

MINUTES OF MEETING
CAPITAL REGION COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Capital Region Community Development District was held Thursday, October 11, 2007 at 8:30 a.m. at the Brokaw-McDougall House, 329 North Meridian Street, Tallahassee, Florida.

Present and constituting a quorum were:

Sean Fennelly	Vice Chairman
Alan Hanstein	Secretary
Mary Lee Kiracofe	Supervisor
Corbett Drew	Supervisor

Also present were:

James A. Perry	District Manager
Brian Crumbaker	District Counsel
Fred Greene	District Engineer
Norman Robertson	PBS&J
Abe Prado	St. Joe Company
Toni Trimarco	GVA Advantis
Mercedes Pineiro	St. Joe Company

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting to order at 8:30 a.m.

SECOND ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the August 30, 2007 and September 13, 2007 Meetings**
- B. Balance Sheet as of August 31, 2007 and Statement of Revenues & Expenditures for the Period Ending August 31, 2007**
- C. Allocation of Assessments**
- D. Check Register**
- E. Summary of Projects Under \$5,000**

Mr. Perry stated section two is approval of the consent agenda. I do know we have some corrections to the minutes if we can walk through those first. Beginning with the August 30, 2007 minutes that are included in your agenda packet. I don't know if anyone has changes to

those. Hearing none, moving on to the September 13, 2007 minutes. I will start on page 1 because we have a change on that one. Russ Weyer's name is spelled wrong and also on several other pages throughout the document. Page 5 under A there is a blank and the number to be inserted is \$4,655,602 and that is comprised of the general fund, debt service funds for the 2001A and 2002A bonds and the BANs also. Page 7, at the bottom of the page there is a blank and "with construction" should be inserted. Page 8, there is a blank in the second paragraph and the word "was" should be struck and "in 2000" should be inserted. Also on page 8 the second paragraph under B there is an amount in there of \$1,475,000 and that should be \$2,475,000. Page 9 there are a number of corrections to Mr. Weyer's name. Page 12 the second paragraph from the bottom the second sentence says, for the original 3,2141 it should be 3,241 acres. Page 22 the second paragraph there is a blank and it should be Ms. Hornsby and below that in the second motion box should be Mr. Drew.

On MOTION by Mr. Drew seconded by Mr. Hanstein with all in favor the consent agenda items were approved with the corrections to the minutes.

THIRD ORDER OF BUSINESS

Consideration of Proposals

A. Proposal from the City of Tallahassee for Installation of Electric Utility Sleeves

Mr. Perry stated the next item is consideration of proposals.

Mr. Greene stated the first item is a proposal from the City of Tallahassee for the installation of utility sleeves we had tabled last month. We are passing out a revised proposal from the one that was in the agenda package. We were able to negotiate that down to \$5,000 with the city. They had some items in there that should not have been included in the original one. We recommend your approval of this proposal for \$5,000. This is to pour some conduits under Duxbury Lane and install conduits to provide electric service and relocate two streetlights.

Ms. Kiracofe asked can you tell us why?

Mr. Robertson stated typically what happens when we are doing construction, and try to avoid this cost before the roads are put in, we will trench cut and put in the conduit ahead of time. We try to anticipate where the lots in Unit 26 were going to go when we were building 25 but after 25 was built the lot plan changed so where the electric boxes needed to go changed as well and as a function of the letter agreement all of the conduit underneath the roadway is to be

paid for by the district so that is a cost to jack and bore underneath the road. It is a greater cost if we have to do it after the fact. For the most part we get it ahead of time but every once in a while this type of situation comes up where we need to jack and bore. The other cost is to move some street lights that were put up based on where the old lot plan was as well.

Mr. Perry stated I ask for a motion to approve the proposal from the City of Tallahassee.

On MOTION by Mr. Drew seconded by Ms. Kiracofe with all in favor the proposal from the City of Tallahassee for the installation of electric utility sleeves in the amount of \$5,000 was approved.
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B. Proposal from GMS, LLC for Financial Advisory Services

Mr. Perry stated included in your agenda package is a financial advisory services proposal for this district from Governmental Management Services. This is related to any assessment methodologies that would come before the board in the future including any future BAN issues or any other bond issues. In addition to that this considers the assessment roll function that we currently do for the district and also any estopple letters that might be required. By way of background, Fishkind & Associates has been doing a number of these tasks before for the district especially in regards to the methodologies. The fees in here are very competitive with their fees, they are less than their fee structure and the certification cost is consistent with what we have been budgeting in the past for this district.

Mr. Crumbaker stated one of the advantages of doing this and I will take a step back a couple of years. One of the problems that this district has had in the past with respect to the assessment methodologies and certifying the roll is that when you have two vendors providing two different pieces of the puzzle sometimes they don't fit as seamlessly as they should. Sometimes there is some finger pointing back and forth with respect to this entity is supposed to be providing the roll from the property appraiser and then the other is supposed to be plugging in the numbers as it relates to the assessments but they get that information from the district manager because the district manager is the one that provides them with the final budget. In some respects there has been some difficulty and two years ago I think it culminated in us actually getting the tax roll to the tax collector's office on the last day and one of the things that I think you will see as a result of going ahead and bringing it all under roof with GMS is that there is only one throat to choke so to speak so we won't have the logistical issues associated with

having two vendor agreements that may or may not overlap or may or may not have gaps in it. In light of the fact that they are willing to provide a proposal that is competitive if not a little bit lower than what Fishkind & Associates was providing previously, we thought it was probably in the best interests of the district to do so.

Mr. Drew asked does approving the proposal and moving forward with GMS as the financial advisor require us to terminate a contract with Fishkind?

Mr. Crumbaker responded yes.

Mr. Drew asked is that the same motion?

Mr. Crumbaker responded we can do it as part of the same motion if you would like.

Mr. Fennelly stated some of the line items look like they would overlap with the existing scope with GMS, attendance and participation in board of supervisors and staff meetings relating to district financing and that sort of thing. I'm wondering would there be an additional amount on top of this for the GMS services, routine management services?

Mr. Perry responded we have our routine management service contract and this is separate.

Mr. Drew asked is it a separate person?

Mr. Perry responded yes as you see here this is GMS South Florida, the management agreement is with GMS, LLC, which is basically North Florida. The reason we structured it this way is because my partners in South Florida have been associated with this district in doing the roll work for a number of years and I didn't want to step in and take that knowledge base away.

Mr. Crumbaker stated the individual he is referring to is Rich Hans who used to be with Severn Trent when Severn Trent was the district manager here and did all of the roll work for Severn Trent on this district and when he left Severn Trent he went to GMS and started GMS South Florida. He has been very much involved in assisting Fishkind and overseeing Fishkind and ensuring Fishkind is doing what they are supposed to do for the last couple of years.

Mr. Hanstein asked is there any penalty for terminating this contract early with Fishkind or are we right on the renewal period since we just finished the roll?

Mr. Crumbaker responded there is not a renewal period. We have spoken with Fishkind already and there is no penalty. They understand bringing it under one house is in the district's best interest so they have agreed they will go away quietly so to speak but we do need to take some formal action.

Ms. Kiracofe asked is there a timeframe on this?

Mr. Crumbaker responded the management contracts and the financial advisory contracts are ongoing contracts, you are going to certify the roll each year but if you don't have a bond issue or BAN issue then you don't incur any expense. It is essentially having a consultant on staff.

Mr. Fennelly stated \$11,500 because there is an annual assessment every year, the estopple letters are per occurrence, reimbursable expenses are what they are and the BAN and bond is as necessary. All of the other stuff would come under the general management agreement.

Mr. Perry responded exactly.

Mr. Hanstein stated I think Fishkind was a little over \$12,000 for their annual.

Mr. Crumbaker responded I don't recall.

Mr. Perry stated I know it is in excess of this. I think it might have been \$15,000.

On MOTION by Mr. Hanstein seconded by Mr. Fennelly with all in favor the proposal from GMS for financial advisory services was approved and termination of the agreement with Fishkind & Associates was authorized.

FOURTH ORDER OF BUSINESS

Acceptance of the Audit for Fiscal Year 2006

Mr. Perry stated section four is acceptance of the audit for fiscal year 2006. You have before you a copy of the audit for the year ended September 30, 2006. The drafts were just finalized yesterday and there are still a few little changes that we are working through. If you will turn to the second page of the report which is the independent auditor's report and I will draw your attention to the third paragraph which states, in our opinion the financial statements referred to above present fairly in all material respects the respective financial position of the governmental activities in each major fund of the district as of September 30, 2006 and the respective changes in financial position thereof for the fiscal year then ended in conformity with accounting principles generally accepted in the United States of America. That is what is referred to as a clean opinion. We usually try to get these out to the board ahead of time and we have been working with the auditors trying to finalize this draft report. There are no items that should give concern to the board. It is a clean opinion, the financial statements are fairly

presented but what we would ask the board to consider is approving this report in substantial form so you have a chance to look at it if there is anything that might come up or there might be some small nits or something but we don't believe there are any material changes to this and we would ask that it be approved in that manner and we would send it out after the draft is finalized next week to the state.

Mr. Fennelly asked are there any significant footnotes?

Mr. Perry responded the footnotes are always integral to the financial statements. In regards to significance they are part of the financials so they are a significant portion of it. Again, there is nothing in there that is any different than what you have seen in prior audits. They are incorporated to provide full disclosure.

Ms. Kiracofe stated by asking us to approve it in substantial form you are basically asking us to approve it so you can send it on?

Mr. Perry responded what I would ask is to approve it in substantial form and if you have comments if you can get them back to me by the end of next week there are a few items we noticed that we are going to need to make changes to just some of the wording but it is very immaterial items. We would incorporate any of those comments and then we would send it off to the state.

Mr. Hanstein asked is there a deadline to submit this to the state?

Mr. Perry responded it was supposed to be submitted by October 1. We have been struggling to get this done.

Ms. Kiracofe asked and the struggle is rooted in?

Mr. Perry responded the struggle is rooted in two things. The first one is that there are four audit firms in the state that provide this service at a competitive price. There is in excess of 400 districts that they do and there is a time constraint with them on staffing. The other thing was that we didn't get our working papers to them as early as possible. Our working papers will get to them this year before December 31st for this past fiscal year so there should not be any reason the audits are not done by our timeframe which is March 31st.

Mr. Hanstein asked do we risk any penalty by submitting late?

Mr. Perry responded no, we have been in contact with the state and told them that the report was going to be submitted in approximately two weeks.

Ms. Kiracofe asked is there any way we could have gotten this timely on Friday?

Mr. Perry responded no, the draft last night went to the attorney.

Mr. Hanstein stated you said there were some minor changes. Is there anything we need to note in here?

Mr. Perry responded no.

Ms. Kiracofe stated I am uncomfortable approving something I haven't had a chance to read.

Ms. Pineiro stated provide about a week for review and if we get any comments back within a week is that enough time to look at everything?

Mr. Hanstein asked this would not require further notice, we would essentially provide comments directly back to you individually but unfortunately if we have any items for discussion with the supervisors we would have to call a special meeting. That is my only concern. I really don't have an issue approving this in substantial form and providing you comments but we essentially lose any opportunity for discussion amongst ourselves.

Mr. Perry stated if there is an issue that is a material issue then we would not transmit it, we would hold off until the next meeting. We feel comfortable that there is not going to be any material issues with the report.

Mr. Drew moved to approve the audit in substantial form giving one week for a more thorough review and comment.

Mr. Perry stated by the end of business next Friday.

Mr. Hanstein stated I will second but I would like to add because that essentially doesn't have an out if we want to hold it so if you can add to that that we will hold transmittal if there is any significant issues.

Mr. Perry stated that is fine if Corbett is willing.

Mr. Drew stated that is fine.

On voice vote with all in favor the motion to approve the audit in substantial form giving one week for review and comment and to hold the transmittal of the audit if there are any significant issues was passed.

Mr. Perry stated we will note what changes will be made before we transmit it to the state to each of the supervisors.

FIFTH ORDER OF BUSINESS

Consideration of Proposed Landscape Plan for the Common Area in Unit 19 in Southwood

Mr. Perry stated item five is consideration of proposed landscape plan.

Mr. Greene stated we would like to table that again. We have not been able to get with that gentleman representing the area.

Ms. Kiracofe stated it is my understanding that the homeowners have asked for two other proposals. They received one from Persica and they were seeking one from Horticultural Services of North Florida. There were a few homeowners on the side who were not thrilled with this so they were going to come up with three possibilities. I didn't hear it from Mr. Swanson; I heard it from another homeowner who lives in the neighborhood.

SIXTH ORDER OF BUSINESS

Consideration of Change Orders

A. Change Order No. 1 for Orange Avenue from CCSE to Four Oaks Boulevard

Mr. Greene stated under item A is change order no. 1 for Orange Avenue from Capital Circle Southeast to Four Oaks Boulevard. This is an increase of \$21,436. All of this is a St. Joe cost. It is adding some additional facilities for sanitary sewer, water and reuse. We recommend your approval.

On MOTION by Mr. Hanstein seconded by Ms. Kiracofe with all in favor change order no. 1 for Orange Avenue from Capital Circle Southeast to Four Oaks Boulevard for a net increase of \$21,436 was approved.

B. Change Order No. 2 for Unit 26

Mr. Greene stated the next one is change order no. 2 for M of Tallahassee. This is for Unit 26. Norm is handing out a revised change order. This one is not quite as simple. The one in your agenda package shows an increase of \$20,120 and the revised one is a decrease of \$1,964. If you would note on the face of the change order in the second block we had it shown as an increase but it should be a decrease. If you go to the third page, we had a problem with

typos this month. We didn't change the number where it says change order no. 2 is the result of several conflicts change order 2 is a decrease of \$22,000 and that should be \$1,964.

Mr. Fennelly asked should we disregard the one in the packet?

Mr. Greene responded yes.

Mr. Robertson stated the majority of these changes are a result of conflicts that were found during construction. One of them on the golf course I believe it was in the irrigation main and it would have been more trouble than it is worth to jack and bore the pipe into the ponds so they open trench cut it and made some changes to the irrigation so they could get their pipe through and that is what the first two costs are for. Most of that cost was extensive labor. Because we were not jack and boring we removed that item from the contract and that was a substantial cost and rather than it costing just over \$40,000 to put that pipe in the pond it cost about \$20,000. The others were some Nyloplast basins and yard drains. There were a few more on the contract documents than were originally bid so those were included in here as well. There was one structure put in as a result of a conflict that was found onsite. They had to put that structure in to move everything over. I believe it was a Sprint box.

Mr. Greene stated I think we also found out if we had jack and bored we would have probably gone right through a water main.

Mr. Robertson stated most of these are due to conflicts on the site during the trenching.

Mr. Hanstein asked is the work on this contract complete?

Mr. Robertson responded the full contract is not complete. The work from this change order has been done.

Mr. Fennelly stated the end state of the overall contract remains the same. Basically there is a \$2,000 reduction.

Mr. Robertson responded yes.

On MOTION by Mr. Drew seconded by Mr. Hanstein with all in favor change order no. 2 for Unit 26 for a decrease of \$1,964 was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Work Authorizations

A. Work Authorization No. 95 Revision 1 – PBS&J General Engineering Services

Mr. Greene stated item seven is consideration of work authorizations. The first one is work authorization no. 95 revision 1. The reason we call this revision no. 1 is we already have a work authorization for a certain amount of money and the first two work authorizations were predicated on selling bonds about the first of September and that hasn't occurred so those numbers have run out and this is just an extension of that. This work authorization is for work that Post Buckley does for the district and it is done as the need arises and is based on the hourly rates and the hours expended. On the second page in the second line under basis of compensation we have a typo where it says \$18,512 that should be \$19,096. You will see that shown in the table below but it didn't get changed up there. This has been reviewed with Abe Prado and he has indicated his approval and we request your approval.

Mr. Fennelly stated so basically it is predicated on the bond issue, the \$19,096 is spent already.

Mr. Greene responded no.

Mr. Fennelly stated this \$41,540 how much of that has been incurred?

Mr. Greene responded about \$19,696 the original fee. The additional hours are going forward.

Mr. Fennelly stated so really a certain amount of this has already been done and spent and there is another \$20,000. This would be for what time period the next 12 months?

Mr. Greene responded we didn't put a time period on it.

Mr. Prado responded typically 6 to 9 months. I think the original \$19,000 was about 8 months.

Mr. Greene stated we had done this before trying to do it with every contract but the paperwork was overwhelming. This all comes out of the construction bond account but it is stuff that comes up, general services, inspection.

On MOTION by Mr. Drew seconded by Mr. Fennelly with all in favor work authorization no. 95 revision 1 was approved.

B. Work Authorization No. 97 Revision 1 – CH2M Hill General Engineering Services

Mr. Greene stated the next work authorization is work authorization 97 revision 1. This is for CH2M Hill work the same way. We do work on projects and we also have additional

consultants now that we are working with for the district that has taken additional time. We also had additional time, we tried to finalize the Unit 25 contract with Mitchell and we also have a project for Merchants Row extension that we have been working with the assessment consultant on. The same thing, we had this predicated on having a bond issue about September. Some of the additional fee has already been spent but we are requesting an additional amount of \$29,990 plus expenses estimated at \$2,999. We want an increase by \$29,990. The bold print on this work authorization is what is included in the revision. All of this money would come out of the bond issue account. We reviewed this with Abe and he has indicated his approval.

Mr. Hanstein stated just a question on how this is best done. Is this the most appropriate way to do it or would it be better to bring additional work authorizations? How substantial does the change have to be related to the original work order to require an additional rather than a revision or is this essentially another work order?

Mr. Perry stated I think it is really more of an extension of the work.

Mr. Greene stated normally when we have a bond issue we try to tie these to a bond issue. When they don't hit the schedule then we just do a revision to it because eventually we have to account for it in a cost sharing we try to assign it to one job number.

Mr. Hanstein stated that is the important thing to me that we can relate the cost back to a specific street or project you are doing.

Mr. Greene stated that is why we do the revision. This way it is easier to account for it.

Mr. Prado asked how much of this is associated with task 9?

Mr. Greene responded I am not sure. I can get that for you.

Mr. Fennelly asked Abe do you want to get that break out before approval?

Mr. Prado responded no I am okay with proceeding with it. It is an hourly cost anyway so we can control that.

On MOTION by Ms. Kiracofe seconded by Mr. Fennelly with all in favor work authorization 97 revision 1 was approved.

C. Work Authorization No. 114 -- Southwood Offsite Improvements -- Paul Russell Road and Apalachee Parkway

Mr. Greene stated the next item is work authorization 114 for offsite improvements and this work will be done by Dyer Riddle Mills and Precourt as a sub consultant to CH2M Hill and

this is for Paul Russell Road and Apalachee Parkway. You can see the detail of all of the stuff but this is mainly developing conceptual plan for the improvements that need to be done. I am meeting with the city trying to come up with a conceptual design. Later on we will have to come back for the actual design but this is trying to come forth with the conceptual work and this is an estimated lump sum amount of \$7,900 for this work.

Mr. Hanstein asked what is the work to be done? Are they adding lanes?

Mr. Prado responded this is part of the development order requirement. I believe it is a turn lane on Paul Russell onto Apalachee Parkway. It is to make the left into a dual left into the parkway from Paul Russell.

Mr. Fennelly asked are these part of our offsite improvements required?

Mr. Prado responded yes.

Mr. Crumbaker asked are there going to be right of way acquisition issues there? Or is the right of way wide enough?

Mr. Prado responded we will find out. There will probably be right of way issues.

Mr. Crumbaker asked will the city or county be responsible for obtaining that right of way?

Mr. Prado responded the district will be responsible for right of way acquisitions. These are the types of things we will need to figure out, how much right of way and what ingenious solutions we can come up with to try to minimize the right of way acquisition. The city will proceed with right of way acquisition at the district's expense.

Mr. Fennelly stated this would be years away I would think.

Mr. Prado responded we are required to have a left under construction by December 31, 2009. Figure this takes about three months we will probably be back with permitting and engineering proposal in January or February next year, permits in hand by early 2009. We are required to have all of this left lane construction bid by December 2009. You will see a lot more of this come through in the next couple of months.

Mr. Fennelly stated that is all of the offsites.

Mr. Prado responded yes, we have one currently under design and permitting and that is the Apalachee and Blairstone.

On MOTION by Mr. Drew seconded by Mr. Fennelly with all in favor work authorization no. 114 was approved.

D. Work Authorization No. 115 - Landscape Architectural Services for the Southwood Entry Sequence (Merchants Row Boulevard)

Mr. Greene stated the next item is work authorization no. 115 for landscape architectural services for the entry feature at Merchants Row and Capital Circle. Wood and Partners is a sub consultant to us to do this work and you can see the tasks, the preplanning, construction documents and this is in the lump sum amount of \$12,394. Let's table this until next month.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There not being any, the next item followed.

B. Engineer

Mr. Greene stated I wanted to report that Mitchell Brothers on Unit 25 has replaced the sidewalk. We have a verbal commitment from the city that they approved the new sidewalk. Maybe we will have the request for final payment next meeting and we can clear that out.

C. Property Management Report

Ms. Trimarco stated we received several calls in September in reference to trees on non-backbone roads that needed replacement. We investigated and found that they were under warranty and the appropriate vendors were given the homeowners contact information to coordinate those replacements. Replacement of most of them will take place in October.

We spoke with Ray Mitchem with the City of Tallahassee in reference to the installation of the light poles that we have been waiting for since the first part of July and they have arrived. We hope to see the installation begin probably in the next week to two weeks. I have requested prior notification of commencement of the work so that we can make a posting on Town Talk and the residents will be informed prior to work beginning.

Horticultural Services of North Florida has completed their field verification of all of the plant material and areas to be mowed. We are in the process of working with Horticultural

Services of North Florida, All Pro and St. Joe to compile maps of all of the areas that require maintenance and whose responsibility those are.

I also want to report the new areas added in September were FL070 buffer, FL080 which is in Unit 29, Unit 21 and Unit 27.

Mr. Fennelly asked the map that you mentioned will break out the different maintenance areas?

Ms. Trimarco responded we already have a map but it is in need of updating especially with all of the new areas and as the areas come online we will build on that. The GIS folks at St. Joe are helping with that.

Mr. Crumbaker stated if you will recall Rick Jackley attended a couple of meetings and talked about resident street trees and things of that nature and he and I met following last month's meeting and as a result of that meeting one thing we discussed was taking what Toni is working on and bringing back to this board a resolution that memorializes the district's intent with respect to all of the areas it intends to maintain, meaning spine roads yes, non spine roads or neighborhood improvements that will be the homeowner or other entity's maintenance obligation but he wanted something he could pull and say this is where the district is saying it is their policy to maintain these areas. Once that map is completed we will bring that to you.

Ms. Kiracofe asked did you discuss with him because it is in our meeting from August about how they are going to communicate that to the homeowners? Does he have a letter planned?

Mr. Crumbaker responded he indicated that he was going to do a letter.

Ms. Trimarco stated he was going to have a letter and also the map that actually shows those areas. That will be updated as we add more areas or delete areas once the Southeast District takes them.

Ms. Kiracofe asked did he provide a timeframe for when he sees that going out to homeowners?

Mr. Crumbaker responded it is going to be triggered by the map and then this board adopting a resolution. Hopefully, the map will be ready in the next couple of weeks and we will bring it back to the board. Then in his letter he can set out the district has accepted, review your declaration it says that it is the homeowners responsibility, the CDD however, is assuming

responsibility for these areas so that it is clear and the homeowners themselves understand this is my tree it is time to take care of it.

Ms. Kiracofe stated just to educate other supervisors, we had a workshop for homeowners beginning this education plan about trees and we had a gardening workshop Saturday and 32 homeowners came and Horticultural Services came and demonstrated if you add a tree how to properly plant it and they spent a lot of time on how to maintain it and take care of it. That process has begun as far as educating the homeowners.

Mr. Hanstein stated I notice that utilities are significantly higher. Do we know what that was?

Ms. Trimarco responded I need to investigate that. I will look into that. The overage for the irrigation repairs, those are going to fluctuate. If you will notice overall we are under budget a little over 13% for the month.

Mr. Fennelly asked do the utilities include water?

Ms. Trimarco responded yes.

Mr. Fennelly stated so if there are irrigation repairs they broke the line and the water charge can be high?

Ms. Trimarco responded the utilities include the water. The irrigation repairs, no, that doesn't include water.

Mr. Fennelly asked if there is a broken line or something the utility charge would go up?

Ms. Trimarco responded yes but I can't imagine that would have much impact on the utilities for broken lines. We jump on those quickly.

D. Manager

Mr. Perry stated I have two items for the board. If you will recall we talked about a website for the district. Next week you will be getting a proforma. It is not for this district but it is a proforma we are working on for another district. Just look at the shell and how it is outlined and so forth and once we finalize that one we can transfer it over to this district and populate it with all of the information. What we also want to do which just occurred to me when we were talking about maps, is we will include a map of the district and once we get the map of the areas that should be maintained by the district we can put that on the website too. Don't be alarmed when you see this for another district. Give me comments back. We are also populating it so it has links to other governmental entities and so forth.

The other item I had is there was a request to have our November and December meetings moved and have a night meeting. We tried to coordinate that with various entities and it is just not working. There is a conflict with the golf course on the November date and the December date was also a conflict.

Ms. Kiracofe asked with the golf course because I sat in a staff meeting two weeks ago and he said get them down for December. Was the conflict with the golf course?

Mr. Perry responded with the clubhouse at the golf course.

Ms. Kiracofe stated this means our first meeting after 5:30 p.m. is March.

Mr. Perry stated it is scheduled for March.

Ms. Kiracofe stated you are saying the golf course is our only option for a location?

Mr. Perry responded we tried two or three others. We tried PSE, we also tried dealing with the high school and we haven't had any luck trying to get those meetings set.

Mr. Hanstein stated if we could secure the golf course for the December meeting by the next meeting in November that will give us enough time for notices, doesn't it?

Mr. Perry responded yes. All we need is 10 days.

Ms. Kiracofe stated I will say this again, I am very uncomfortable waiting until March to do an evening meeting based on the requests. No one may come but I am not very comfortable waiting until March.

Mr. Perry stated we will check with them again.

Mr. Crumbaker stated you may just want to call Bill Weir.

Ms. Kiracofe asked with the community center you were concerned that hundreds of people come and the community center only holds 75? Is that why we don't use the community center?

Mr. Perry stated I don't have an answer on that.

Ms. Kiracofe stated it is available a lot more frequently than the golf course clubhouse.

Mr. Perry stated okay. I know they have been trying to schedule it.

Mr. Hanstein stated I think the charge for the community center was \$300.

Mr. Crumbaker stated I don't remember the capacity issue but the charge was \$300.

Mr. Perry stated there is a charge for the clubhouse too. I believe it was \$350. I will talk directly with Bill and see if we can get that.

NINTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Drew stated we approved a pay request for Esplanade Extension and there was an issue with the city acceptance. Has that been resolved?

Mr. Robertson stated I'm hoping to have that resolved in the next week or two. We had to get the property deeded to the city and the paperwork has been at the city for about a month but the process of having it recorded takes a little more than I anticipated but when I talked to Terry he thought it should be done this week.

Mr. Drew stated then that is the last issue with that.

Mr. Robertson responded yes.

Mr. Drew stated the open space between Unit 27 and Capital Circle. M, Inc. has been using that as a staging area for their work on Capital Circle. They are winding up their operations in and around that intersection and if you can get with them and have them clean out whatever damage they have done and then put that back on your monthly maintenance, that would be great.

Ms. Trimarco responded I will be happy to.

Mr. Hanstein stated I was hoping that Brian could give us an update on the Southeast CDD.

Mr. Crumbaker responded right now we are essentially waiting for notices. There is a notice of rulemaking that has already been published and waiting for that time to pass. The notice of rule development should be published next Friday and they are not published in the newspaper, they are published in the Florida Administrative Weekly by the Governor and Cabinet. Once that notice is published then at that point in time and there is a hearing that is tentatively scheduled for November 7, 2007, if someone asks for it, but what usually happens is that FLWAC staff, if they haven't received a request for that hearing, then they cancel it and then we have the Governor and Cabinet and we anticipate right now the Governor and Cabinet on December 4, 2007 because there is only one meeting in November. At that point, if they approve the rule amendment for Capital Region and the rule creating Southeastern then 40 days after that it will be effective.

Mr. Hanstein stated so sometime early 2008 we will be looking at these inter-governmental relationships on how to cost share some of these items.

Mr. Crumbaker responded right.

Ms. Nishimoto stated I am a resident and also an approved contractor in Southwood so I build homes in Southwood. I am here to request possibly a hearing or a meeting for the homeowners to get more information as we continue to develop additional areas in Southwood. When I moved into Southwood five years ago it was my understanding as these areas continue to develop that we would be seeing additional pool facilities and that Town Center was going to continue to grow and all these things were going to be happening and all we are seeing is more houses and more people and nothing more in terms of amenities and those types of things. Mary Lee does a wonderful job as far as coordinating activities and things but as far as development of facilities for the more people who are moving into the neighborhood when you go to the swimming pool in the summer there is no place to sit. Even if you bring your chair, the pool is packed. Areas are being redesignated that were low density into high density which means more people from the original plan. The last public hearing that occurred just recently, if you go down Four Oaks behind Davidson, that area was a low density and as of the meeting a few weeks ago it is now high density. We go from 3 homes per acre to 8 homes per acre and that means more people in our neighborhood but we don't hear of any more facilities coming. I think as homeowners and as property owners we need to be concerned about our property values and what is it doing to us as homeowners and the values of our homes especially custom homebuilders. I'm getting calls from my homeowners who are saying we are buying big dollar houses and all we see going in are little townhomes, little houses and that is bringing our values down. Those are the comments I'm hearing from my customers and it is certainly a thought in the back of my mind. When is the next swimming pool opening? There is nothing on the agenda for that to happen. Maybe there is and we don't know about it as homeowners.

Mr. Drew stated I will clarify a couple of things. As far as the swimming pool, I don't know but we can talk to the project manager of Southwood.

Mr. Prado stated the swimming pool issue is an HOA issue it is not a CDD issue. The swimming pools are owned and maintained by the HOA. Right now the development plan for that is the area where that swimming pool is, is the area under construction right now so optimistically I would say that pool could open as early as spring of 2009. It will be close based

on where development is. That is not a CDD issue in that it is not owned or maintained by the CDD, that is an HOA and developer issue. Your issue addressing the density that is also a developer issue but more specifically be density itself for Southwood as a whole is not changing, the original development order allowed 4,770 units. The current development order still allows 4,770 units so the density and number of residential units itself has not changed. The change you are addressing was a zoning change and you are correct it does allow for a more dense development in those parcels and it does allow for smaller lot size particularly the parcel you were talking about on the southwest corner of Four Oaks and Orange Avenue which the zoning originally was large single family and it is being reduced to low density residential. The overall number of units has not changed from what was originally proposed back when the original DRI was approved in 1989.

Ms. Nishimoto stated so will other areas that were designed as high density become low density? Is that what we are saying in order to maintain that number?

Mr. Prado responded there will be a trade off. Parcels that were originally designed at 8 units an acre will have to be designed at 6 or 4 units an acre to try to offset the other parcels having higher density. The overall number of units has not changed from what was originally proposed in the original DRI.

Mr. Hanstein stated your comment on the amenities I think as a homeowner, I couldn't agree more. Certainly, we want to see more in there and on things like the swimming pool that is a homeowners association issue. I know the HOA has recently had their election and they had representatives from neighborhoods and they actually just appointed Chris Kraft as the overall homeowner representative of the homeowners board and Chris has already called me saying we really want to talk about how the HOA and CDD can communicate and work together. Probably, and I don't know how they schedule their meetings or what forum you have at the HOA meetings, but I know they are going to be more receptive to listening to that and putting those in place. The developer is still building those amenities and we as a CDD have property that is more passive as far as parks and we have looked at what we can do with that but I think we all agree that the more people we get in there the more things we want them to have to do.

Ms. Nishimoto asked did I understand him saying that the HOA pays for the swimming pool development and not the CDD so if we as homeowners want another swimming pool or

demand another swimming pool then HOA needs to fund that and get that on the schedule for development, not the CDD?

Mr. Hanstein responded the HOA doesn't build the pool but your HOA fees pay for the maintenance of the pool, the utilities, the guard but it is the developer who paid for the pool. I guess technically the HOA could build another pool if you raise the dues enough to build a pool but it would really be the developer that you would have to address. The CDD does not deal with any of the active amenities in the neighborhood.

Ms. Kiracofe stated I have been told that regarding a second pool, they have determined a preliminary location but because the infrastructure is not there yet on Orange Avenue it is marching towards the east and you can't just plop it up there in the middle of nowhere so we have had to wait for that infrastructure. Is that correct Abe?

Mr. Prado responded that is correct.

Ms. Kiracofe stated at Southwood 101 meetings he has come and pointed that out to the homeowners about as to timing and location.

Ms. Nishimoto asked where does the developer get the funds to develop the swimming pool? Does it come from the HOA or does it come from the CDD?

Ms. Kiracofe responded from the developer's pocket.

Ms. Nishimoto asked has the developer given us a timeframe?

Mr. Prado responded that would be the early 2009, optimistic date, that is what we are shooting for.

Ms. Nishimoto stated so neither the homeowners or the CDD have any control over what the developer does and when they do it.

Mr. Prado stated to some extent that would be accurate. Theoretically if the HOA wished to say we don't want to deal with you guys we want to build our own pool, you could theoretically raise the assessments enough to raise the money for building your own pool that in X amount of time you could go ahead and construct yourself. Keep in mind you don't have the land for it.

Mr. Hanstein stated there is permitting and other issues you would have to deal with.

Ms. Kiracofe stated what we have now the developer built and turned it over to the HOA for maintenance.

Ms. Nishimoto stated the developer says we are going to develop another 300 homesites and we are going to build this, who approves or disapproves what they are building and the amenities that go with that particular development?

Mr. Drew responded the development order.

Mr. Prado stated the development order outlines the basics required under the development order and PUD. Are you asking sort of what forces the developer to do that?

Ms. Nishimoto responded right.

Mr. Prado stated other than the requirements of the development order would so specifically address the amenities for the community there is really no requirement for it. It is something the developer does to improve the neighborhood.

Ms. Nishimoto stated as part of my Town Center the original plans and the little map they had at the sales center when we were buying that there was a phase 1 and phase 2, phase 2 could just technically go away if the developer chooses not to do it anymore?

Mr. Drew responded let me speak to that. Phase 2 of Town Center is actually Broad Street Partners is a developer out of Winter Park, and Broad Street Partners purchased that about a year ago and they have been under design. They have conditional site plan approval and if all goes well with their city approvals they should be under construction by the end of the year. That will be the next 30,000 square feet of commercial space, residential above and residential beyond.

Ms. Nishimoto asked is that something that we can somehow get to the homeowners to let people know because as a homeowner I am encouraging my friends to move to Southwood because we have this wonderful neighborhood but we haven't seen anything happen in the last five years.

Ms. Kiracofe stated we go over all of this at our Southwood 101 classes. Abe comes to every one and gives us an update on things like Broad Street. People ask questions just like you have asked now but we offer that class about three times a year. That is the importance of that class. Bill Weir always comes he is the project manager and he fields every question until the bitter end. That is the best conduit as far as if you have direct questions, these guys come. We just had one in August. We will offer another one probably in January.

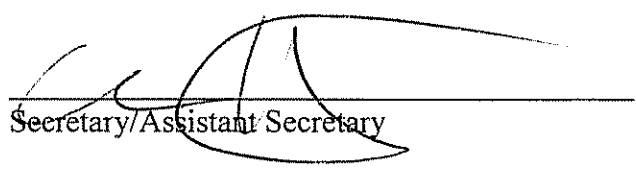
Ms. Nishimoto stated okay, thank you.

ELEVENTH ORDER OF BUSINESS

**Next Scheduled Meeting – November 8, 2007
at 8:30 a.m. @ Brokaw-McDougall House**

Mr. Perry stated our next scheduled meeting is November 8, 2007 at 8:30 a.m. at this location.

On MOTION by Mr. Drew seconded by Mr. Fennelly with all in favor the meeting adjourned at 9:40 a.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman