contact with them. I think a lot of the parents got together and helped construct it. I don't know enough about it but I know we have an example where they put one of those sails up here in Southwood that might give us a comparison to that cost. I just don't know if we as a board want to commit to that level of cost when it was built under the shade of trees primarily anyway.

Mr. Berlin stated the tot lot itself is exposed and I guess the idea is it gets hot but if this is something the board thinks they would like to do we need to know enough to work it into the budget because this is a big ticket item. I don't think we want to hang a tarp and a couple of sticks. It would be an expensive item that we are not prepared for.

Mr. Brooks asked is there any direction for Robert?

Mr. Nortelus asked should we examine the playground?

Ms. Herrera-Gray stated I agree with that.

Mr. Brooks stated there is ADA compliance too.

Mr. Nortelus stated maybe it is time to look at everything at the tot lot. Was that what we envisioned when Southwood was first created? I would look at it before we start spending money.

Mr. Berlin stated that is the point I'm trying to make. The tot lot itself we built years ago, that was the budget we were allotted and that is what went in. The tot lot is sound and is in good shape, it has faded a little bit but it has been in quite a while but structurally it is very sound. We lost a couple of the rocking toys when the teenagers broke them and we have not replaced those but I check the tot lot once a month. You get an occasional loose screw and we try to keep the wasps out and we replace the mulch twice a year.

Ms. Herrera-Gray asked can we do something else besides mulch?

Mr. Berlin stated you can look at other things. In 2007 the board asked Toni to come up with this.

Mr. Brooks stated we are responsible for the tot lot so if the question is, is it meeting the needs of our community then maybe what we need to do is if you have contacts in the community that we could pull together and ad hoc like we are doing on the conservation areas. An ad hoc committee that is interested in the tot lot and obviously within reason they can come back to the board and say let's look at and do some additional things or improvements. Would you like to lead that?

Mr. Nortelus stated I will do that.

Mr. Berlin stated this request was so that they could use the tot lot more not that the tot lot was insufficient.

Mr. Nortelus stated I understand that and maybe we should look at it from top to bottom and maybe we want to do something different, mulch or something else.

Mr. Brooks stated let's let Eli lead the charge on the tot lot playground review and maybe come back to the board with some recommendations and then we can look at what our budget will support even if not this coming fiscal year maybe in future fiscal years and say we are going to spend X amount per year until we get it to a level of service. Do you want Robert to be the central recipient of people who want to participate or can I just turn it over and let you run it?

Mr. Nortelus stated we will talk.

Mr. Berlin stated the last request was from a homeowner for a drinking fountain. Again, that went to the HOA and came back to me and the drinking fountains in my experience are a maintenance nightmare but there are also a strong request from the fact that you have a large walking area around here and maybe a drinking fountain in some spot would enhance the park. Your best bet if you put one in would be one that is non-refrigerated. If you want one that has cold water we have to have a power source. You need a power source and you also need a water source. Where you have power is way back over there and over there but no water source anywhere close other than the lake and I don't think that is what you want to do. I did just a quick breakdown of what a meter would cost, the tap fees, the plumbing, etc. and that is what is in there and that was based on the fact of putting one by the tot lot. If there is no shade then the kids could get a drink of water. That is the breakdown and you are going to need a meter and need to pay the tap fee and you are going to need a backflow on that. You won't be charged a

sewer charge on it and that is because we are going to drain it in the field. The fountain alone we can make it where it is sturdy and somewhat vandal proof. I went ahead with my connections at Recreation Products and they sent me half a dozen different fountains and you can get one that kind of looks like a tot lot makeup but that is about \$2,800 that is non-refrigerated, basically somewhat vandal proof so the fountain is very expensive itself. The city is going to want \$1,265 to come out and put a meter in, you need another \$650 for a plumber to certify a backflow which you are going to need each year to certify and I threw in \$1,000 for us to run some pipe over to it. When you add that all up it is quite expensive for the fountain. There was another thought put forth that possibly we could get with the HOA and maybe tap off the potable feed we have at the pool filter site since there is a potable supply there that goes through the filters but that would need to be arranged between the board and the HOA and probably St. Joe also. That would save you about \$2,300. I didn't know how much further you wanted to go with this whether the board was interested in the fountain at all.

Mr. Brooks stated I think we indicated at the last meeting that we were interested. I think we all said yes it makes sense and even the tot lot makes sense for it to be there because that is where people gather. I think the idea of connecting it with the HOA was a way to reduce the meter cost and the backflow because they already have a backflow if you tap into it. It would really be a matter of coordinating with the HOA and St. Joe to tap it. The cost for the fountain is the cost so there would be an amount but it may be something we can do.

Ms. Accardo stated I am a homeowner and resident and I spoke to Robert about the water fountain. I am a member of the track club as well I ran here before I was a member but just speaking with people who come out here and run and walk there are a lot of people who favor it, I have emails and on Facebook and I got 35 people in a matter of a week. Another thing I noticed is a lot of people are walking with their water bottles, they will drop them and it may keep people from littering. There are a lot of reasons, it is environmentally positive and if it is near the tot lot those people will benefit from it too. I'm kind of surprised that we don't already have it. There are unrefrigerated water fountains that are perfectly acceptable and it makes exercising out there a lot better in the summer.

Mr. Brooks stated even on the Heritage Trails I have seen them.

Ms. Accardo stated I think that is a small price for an amenity that a lot of people will benefit from for a long time.

Mr. Nortelus stated we are sitting in an air conditioned room right now and we have bottled water provided so I can imagine if we were sitting at the tot lot right now those folks would appreciate a fountain.

Mr. Brooks stated I think when Robert mentioned it at our last meeting the board members who were here thought it should have been done when it was built. I don't think we are in disagreement it is just trying to make sure that we can do it the most efficient and effective way so it is serviceable. If we can get the HOA, which we also pay fees as well as your taxes to us we need to make that kind of agreement because they do have potable water so it makes sense to me to locate it off of that.

Mr. Nortelus stated you said you ran around Southwood. Is that the best location to put a fountain?

Ms. Accardo responded anywhere around the lake is where you see the most people, 20 and 30 people in every half an hour I'm out there going around the 2 miles. It sounds like this is the best way because of the water source.

Mr. Brooks stated as long as people knew it was there.

Ms. Accardo stated people are going onto the golf course to get water for the things and they are doing what they can.

Mr. Toothman stated at least get one that has the dog water thing on it or the dogs will be drinking out of the upper one. We should think about putting it more back this way away from the tot lot and close enough so the children can go.

Mr. Brooks asked do you need anything specific from us? It is under your threshold.

Mr. Berlin stated the fountain is under my threshold. Again, the agreement and stuff I don't have the liberty to make, you will have to work that out. The cleanest way to do it is to have the district pick up the whole thing and just maintain it. The tot lot is picked because there is a water source fairly close even if we had to tap ourselves here whereas when you go to the other sides of the park the main is on the other side of the street.

Mr. Brown stated I think staff has more than enough direction. This isn't going to be done by the next meeting so give staff another month to come back with something more defined for you, something more concrete that you can give final approval.

4. Variance Report

Variance report included in the package.

D. Manager Discussion of Meeting Schedule for Fiscal Year 2012

Mr. Perry stated the next item is consideration of the meeting schedule for next year and I do want to make one change of a date. I have June 14th and I would like to move that a week earlier to June 7th and the reason for that is we typically have the approval of the budget in June and you need 60 days between the approval and adoption and that gives us the ability to adopt it on August 9th which is consistent with what we have done in years past.

On MOTION by Ms. Herrera-Gray seconded by Mr. Toothman with all in favor the meeting schedule for fiscal year 2012 was approved as amended.

TENTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests

There not being any, the next item followed.

TWELFTH ORDER OF BUSINESS

Audience Comments

Mr. Powell stated I try to bicycle commute to work at least a couple times a week and the roads that have bike lanes on them the painted lines have worn in many areas.

Mr. Nortelus asked where is this?

Mr. Powell responded on Shumard Oak between Four Oaks and Capital Circle that is probably the worst. There may be other areas too where I don't cycle as frequently. I don't know if that is a CDD responsibility but if possible they can be repainted.

Mr. Brooks stated we can coordinate it whether it is our responsibility or the city's. I noticed coming down Biltmore from Southwood Plantation a lot of striping that is fading. That is a good point, thanks for bringing that up.

Mr. Powell stated the other item has to do with Central Park there is a habitat plan that Robert was kind enough to send me and according to that plan there is a Central Park Habitat Preserve which is to help preserve an area for fox squirrels and kestrels and I also noticed in that

area there are golfer tortoises which are mentioned several times in the management plan. However we have uses in that area that are not consistent with habitat preserve. I noticed people in all terrain vehicles hopping the curbs, speeding through the conservation area and then getting on the trails going around the lake. I have noticed people in golf carts going through the park, people with dogs off leashes out there chasing squirrels. I love dogs but I will not take them into that park without being on a leash. I don't know what is in place for enforcement of that but if we don't start enforcing it pretty soon more and more people are going to be doing this and we are going to lose the value that we have for a preserve.

Mr. Toothman stated I think you were going to start working on maybe rewriting the conservation plan for Central Park or our overall conservation plan.

Mr. Brooks stated we are going to get a group of people together who have the interest in the conservation areas within the CDD that we are responsible for and take a look at the plan you looked at and the idea was that plan was written before all this was developed. Now it is developed and we actually have homeowners, stakeholders in it give them the opportunity to review those plans and try to figure out what we as a community would like see in our conservation areas or in our parks and see if that is something we can take to the city or whoever is going to bless it and potentially approve it. Robert was going to coordinate anybody who wants to participate in it and help develop it. What Wayne is saying some sort of enforcement element within that could be considered but again, one of the things we have to deal with here is we don't have any enforcement authority. We have to have the City of Tallahassee or Leon County Sheriff or Game & Fish to participate and it is also an educational thing. That is why I wanted to hold in some reserve for the budget for the next year just better communication from the board about the do's and don'ts of conservation areas, dogs on a leash and all that kind of stuff.

Mr. Powell-asked are there liabilities-in terms of if there is a collision between a bike and a golf cart or a person and a golf cart? If somebody gets killed out there and the city finds out this happened in an area that is supposed to be a conservation easement what is the city going to do

Mr. Brooks stated our attorney is here but I think from a CDD perspective as long as we are doing from a notice standpoint and I think we have signs up that say, no motorized vehicles

at certain of the trail entry spots, we can't help that somebody has jumped the curb and gone in there so the issue is going to be between those two parties.

Mr. Brown stated you are talking about a very fact specific situation but I wouldn't anticipate that we would have a whole lot of liability there if someone jumps the curb and runs into somebody just because they are on district property. If it was a condition of our property that caused the accident or something that is a whole other ballgame.

Mr. Powell stated I think there are only signs over by Heritage Trail.

Mr. Brown stated I don't think signs are really an issue. I don't think we have to post our property that says you can't do X, Y or Z on it. If someone is behaving recklessly in an ATV and hurts somebody just because it is on our property doesn't really cause a whole lot of exposure for the district.

Mr. Powell asked are we in violation of the agreement with the city?

Mr. Brown stated I don't think we are in violation of it I think whoever is driving through the conservation easement is in violation of it.

Mr. Brooks stated if we as a board knowingly supported it contrary to what that is I think we would have a problem but we are not enforcing anybody riding a golf cart or any motorized equipment in there or walking their dogs off the leash. Believe me I have had my confrontations that haven't been very nice in Central Park with some of our neighbors about that. That is not going to solve the issue what you are hearing from us but it can get you to participate more and maybe you can see where some of it happens more than others and maybe that is where we can look at signage.

Mr. Powell asked if you have one of these carts aren't you supposed to sign something and it has to have a permit to use one in Southwood?

Ms. Herrera-Gray stated we have one with a permit. We used it as an example when the university was trying to do a golf cart policy-and we based it out of Southwood's to see what you had and you had one but that was a few years back.

Mr. Brown stated that is not the district we don't do that.

Ms. Herrera-Gray stated that is the city. You need to have the city check out your blinkers, lights, etc. and pay a small amount.

Mr. Toothman asked can you check to make sure about the signs?

Mr. Berlin stated we have signs at the entries that say, bicycles and pedestrians only. We do not have any signs throughout the park where there is not an entry. You do not have any signs along the curb that say, do not hop the curb.

Mr. Brooks stated I think it is a communication issue that this board working with the HOA can share and continue to enjoy their home, no motorized equipment in Central Park Lake then more of the homeowners who are driving it maybe will apply that pressure and say you shouldn't be doing that.

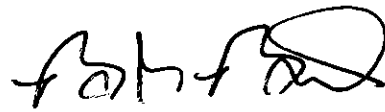
THIRTEENTH ORDER OF BUSINESS **Next Scheduled Meeting – September 8, 2011
at 6:30 p.m. at the Southwood Community
Center**

Mr. Brooks stated our next scheduled meeting is September 8, 2011 at 6:30 p.m. in the Southwood Community Center.

We will continue this meeting to August 25, 2011 at 6:30 p.m. in the same location to handle the financing issue.



Secretary/Assistant Secretary



Chairman/Vice Chairman