

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, December 9, 2010 at 6:30 p.m. at the Good Samaritan United Methodist Church, 3720 Capital Circle SE, Tallahassee, Florida.

Present and constituting a quorum were:

Barry Brooks	Chairman
Wayne Toothman	Vice Chairman
Eli Nortelus	Supervisor (by telephone)
David Ramba	Supervisor
Glenda Herrera-Gray	Supervisor

Also present were:

James A. Perry	District Manager
Brian Crumbaker	District Counsel
Joe Brown	Hopping Green & Sams
Fred Greene	District Engineer
Norman Robertson	PBS&J
Abe Prado	St. Joe Company
Robert Berlin	Operations Manager – GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Brooks called the meeting to order.

Mr. Brooks stated we have an ambitious agenda for this evening concerning a couple of items that I think are going to be very important for the district this year. We had met at 4:00 p.m. in a publicly noticed workshop so your supervisors have already been hard at work and are now ready to go for some more.

**SECOND ORDER OF BUSINESS**

**Approval of Consent Agenda**

- A. **Approval of the Minutes of the November 18, 2010 Meeting**
- B. **Balance Sheet as of October 31, 2010 and Statement of Revenues & Expenditures for the Period Ending October 31, 2010**
- C. **Treasury Report – October 31, 2010**
- D. **Check Register**

Mr. Brooks stated the second item of business is approval of the consent agenda.

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

**THIRD ORDER OF BUSINESS**

**Consideration of Financing Matters**

Mr. Brooks stated the next item is consideration of financing matters. One of the items at the workshop was we had Kevin Mulshine here who is our bond underwriter. He had come to talk to us about the current conditions of our bonds and had some recommendations for us. Kevin has had to leave us and we will leave that to Joe Brown to lead this discussion and Brian Crumbaker.

Mr. Brown stated what we will be looking for is direction for staff to proceed with preparing refunding documents in the event that the underwriter can obtain 7.5% net present value for the refunding. In the event he can't get 7.5%, the direction would then be to contact district counsel who would relay whatever information and message to the chair and the chair will have authorization to direct whether or not to proceed at that point and have it come back to the board at the next meeting for ratification.

Mr. Perry stated just for clarification that was net present value of savings of 7.5%.

Mr. Ramba stated I think that all we are doing is moving forward to go ahead and refinance the bonds would be a vote to allow staff to start preparing the documents and see what the outcome is. Until they start putting the final documents together we won't get an estimated rate from the underwriter.

Mr. Ramba moved to authorize district staff and the underwriter to determine whether or not a 7.5% net present value savings can be obtained from the refinancing of the 2001 bonds and if they are unable to do that then to immediately contact the chair and let him know what the rate is and it will be addressed at the next meeting and Mr. Toothman seconded the motion.

Mr. Kraft asked what does 7.5% represent?

Mr. Perry stated in looking at the bonds right now I think the current interest rate was 6.7% and the proposed rate he thinks he can obtain is about 5.6%. If you run those numbers out

over the remaining 20 years of the bonds based upon that reduced interest rate there is about a 7% savings right now.

Mr. Kraft asked what does that mean for a household?

Mr. Perry responded on an average homeowner I think we looked at a 75 foot lot the savings would be about \$52.

Mr. Brooks stated I think the documents that were presented by Kevin Mulshine indicates that even at almost a 6% savings the district would generate about half a million dollars and what that would equate to each homeowner was an equivalent percentage savings for their assessment. The goal right now is to try to get to a 7.5% target before we make a decision to move forward.

Mr. Kraft stated the only thing I have seen and we have looked at refinancing bonds in both Florida High and the Florida State Athletics I understand there is only one player that provides bond insurance on the underwriting side of it. They have changed the rules a lot.

Mr. Perry stated the refinancing we are looking at is probably going to be with a banking institution so the parameters are a little different.

On voice vote with all in favor the motion passed.

**FOURTH ORDER OF BUSINESS**

**Discussion and Ranking of Landscape Proposals Submitted in Response to the RFP**

Mr. Brooks stated item four is a discussion and ranking of the landscape proposals submitted in response to our RFP. I know at our last meeting we postponed the scoring to this meeting to give the new supervisors that have joined this board an opportunity to understand the depth of the RFP that went out and also to have time to look through the packages that were submitted by the vendors.

Mr. Brown stated the district received six proposals in response to the RFP. The supervisors were all provided copies of those at the last board meeting. As part of the RFP package there was an approved set of evaluation criteria, which was the basis for evaluating, scoring and ranking of the submitted proposals. We included in your agenda package a table listing the proposers who submitted responses to the RFP and the six criteria that were included in the approved evaluation criteria for each one of the proposers. That is background. Staff has gone through the proposals and we did as well and you will note in your agenda packages there are four proposals that are noted where there were arithmetic errors in mathematical extension of

the pricing and it is appropriate for the board to correct those when it is a simple matter of mathematical extension to correct those errors in the bids and that is what we have done here and what you will see are the adjusted numbers underneath the table that represent the actual bids based on the correction of the arithmetic errors and then the recalculated points for those four proposals. One was Austin Outdoor, Esposito, All Pro and Sun State, all four resulted in an increase in bid for each one. My recommendation to you would be to waive those minor errors and accept the bids as responsive to the RFP.

Mr. Brooks asked do you need a motion for that?

Mr. Brown responded I would like a motion.

Mr. Ramba moved to waive the minor errors as pointed out by counsel and Mr. Toothman seconded the motion.

Mr. Toothman asked the numbers underneath the table are the numbers that are going to be used?

Mr. Brown responded based on the board's approval, yes. That is based on our reconciliation going through each proposal.

Mr. Toothman asked so that is a change in your table?

Mr. Brown stated it will change it slightly and if we need to take a break if anybody needs to rescore or we can do that later. The bottom numbers will be the numbers based on the board's approval that we used in scoring the proposals.

On voice vote with all in favor the motion passed.

Mr. Brown stated as an additional note I will point out that the board has the authority to correct those sorts of errors it is codified as well in the district's rules of procedure. We actually provide that in our rules of procedure with respect to competitive solicitations that mistakes in arithmetic extension of pricing can be corrected by the board. I know there was discussion last time with respect to the board's review of these proposals, scoring and ranking of proposals that you have a pretty wide discretion especially in these different categories as to where you think proposers fall with respect to personnel, experience, understanding scope of work, financial capability but ultimately you can't exercise that discretion in an arbitrary or capricious manner.

It has to be based on some facts reasonably discernable to support the conclusions that ultimately the board reaches with respect to ranking. That is your legal standard for the boundaries of your discretion as you go through and rank these proposals.

That said, my recommendation to the board is if each board member wanted to go through and indicate what their final ranking is and their total scores, if you have any comments with respect to why you ranked them that way from one to six and then what I would like to do is have staff reflect those final scores, tally them, do an average, see what the average works out to in terms of ranking, take a break so that we can be sure that all the math is being done correctly then we will present that to the board and if it is agreeable to the board entertain a motion to approve that average ranking.

Mr. Brooks stated the supervisors have been restricted by process to what was contained within these documents. Please understand that. Why don't we go through and take each of the categories we were supposed to rank in and then report to Joe what our scores are for each of the rankings for the different landscape proposers and go through each one, one at a time, let him then go ahead and do the math, we will take a break for a little while and then come back and report the results. Then if we have any discussion after those results have come back in we can have that then if we want to have the dialog among ourselves. Is that agreeable?

Mr. Toothman asked we just give him these sheets and let him add it up and then come back to us in lieu of calling them out?

Mr. Brooks stated I think the preference from what I understand is that for getting it on the record we need to call it out into the record.

Mr. Brown stated ultimately it is up to the board, it is just a recommendation but my recommendation would be if you have the highlights of how you ultimately scored. I don't know what your preference is but if one proposer you feel like had the best experience and price is a mathematical calculation but experience, and understanding of scope of work is demonstrated in the proposal that is why you ranked them number one, something to that affect but ultimately that is my recommendation.

Mr. Toothman stated what I'm trying to get at is I prefer to just figure out where everybody else is at prior to and just by turning in these sheets and then him reporting back the total aggregate of the process then we can start discussion.

Mr. Brooks stated the chair is acceptable with that. I was just laying an option out there for us. If the board wishes to just submit and then we will take a break for a few minutes so the totaling can be done and we will come back and see where it falls and then discuss any of these criteria that we have specifically and what differences we have.

Mr. Brown stated if I can get everyone to confirm one thing which is if you have a total I can check it as you give it to me but I want to be sure your total includes the right price point allocation.

Mr. Brooks stated we will pass them to Joe. Mr. Nortelus have you had an opportunity to share your results?

Mr. Brown stated Mr. Nortelus gave me his scores and if you will just confirm for me that your totals were based on the points allocated for price based on the reconciled numbers.

Mr. Nortelus responded yes.

The board took a short recess after which the meeting was reconvened.

Mr. Brooks stated we have two supervisors joining us by phone and that is Supervisor Ramba and Supervisor Nortelus and the rest of us are here in person. I will turn this over to district counsel who has done the tally with the supervision of our district manager who is a CPA.

Mr. Brown stated I will read each supervisor's total for each contractor into the record then I will give you based on those totals the averages and how that worked out 1, 2, 3, 4, 5, 6.

For Mr. Ramba I have for C&M 70 points, Austin Outdoor 92.148 points, Esposito 93.938 points, All Pro 95.273 points, Sun State 88.038 points, Valley Crest 89.07 points.

For Mr. Nortelus I have for C&M 70 points, Austin Outdoor 87.067 points, Esposito 93.246, All Pro 96.196, Sun State 84.807, Valley Crest 87.

For Mr. Brooks I have C&M 70 points, Austin Outdoor 86.148 points, Esposito 70.938 points, All Pro 92.273 points, Sun State 81.038 points, Valley Crest 84.07 points.

For Ms. Herrera-Gray I have for C&M 86 points, Austin Outdoor 82.148 points, Esposito 80.94, All Pro 96.273, Sun State 84.038, Valley Crest 79.07.

For Mr. Toothman I have C&M 70 points, Austin Outdoor 72.148 points, Esposito 73.938 points, All Pro 96.273 points, Sun State 69.038 points and Valley Crest 69.07 points.

Tallying those and taking an average and I will go by ranking we come out with All Pro ranked first with 95.2576 points, second we have Austin Outdoor ranked with 83.93 points, third for Esposito with 82.6 points, Valley Crest comes out ranked fourth with 81.656 points, Sun State comes out ranked fifth with 81.3918 points and C&M comes ranked sixth with 73.20 points. Again just the top three is All Pro one, Austin Outdoor two and Esposito three and Valley Crest four, Sun State five and C&M sixth.

Mr. Brooks stated thank you. Do any of the supervisors have any comments or questions of Mr. Brown or any questions about the math or do you have any kind of comments about the rankings as they were called out?

We have one card that has been filed with Mr. Perry. Mr. Kraft, do you need to address the board?

Mr. Kraft responded no I'm fine, thank you.

Mr. Brooks stated seeing that we have no additional comments or information we can entertain a motion to adopt the rankings and that would then place All Pro as the selection for the board for our landscaping maintenance contract.

On MOTION by Mr. Toothman seconded by Ms. Herrera-Gray with all in favor the rankings as read into the record were adopted with All Pro being the number one ranked firm.

Mr. Brown stated what will happen now is we will issue a notice of the board's intent to award the contract for landscape maintenance services to All Pro. That will go out to all the proposers. There is an initial window of opportunity for proposers to file a notice of protest if they would like to, that is followed by a longer period during which they have an opportunity to supply a formal written protest essentially detailing the basis for the protest. That is the process we will go through. We will send those notices out and if no one files a protest within that initial window of opportunity we will proceed with getting All Pro under contract.

Mr. Brooks stated thank you Mr. Brown and thank you supervisors for doing your diligence and looking through this amount of materials that was submitted. We appreciate the vendors' participation in this process. I think there was a lot of good information from all the vendors and we are very happy with the process and ready to move forward.

**FIFTH ORDER OF BUSINESS**

**Ratification of Third Amendment to the Landscape/Irrigation/Infrastructure Maintenance Services Agreement with All Pro Land Care of Tallahassee, Inc.**

Mr. Brooks stated the next item is ratification of third amendment to the landscape irrigation infrastructure maintenance services agreement with All Pro Land Care of Tallahassee, Inc.

Mr. Brown stated this is basically a housekeeping item. Obviously, the process for giving the opportunity to the board members to review the packages extended the award out another month and this extends All Pro's current contract so that we can continue to have services until the board made an award and until a new contract was entered into. All this does is extend out under their current terms until staff issues a notice saying that that contract is terminated.

Mr. Toothman asked is there a completion date?

Mr. Brown responded no, just based on the district's notice. The terms of the amendment provide that immediately upon notice from the district of termination that this third amendment which extends out their existing contract basically on a month to month basis that that contract will be terminated immediately upon notice. There is no hard and fast set date. For instance if we do get a notice of protest we can't continue on with contracting with All Pro under the new contract. The district is going to need someone to provide landscape services. This will fulfill the interim need until the district can get its award worked out and get a new contractor under contract.

On MOTION by Mr. Toothman seconded by Mr. Nortelus with all in favor the third amendment to the landscape/irrigation/infrastructure maintenance services agreement with All Pro Land Care of Tallahassee, Inc. was approved.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney -- Memorandum**

Mr. Brown stated there is a memo in your agenda package and there is nothing additional to report.

**B. Engineer**

### **1. Update on SouthWood DRI Amendment**

Mr. Greene stated my understanding in talking to Abe is that is still staying on track of having a meeting in January. I don't believe there is anything else to report other than that.

Mr. Prado stated just for clarification a meeting of the working group met yesterday, representatives from the city, a representative from your board, representatives from St. Joe, there were a couple of residents present, Commissioner Ziffer was there who coordinated the effort. The group came up with assignments for some of the different participants. TPD is going to look into setting out their traffic monitoring machine that captures speed of your vehicles through certain areas. Public works is going to look at doing some traffic counts in some of the surrounding roads. That is not going to happen until January to let the holiday traffic stabilize and have everyday readings. We will be looking at working with growth management to look at the feasibility and economic impacts of constructing a roadway from Orange Avenue to SouthWood Plantation Road, a temporary road until the ultimate construction of Orange Avenue occurs. Those are the three major points that were discussed.

Mr. Brooks stated I will ask Mr. Toothman to update the board. At our last meeting the board designated Mr. Toothman to take the lead on these immediate issues related to some of the traffic problems we have been having in the district.

Mr. Toothman stated like Abe said the best part was the police department was there and they are going to do this study. They also have a methodology that if you see somebody speeding if you write down their license plate or a description and which way it is going and time and day that kind of thing they will actually send an officer to do voluntary compliance who is going to knock on your door and let people know that the neighbors are upset with them. I believe we are going to try to get that back through the homeowner's association. That was a real positive thing and immediate. Public works was participating, Commissioner Ziffer was participating and I think that kind of gets us where we need to be for an immediate problem. We still have the long-term problems and NOPC is still out there.

Ms. Bibler stated as Abe mentioned we had a meeting yesterday and as a result of that meeting as he said there is going to be some traffic counts done and those are not going to be ready until probably mid February. Many residents have a lot of issues with the idea that the roads are not yet completed and would like to see at least some partial completion of these arterial roads. We would like to ask for our board as representatives of our community here to

make a resolution that would go to the planning commission who is now scheduled to hear this on January 4<sup>th</sup> with regard to the fact that we do have some issues with what is known as the NOPC and even more importantly we would like to ask that you resolve to request that it not go to the January planning commission meeting because of the fact that we won't even have these traffic counts until the middle of February. I think they meet once a month so that leaves the March meeting for them to actually hear this in a public hearing.

Commissioner Ziffer stated I thought the meeting was well attended there were probably about 20 people there. We had the HOA, the CDD, traffic, growth management, St. Joe. It was probably the first time all those groups have been together in one room. Up to this point from the City standpoint we have been dealing with an intersection here or an intersection there and that is not going to improve the situation so the conclusion was that we need to look at a much broader and bigger picture. For example traffic is looking at traffic counts, where is the traffic coming in from SouthWood Plantation Road? Is it that much traffic off of St. Augustine or where is it coming from where is it going because the temporary solution which is actually a two lane road system, will that actually work and the only way to determine that is to know where all this traffic is. We plan on getting together again in the middle of February because that is about how long it is going to take Abe to get his numbers together from St. Joe on the road, do all the traffic counts because they can't do any until the holidays are over because you want to be sure you have accurate traffic counts. That is not to say that TPD is not going to be out here because they are going to get out here and start giving people tickets. Also the HOA is going to be distributing information through the newsletter and other means telling people to use the roads that are supposed to be used. We are going to stay on this. It is a hard thing to overcome because these roads are not done. As we said in this meeting the roads are not done but the Department of Revenue built their buildings and the District Court of Appeals built their building and everything else is continuing to build yet our road system is not done. I think by working together there are probably some short term and some mid term solutions. I know Wayne will be participating in this and if anybody has any questions they can certainly call me or if they have any suggestions feel free to do so.

Mr. Brooks stated Gil, thank you for helping with this issue. I know in the board's interest the direction that we had left at last meeting was that Wayne definitely was taking the lead to look at the short term and what we can do to solve the problem that is out there now but

the board definitely gave our staff direction to participate the best we can and to look at maybe working with the developer to try to identify some sources of funds if we have any that could solve the problem for the neighbors right now. Hopefully, that will continue to work as you discussed.

Mr. Kraft asked Abe did you mention that in the thought process so far is temporary extension of Orange Avenue to let that traffic in the backway?

Mr. Prado responded that is one of the things being looked at.

Mr. Kraft asked is that a done deal or is that just the first thing you looked at?

Mr. Prado responded that is one of the things we are researching. It is not a done deal. The thought is a two-lane swale, roadway swale.

Mr. Toothman stated Ms. Bibler asked about a resolution. Do you feel it is not appropriate?

Mr. Brooks stated Wayne has asked us if we would like to entertain a resolution that I have seen circulated as of yesterday to basically for the board of supervisors to take a position that we do not support this amendment to the NOPC. Is that the gist of what your resolution says? Carolyn is shaking her head affirmatively.

Ms. Bibler stated adding to that also to slow the train down here and ask that the January 4<sup>th</sup> planning commission not hear this at this time.

Mr. Brooks stated to me it is the will of the supervisors. I think the perspective that I take as chair on this is the fact that while we are sympathetic to the timeline I would argue that bringing a resolution to us the day before our meeting even though I know you just had your meeting kind of puts us at a little bit of a disadvantage to allow staff to research it and see if we even have that level of authority or if it is the right thing for us to do. I am open with whatever the supervisors want to entertain now. In lieu of that I have asked staff to pull together another resolution that would maybe be some sort of medium ground on putting us on record on this right away but I'm open.

Ms. Herrera-Gray asked how would this affect us waiting until March? What is the negative about it for us not to present it in January and wait until March?

Mr. Brooks stated I will let staff discuss this too but the way I look at it is just process for this board. Again, we can do what we want to do tonight but I think from a process standpoint

we really haven't had time to digest what kind of position that puts us in as a board as a whole. I guess that is what I'm uncomfortable with.

Mr. Ramba stated I'm prepared to make a motion for some board action to see if there is a second to get this moving.

Ms. Herrera-Gray stated I will second it.

Mr. Brooks stated it has been moved and seconded for the resolution that is being offered by the neighbors. Is that for the resolution being brought to us by the neighbors?

Mr. Perry stated the question by the chair is the resolution that has been proposed by the neighbor group, is that what your motion is to approve?

Mr. Ramba stated no, I was going to see if there are issues with some of the supervisors haven't seen the resolution yet and there is a timeline issue, frankly we don't need a resolution. I will move to see if we have a second but the motion is that we submit a letter from the board signed by our chair requesting the city commission to defer the public hearings any vote on the NOPC 7 until traffic studies and additional negotiations had occurred between the city, county, and St. Joe.

Mr. Ramba moved to direct staff to submit a letter from the board signed by the chair requesting the city commission to defer the public hearings and any vote on the NOPC 7 until traffic studies and additional negotiations have occurred between the city, county and St. Joe and Ms. Herrera-Gray seconded the motion.

Mr. Brooks stated I guess we would have our attorney draft that letter.

Mr. Brown stated subject to your approval and signature.

Commissioner Ziffer stated I have a suggestion. It goes to the planning commission before it goes to the city commission. I would suggest that the letter is addressed to both. If you are trying to slow it down you ought to try to do it at both locations. That would be my recommendation.

Mr. Ramba stated I will be happy to amend my motion to address it to both the planning commission chairman and the mayor and copy all the planning commission members and the city commission.

Mr. Brooks stated that is fine I don't think we need to be that formal. I think Joe has the direction.

On voice vote with all in favor the amended motion was approved.

Mr. Brooks stated we will have our counsel draft a letter for your chairman's signature requesting that this process slow down a little bit.

## **2. Change Order No. 9**

Mr. Greene stated the next item is change order no. 9 to Sandco.

Mr. Robertson stated first I'm pleased to announce that unit 35 the construction has been completed, however, we are still going through the acceptance process with the city and getting a few last minute details, however, all the construction items are completed so we put together a final change order. I think all that was left in this contract was the pond bottom seed mix we had discussions with Northwest Florida and were able to agree to wait until the spring before we start placing anything down in the bottom of those ponds so we are going to remove \$49,831.48 from the contract. This is change order no. 9 to Sandco and we recommend approval.

On MOTION by Mr. Toothman seconded by Mr. Ramba with all in favor change order no. 9 was approved.

## **3. Final Payment to Sandco for Unit #35**

Mr. Greene stated the next item is a request for final payment to Sandco for unit 35 and Norm has all the details.

Mr. Robertson stated this is the final payment for that contract in the amount of \$1,742.40. That is for a little bit of the seed mix we put in some areas where we were short on having some seed mix on the TR105 pond, that is the large pond south of Tram Road we needed to use a little bit of seed on the berm for stabilization. With this there was a final release of lien from the contractor, which is a requirement. We are also waiting on the acceptance from the city so I recommend you approve this final request subject to acceptance from the City of Tallahassee and Northwest Florida Water Management District.

Ms. Herrera-Gray moved to approve the final payment to Sandco for unit 35 subject to acceptance from the City of Tallahassee and Northwest Florida Water Management District and Mr. Toothman seconded the motion.

Mr. Toothman asked the paperwork is done?

Mr. Robertson stated all the paperwork has been completed and has been submitted. We have acceptance from the utility department, we have acceptance from Leon County, we have acceptance for the dam safety permit that is part of Northwest Florida. I have an email stating that it is coming but we are waiting on approval for the environmental resource permit from Northwest Florida and we are waiting for final approval from growth management and final approval from public works. But all the paperwork has been submitted with the exception of public works requires a letter from growth management before they will approve it so we are waiting on the letter from growth management to submit to public works. There are no other obligations from Sandco at this time other than to complete any final punch lists that the city might generate.

On voice vote with all in favor the motion passed.

**4. Work Authorization No. 125, Rev. 2**

Mr. Greene stated the next item is work authorization no. 125 revision 2. This is a request from us for additional \$15,820 plus \$1,582 for estimated reimbursables for a total of \$17,402. This is for ongoing work in connection with the 2008 bond issue. We only bill the district for actual time expended and we request your approval.

Mr. Brooks asked this is supported by our budget?

Mr. Perry stated that is correct.

On MOTION by Mr. Toothman seconded by Ms. Herrera-Gray with four in favor and Mr. Ramba voted no work authorization no. 125 revision 2 was approved.

Mr. Toothman stated we paid for an evaluation of Shepherd's Branch. Has that been completed and are we going to get a copy of that?

Mr. Robertson stated it has been completed. I can get any paperwork that was generated from it and I can bring to the next board meeting or we can talk off line about it.

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

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

Mr. Berlin stated the first thing in your booklet was All Pro's weeklies.

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

Mr. Berlin stated next is my manager's report.

#### **3. Variance Report**

Mr. Berlin stated I will hit a couple of these points real quick. The regular items that are in there, lake maintenance, we did some pond bottom mowing and we just got the notice to renew the permit for pond 141 it is the southern pond in unit 10. We have already started working on that. It will be in next month's report where we stand with that. I have requested the check so it should be done probably next month. The permit expires in February so we have enough time. There is not a whole lot wrong with the pond.

The next thing is a request by the chairman to have us look at the shape of the utilities infrastructure throughout SouthWood. We have already been doing that but we never made any written documents, whenever we saw a pothole or something or a sign leaning or a light out we usually call the city and try to get in the queue so they would come out and fix it. Now we are going to work with the chair and put together a report that we think we can either include in here, it will be in the agenda package whether it is going to be a line item like it is here, the way I picture it and I haven't talked to the chair yet it will be a separate document, the same way as All Pro's reports or my variance on the monthly spending. It will be set up so that you can look at it and see what is out there and what we have. It will be easy to update if any of the board members or any homeowner calls in with a report of something such as a pothole in the pavement and I think the chair and I will work out exactly what we feel is prudent to put in there. I must say that a lot of this, probably the vast majority of it, does not come under CDD control but it is worth noting that we don't have a problem from the GMS standpoint of reporting this and trying to stay on top of it to the city.

The next one is security. I don't know of any accidents we had. We had one spin around in the median I don't know where that came from but we sanded that out on Four Oaks.

Open items is lake water sampling. I hope to be able to get to that as soon as they take care of me.

The RPMs on Four Oaks have been completed and all the striping, all the thermo is down so from Orange to Shumard has been completed.

There was no discussion on the community garden. I would like to say for the record that there will probably be representatives for this at the next meeting. I wanted to make everybody aware of that.

Just a heads up we are doing some wood replacement on the bridge. I don't think it will come anywhere near my sign-off amount but I wanted to make you aware of it.

**D. Manager**

**1. New Meeting Location Starting in February**

Mr. Perry stated during last month's meeting there was a discussion about changing meeting location and we are going to be able to change that starting in February. There is a conflict in January so we will still be meeting here but we will be meeting at the new location starting in February. We have worked out the logistics for that for the rest of the year.

Ms. Herrera-Gray asked are we meeting at the community center?

Mr. Perry responded yes and we will meet there the rest of the year starting in February.

**2. Priorities for Fiscal Year 2012**

Mr. Perry stated the priority list that we talked about last month I have gotten some feedback this week on it. I haven't updated the schedule but next month we will have it in the agenda package with the input from staff and the supervisors.

**SEVENTH ORDER OF BUSINESS**

**Other Business**

There not being any, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Supervisor's Requests**

Mr. Ramba asked does the new location have conference call capability?

Mr. Perry responded yes the room has a phone jack in it now and we will make sure that it is going to be adequate for future calls.

Mr. Toothman stated I didn't want to confuse the issue but basically this is something I have been working on and tried to write it up. What my proposal is that as a board that we recognize that if we take the prorata share money that St. Joe would give to the city and apply it to the road network we would do a significant improvement to the failing Apalachee Parkway Capital Circle intersection and the road segments adjacent to it. By proposing this significant improvement I am going to try very hard to get the city to concur that it is a significant benefit and improvement to that intersection and actually apply the concurrency money to routing people through our community which is one of the problems with the roads not being built. If we have funding we should be able to get some roads built. If we have some roads built we can have permanent roads instead of temporary roads. My preference is that we build it per the plan, there is a good plan. I believe in the plan I think it is a good plan. This would provide us an avenue to get there and what I would like the board to allow me or approve it and with the funding we would improve the intersection at Apalachee Parkway and Capital Circle with our internal road construction.

Mr. Brooks stated I know Eli and David don't have the privilege of having Wayne's copy in front of you but it is a summary of his proposal what he spoke about with SouthWood transportation network and looking into some other funding mechanisms that might allow us to kind of leverage funds for concurrency to hopefully help us out. What direction do you want from us?

Mr. Toothman stated if we could do a finding of fact that it will be a significant benefit to that intersection that would give me a little bit of weight as I present it to the city.

Mr. Brooks stated Wayne is asking us to come up with a finding of fact and I'm not familiar with that process.

Mr. Toothman stated basically what I'm thinking is that because there would be an alternate route that would get you from Apalachee Parkway to the satellite offices for Department of Revenue or schools that would alleviate because one of the things at the meeting the director of public works said I know exactly how you do it you go up to the light and do a U-turn and come back to Plantation Road and come down Plantation Road, this is the way he comes into our community every morning to drop his kids off at Florida High. What I'm saying

is build the road that comes out at Walmart at least provide the funding, St. Joe is going to build the road. I presented this to St. Joe and it is a long shot but I'm willing to make the effort and try. This notion would be somewhat acceptable to the county.

Mr. Brooks asked do we need to formalize that or is it just direction that we allow Wayne or ask Wayne on behalf of the board work to explore this option?

Mr. Brown stated I don't know what your timeline is on this if you have a hard and fast date by which you need to have something.

Mr. Toothman stated ultimately if this is going to happen St. Joe is going to have to at least do an addendum to their NOPC 7 that is the planning commission that says this is what and then the city would vote on the addendum and say this is how you would apply that money in lieu of putting it into the concurrency management system, they would just allow St. Joe I would imagine by some sort of date certain I'm pretty sure we would have to amend our add an addendum to their NOPC.

Mr. Brown stated right now it is the January meeting.

Mr. Toothman stated right that is why I'm bringing it tonight because I would like to formally go to the city concurrency manager and speak with them but I would like to present this to the city board and to the county board to get support for it.

Mr. Brown stated I'm not too familiar with the process and this is the first time I have seen this and haven't had time to evaluate what that process is or at least from my perspective or my review what would best serve the board. I hear things like finding of facts.

Mr. Toothman stated I'm trying to avoid the city saying that it is not factual that if we build this road they will just continue to use Apalachee Parkway 10 minutes longer on their trip according to the city.

Mr. Brooks stated if I may I'm sure on behalf of all the supervisors and the neighbors we appreciate you pulling this together but we need to ferret it out a little bit more before we get comfortable. We have Harry Reed here who actually is a resident of our district and Harry has some depth of knowledge of transportation planning issues. Would you mind in your capacity as a neighbor coming up and coaching us a little bit?

Mr. Reed stated I am a resident of SouthWood. I also have responsibility for long range transportation planning for the region. One of the things I want to point out to you and I will be glad to sit down and talk with you and see how we can work this out but I don't disagree with

what you are saying. But the process has been established that is what is called “significant benefit districts” and priorities have been set so funding that comes out of those particular districts go to those specific projects. That is something we would have to address. I do want you to know about a year ago we sat in on a meeting talking about some development that was going to take place on SouthWood Plantation Road between St. Augustine and Apalachee Parkway. There may be a way to address the issue on the short term and it would cost significantly less and we would be able to deal with what you are trying to deal with from that standpoint. I pretty much can tell you from the standpoint of them doing an analysis of the impact on the intersection of Apalachee Parkway and Capital Circle the idea of people making U-turns is not going to happen. That just doesn’t factor in. There is another thing I can tell you one of the things to talk about continuing a little bit further down along Walmart and the road that goes over to SouthWood Plantation Road and in the interim that would be able to address that because there would be a light there.

Mr. Toothman stated ultimately that is where Biltmore comes out.

Mr. Reed stated I am fully aware of that because one of the things we are concerned about from our standpoint is the fact that we don’t look at local networks as how they impact a regional facility. I can tell you if we sit down and start working with the developers a lot more closely you are going to save them a ton of money because if they properly planned the network for the development they won’t have impacts on the regional facilities. It is not our intention to continue to widen the roads they don’t serve anybody well. These are the type of things I told Barry that one of the things in their analysis was proving is that I can build three 2-lane roads and get you 40% more capacity than a 6-lane facility and I can prove it. These are the type of things we don’t look at. As far as designing neighborhood development roads and things like that they need to be properly designed to avoid the problems you are concerned about which is speeding in the neighborhoods. That can be done properly as well.

Mr. Toothman stated what I’m trying to do is identify a source of funding and provide funding that way the road network I believe we have a good plan. I’m quite sure it could be improved.

Mr. Reed stated that is part of what we want to explain, what is the regional concept of this type of thing and how does it tie in with what you are trying to help create.

Mr. Brooks stated let me interject a little bit for the benefit of the meeting and to move this along a little bit. Wayne, if we pass this motion that we are asking for the board to delay the meeting and consider this stuff maybe that is a pretty strong indicator to them, hopefully they will table this and would that give you some time then to consult with somebody like Harry and some other engineers?

Mr. Toothman stated that is why I presented this. Basically I was going to make the next step and actually make it public and I would like to do it from my position as a supervisor. My goal with this is just to let you know that I believe this is a methodology that needs more tweaking I agree I don't have all the answers and this is just me fumbling through an additional stack of paper and trying to pick out the parts that apply to us. It is not 100% it is a long shot but I believe the county is willing to work with us but their position is you know the city pretty much takes the lead on all of this. My goal with this is to let you know I was doing it and I would at some point I am going to have to ask the city to direct St. Joe if they are actually going to take that money and forgive them of the requirement or whatever the methodology they are going to do, I don't know what it is but I would like to see that money applied to building roads in SouthWood in lieu of building roads wherever else and being held until they have \$40 million to build a road.

Mr. Brooks asked so for tonight are you satisfied with the fact that you got it out on the table? We have somebody who actually is an expert in this, lives in our community and maybe all of you can help clean up the proposal because obviously the goal of the CDD is to try to get this infrastructure built and built as soon as possible.

Mr. Toothman stated right. I guess with your permission and maybe with the attorney's review allow me to provide a letter initiating some activity to apply the money to road construction. I basically ran out of time.

Mr. Brooks stated I don't think any supervisor here would object if you are doing it as Wayne, your supervisor from your seat. I understand you want the full board behind you and maybe by next meeting if it is not too late we can be there and hopefully, if there is a delay once the attorney gets a chance to review it and understand what you are trying to do, once you get a chance to really understand and refine what you are trying to do maybe it will be cleaner then for the board to sign off on it.

Mr. Toothman stated I didn't want to get too far into the sausage making of it either. I just wanted to say here is a source of funding and apply it to immediate fix so within a date certain we would have a road from here to there.

Mr. Brooks asked does any other supervisor have any comments for Wayne? He is making a valiant effort here to try to get this moving forward. I'm just a little leery of going out there as a board as a whole until it gets fleshed out a little bit better and maybe that can happen next month.

Mr. Toothman stated just to be clear I can write a letter. Do we have letterhead?

Mr. Brown stated we can certainly make some.

Mr. Brooks stated I have some I send out it is not letterhead it is just emails.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

There not being any, the next item followed.

**TENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – January 13, 2011  
at 6:30 p.m.**

Mr. Brooks stated our next scheduled meeting is January 13, 2011 at 6:30 p.m. in this location.

Mr. Perry stated we also have scheduled a workshop that afternoon at 4:00 p.m. at this location for government in the sunshine.

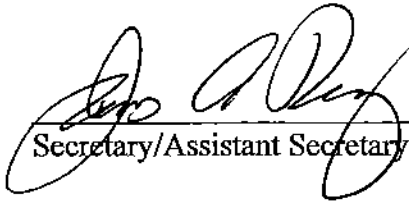
Mr. Ramba asked is that with the Piney-Z folks?

Mr. Brown responded yes but the issue being that the expert that would come and speak to us with state government may no longer be in her position as a result of the recent election so pending her finding out whether she is going to remain on for any extended period of time or not will determine whether we move forward with that workshop at the January meeting or perhaps a later meeting, depending on who her replacement is.

Mr. Brooks stated we have to be flexible and you will notify us in enough time.

Mr. Brown stated as soon as I know. We will notify you well in advance of the notice going out for that workshop.

On MOTION by Mr. Toothman seconded by Mr. Ramba with all in favor the meeting adjourned.



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Secretary/Assistant Secretary



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Chairman/Vice Chairman