

MINUTES OF MEETING

CELEBRATION COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Celebration Community Development District was held Tuesday, March 16, 2010, at 6:30 p.m. at 851 Celebration Avenue, Celebration, and Florida.

Present and constituting a quorum were:

Cliff Akey	Chairman
Paul Collins	Vice Chairman
Tom Sunnarborg	Secretary
Lee Moore	Treasurer
Bruce Carlson	Assistant Secretary

Also present were:

Gary Moyer	Manager: Moyer Management Group
Jan Carpenter	Attorney: Latham, Shuker, Eden & Beaudine
Mark Vincutonis	Engineer: Hanson Walter & Associates
Brenda Burgess	Moyer Management Group
Michael Crikis	Reedy Creek Improvement District
Michael Harford	Osceola County Commissioner, District 1
Kathryn Kolbo	Reedy Creek Improvement District
Jim Parker	Walt Disney Imagineering
Brian Smith	Severn Trent Services
Residents and members of the public	

This is not a certified or verbatim transcript but rather represents the context and summary of the meeting.

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Roll Call

Mr. Moyer called the roll and stated a quorum was present for the meeting.

THIRD ORDER OF BUSINESS

Pledge of Allegiance

Mr. Akey led the *Pledge of Allegiance*.

FOURTH ORDER OF BUSINESS

Approval of the Meeting Agenda

Mr. Akey reviewed the agenda and requested any changes.

FIFTH ORDER OF BUSINESS

Public Comment Period

There being no comments, the next order of business followed.

SIXTH ORDER OF BUSINESS

Consent Agenda

A. Minutes of the February 16, 2010, Regular Meeting

B. Invoices and Check Register

Mr. Akey reviewed the Consent Agenda, and requested any corrections, additions, or deletions to the minutes.

Mr. Sunnarborg stated I submitted some changes to Mr. Moyer's office for some typographical errors and misspellings.

On MOTION by Mr. Sunnarborg, seconded by Mr. Carlson, with all in favor, the Consent Agenda was approved, as amended.

SEVENTH ORDER OF BUSINESS

Presentation by RCID on Stormwater Quality and Management

Ms. Kolbo reviewed a presentation on stormwater quality and management, which is contained in the agenda package and is available for public inspection at the District office during normal business hours, and is also available on the District's website.

Ms. Kolbo stated the development areas within Celebration discharge water into the water bodies surrounding the community. All of your discharge flows into a larger system, which is the Reedy Creek Improvement District (RCID) master drainage system. This system is a network of canals and levees that receive surface water from development areas as well as inflow water from the north, west and south sides of the District. That water flows into the District, passes through the wetlands, and discharges at the south point to the South Florida Water Management District (SFWMD). RCID is part of a larger drainage basin which is the watershed for Reedy Creek itself. Water north of the watershed flow north to the St. Johns River, and water south of the northern watershed border flow into the Reedy Creek south through the RCID system, through Lake Russell and Lake Hatchineha and eventually down to the Everglades. This watershed is the headwaters of the Everglades. Our master system was constructed in the late 1960s and early 1970s. This system is subject to a lot of Federal and State permits, joint planning agreements among RCID, Osceola County and Orange County, and interlocal drainage agreements. RCID has an agreement with The Celebration Company, the Celebration CDD and the Enterprise CDD. In accordance with these agreements, we monitor the quality of the water passing into the system, passing through the system, and the quality of water we discharge at the south end. From an overall standpoint, we are doing very well. All water quality leaving our system is equal to or better than the quality

of water we receive. The wetlands work as a kidney and they filter all of the water coming through the system and they clean it. The issue becomes those wetlands have a certain carrying capacity. They can only clean the water to a certain point. So the water we put into those wetlands, we want to manage and maintain and discharge as clean as possible so as not to over stress those wetlands. Based on our monitoring, we have found a bit of a trend that we are not happy with. Some of the areas as they discharge into that master system are trending upwards. We are finding nutrients and some constituents in the water that we think we can preclude and that we can limit, which will improve the water quality flowing into our system and flowing south into the Everglades. Our reason for being here tonight is to talk to you about that, to give you some information, to share with you some suggestions that we think the CDD and the home owners can do and some modifications you can make that can increase the quality of the stormwater flowing into the lakes that surround you and into the wetlands that surround both this development and your private homes.

Mr. Crikis stated related to the nutrients we are seeing, we are primarily talking about nitrogen and phosphorus. Part of my department's function as the environmental department is to monitor water quality throughout RCID. We sample water quality in over 500 locations throughout RCID. We are pretty active in seeing what the trends are and what the water quality is throughout RCID. In Celebration, we are primarily looking at water flowing out of Celebration into RCID waters. This is where we are noticing some of the trends having higher nitrogen and higher phosphorus levels than we would like to see coming out of the CDD's waters. Many of the nutrient sources are urban sources: irrigation, fertilizers, stormwater in general pulling things into the system, vehicle maintenance, and anything that sends water into the stormwater systems. One thing everyone in Celebration needs to be aware of is that you use reuse water for your irrigation. We have checked on that water coming in from Toho Water Authority and it is very high in nitrogen and phosphorus. That means everyone who uses reuse water is getting free fertilizer. The downside of that is if you add fertilizer on top of that, you are excessively fertilizing your yard and that runs off into the stormwater system. Instead of having green lawns, you are having green ponds to go along with your green lawns. That is what we are trying to avoid. Other sources include sediments. Anytime water runs over soils and pulls it into the system, that also brings in nitrogen and phosphorus. Oil and grease or anything coming out of automobiles or lawn equipment, if it drips, it goes into

the storm system. This includes organic waste, pet waste, lawn clippings, leaves, and dumpsters. If it is not contained and it drips, it goes into your stormwater system and is a source of nutrients. The CDD has been looking at this issue for a number of years and we have been working closely with Mr. Smith. He has been doing a really good job for the CDD in looking at how to best address these nutrient issues. He has been working on sprinklers to make sure that nutrient-rich water is not going on the downslopes or into any of the ponds. He is trying to keep it off the roads so it is not running directly into the storm drains. He has been looking at some treatment systems, as well. If we have nutrient-rich water, what can we do to get those nutrients out. He has been doing a great job with it, but there is only so much that the CDD can do because they are not in control of all the sources. For Mr. Smith to be successful in his job, we will have to reduce the nutrients, and the key to doing that is the residents of Celebration and how they handle nutrients and their nutrient sources. The main thing for everyone to remember, whatever you do in any green space in your yard or at your business, anything in excess can end up going into the storm system and everything in that storm system flows into the ponds. We want green yards but not green ponds, so we need to control things at the source so that we do not have to control them on the back end. There are many simple things that residents can do to help limit these excess nutrients. Limit the use of herbicides and pesticides, particularly fertilizer since you are getting that for free out of your reuse water. When you irrigate, irrigate your plant material but not the pavement. If it is on pavement, that is an impervious surface and that water has to go somewhere, more likely than not, into the curb and into the storm drain, which is a direct pipe into those ponds. That includes grass clippings and weeds. Occasionally you will see someone blowing grass clippings or leaves and the storm drain is a convenient place to blow them, but that releases nutrients right back into the ponds and turns them green. For vehicles or lawn equipment that leak fluids, we need to contain that and keep it out of the stormwater system in order to be a benefit to the town of Celebration and to the water quality that you see when you drive around. Remember, only rain goes down the drain. There are plenty of free opportunities for training and a vast array of subjects relating on how to do things the right way. We find that generally when you educate folks, they all want to do the right thing but they just need to know what that is and how to do it. There are topics on stormwater and the stormwater system, controlling non-point-source pollution which is typically anything not coming out of an industrial pipe, how to keep a healthy yard

without overdoing it, Florida friendly landscaping, and fertilization practices. We at RCID would like to help you with that and we are happy to setup training sessions for your residents. We can organize and bring in representatives from other institutions and government agencies at no cost and give you as much training as you want. We think that is a good start to helping Mr. Smith control nutrient sources and reversing these trends that are going up and make them come back down again.

Mr. Akey asked you have checked the water coming from Toho Water Authority for nutrient levels?

Mr. Crikis stated yes, and they are high. I cannot compare it to how many bags of fertilizer it is, but it is significant. One place to start is to determine if you are over fertilizing. My suggestion is to have your landscaping company do a soil test because that will tell you if you are lacking in anything or not. If you are using reuse water, you are probably not lacking in nitrogen or phosphorus. There may be minor elements that you need, but micronutrients can be provided instead of a nitrogen- and phosphorus-based fertilizer.

Mr. Collins stated most residents use lawn services. Is there anyway to get them to do more friendly kinds of practices?

Mr. Smith stated as we go through the education process with the public, we are going to try to create a list of CDD-endorsed providers. We will put the list on our website to show that these companies understand what the restrictions are as far as fertilization and pest control. I am working with the extension office at the University on trying to develop a scope that we can distribute to the contractors and they can sign, agreeing to follow those practices. The list will consist of companies who understand our situation and how best to serve the home owners. That will include pest control companies as well as landscaping companies.

Mr. Akey asked who is the first point of contact for a soil test?

Mr. Crikis stated your landscaping company should be able to handle that.

Ms. Kolbo stated one of the things you might add to your scope as something they agree to do is to come in and do that type of test before they put fertilizer on it. Test it to see what the lawn needs rather than assuming it needs a standard bag of fertilizer containing nitrogen, phosphorus and other nutrients. To be a “preferred” contractor, they would need to agree to do testing prior to fertilizing.

Mr. Crikis stated the CDD might want to implement a policy of no phosphorus in fertilizer. I know some Counties, including Orange County, have recently enacted Ordinances banning the use of phosphatic fertilizer. In Florida in general in particular with reuse water, it is not necessary to use a phosphate in the fertilizers. Your yards and trees are getting plenty anyway. The Ordinance in Orange County is also supposed to prohibit stores from selling phosphorus-based fertilizers. Disney also has a policy property wide not to use phosphorus in their fertilizers.

Ms. Kolbo stated in addition to that, RCID is moving toward placing that type of requirement in our land development regulations so that we can encourage best management practices of problematic items.

Mr. Carlson asked do different types of plant material require different kinds of fertilizer, turf versus trees and things like that?

Mr. Crikis stated as long as they are properly maintained and not over watered or over fertilized, they are not a problem.

Ms. Kolbo stated your grass clippings and leaves also need to stay out of the drains, because those flow into the drains, decay and all those nutrients are then released back into the water and turn it green.

Mr. Smith stated we are also trying to develop a checklist for the home owner that they can go through with their contractor including soil samples, irrigation maintenance, and give them a schedule, similar to what we do on a larger scale at the CDD, and give them a small scope of services so they have something they and their contractors can work with. We are also working with RCID on getting more information to the home owners on how they are impacting these ponds.

Mr. Moore stated perhaps we can talk with Girard and Davey about offering soil testing to the residents at a cost. I think the challenge is that some of these landscaping companies are small and some of them are also recommending companies that are applying these products. It might be better to have a third party to do the soil testing.

Ms. Kolbo stated you do not want the soil tester to have a vested interest.

Mr. Moore stated I would like to know what product to put on my lawn because there may be something that will be perfect for the conditions but I do not know what it is.

Mr. Crikis stated RCID has a horticulture department with some specialists we can work with in our training and education. I am a biologist, Ms. Kolbo is an engineer, and we have horticultural specialists who are very involved in landscape fertilizing.

Mr. Moyer stated Celebration was constructed in villages and each village was constructed by a mass grading contract where we came in, dug the canals and ponds, we placed the material and graded the material so that the basic soils within each village are probably fairly homogeneous. Can we draw the conclusion that if we do soil testing in a couple locations in a village, that result can be extrapolated to that entire village?

Mr. Crikis stated probably not. It depends on the lawn service or whatever you are using, how much reuse water you are applying, how much is soaking into the soil, are you bagging your grass clippings or are they degrading into the soil, and how much fertilizers are the landscapers using on the soil. That could be different yard by yard.

Mr. Smith stated the Enterprise CDD provides a service where the home owners can call and request an appointment and we will send one of our technicians to perform an irrigation audit at your home. He does not check all your irrigation heads, but he looks at your system to see if it is working properly. He will also look at your clock and tell you how much you should be watering. We had a lot of people who were concerned about their low irrigation pressure. We found out that some people have too many heads on their system so you will not push those heads up. Those little things are a big help, too. If you have heads that are trickling water out and not doing anything but going over the curb and into the stormdrain, it does not help.

Mr. Sunnarborg asked in isolating just nitrogen and phosphorus, do you have a good measure of where we are to compare to a year from now if we address this problem aggressively?

Mr. Crikis stated if you are aggressive with it, the levels should come down.

Mr. Sunnarborg asked will we be able to tell?

Mr. Crikis stated yes. The nitrogen and phosphorus levels have dropped in Reedy Creek when Disney adopted these policies. I am sure if the CDD does the same thing, we will see more similar results.

Mr. Sunnarborg stated we need to do it.

Ms. Kolbo stated we already have current data. We will continue to monitor and we will have data a year from now to be able to compare those results.

Mr. Collins stated it sounds like you are saying if we reduce those levels, then our ponds will look better.

Mr. Crikis stated that is the desired result and there is a lot of benefit to that. If we are not putting the nutrients into the storm system and they are not going into the ponds, then

your aquatic contractor does not have to treat those ponds as often. A wide range of benefits can be gained by the residents, the CDD, and RCID if we can get everyone to help in this effort. This may not be the entire solution, but it is a great place to start.

Ms. Kolbo stated that is why we want to work with the CDD. Mr. Crikis has been working with Mr. Smith and we want to work with the home owners to give them some education and to make them aware of a lot of common practices that they can modify and actually help to improve the quality of the water in the ponds surrounding Celebration.

Mr. Richard Joossens asked what are the pros and cons of weed killer?

Mr. Crikis stated generally weed killers do not contain the nutrients, but it depends on how much you use, if you use it responsibly, and what you do with the dead material. If it integrates back into the grass, that is fine. Whether you use weed killer or not, like anything else, just be responsible with it. Instead of using a weed and feed product, you can eliminate the feed and just use the weed component.

Mr. Cliff McCullough stated I see most companies just mowing grass. Should grass clippings be bagged instead?

Mr. Crikis stated if they are thick enough that when it rains or gets irrigated that they will lift and float out, that is a problem. If the clippings are small enough and mulched well enough that they settle back in the soil and stays in the soil, as long as it is contained, it is fine. The only problem is when it comes out and goes into the storm drain system.

Mr. Tom Barnes asked if residents are overwatering and we have runoff or if they have an improperly working irrigation system and a head has popped off and it is gushing water for 45 minutes, is that a significant problem?

Mr. Crikis stated yes.

Ms. Kolbo stated it is a huge contributor to the problem.

Mr. Barnes asked if I am properly irrigating my lawn and there is no runoff, how does that affect the ponds? Does it go into the strata and stay away from the ponds, or will it go into the ponds eventually?

Mr. Crikis stated if you are properly irrigating and you are not getting any runoff, then that irrigation will go into soils and be bound there for use by the plants to grow. It is only when it comes out of your system and into the storm drain that it becomes a problem. It will not affect water quality as long as it is contained, whether it is grass clippings or reuse water.

Mr. Akey stated perhaps Mr. Smith can mention to Girard about soil testing and hopefully some residents will start looking into that. More than likely, I think we will find you are over fertilizing.

Ms. Kolbo stated this community has great reuse water from the perspective of fertilizing your lawn and you should take advantage of it: by using it on your yards and by not letting it run off the yards and into the ponds.

Mr. Parker stated you addressed runoff into the streets but many houses back up to wetlands. How would you look at irrigation water heading toward wetlands?

Mr. Crikis stated we look at it exactly the same way. If it is heading into a wetland, it is the same as flowing into a stormwater pond. The wetlands are part of the treatment system and anytime you load that treatment system, you reduce its capacity to deal with that load. If you back up to a wetland, I would make the exact same recommendations for proper use of irrigation and fertilizer.

Ms. Kolbo stated within RCID, we preclude irrigation with reuse water on the side slopes of stormwater ponds. On the top berm around the pond, we require the sprinkler heads to throw away from the ponds. We do not want that reuse water coming into the storm system. Wetlands, by their very nature, do not need to be irrigated. They are just fine on their own. If you back up to a wetland, those irrigation heads should be throwing away from the wetland back onto your lawn surface.

Mr. Crikis stated for the CDD-maintained systems, that is something Mr. Smith is actively involved in. If an irrigation line was installed to water in new growth, he is moving those and capping them off.

Mr. Smith stated we are looking into the possibility to try to reduce the nutrient levels in the reuse water coming into the system with Toho Water Authority. We are discussing filtering that water more to remove the nutrients. If we cannot change the reuse water, we have to do all these things. Residents still need to be responsible with their own fertilization regardless, but if we can lower those nutrient levels, that will help us a lot overall because it impacts what is flowing out of Celebration.

Mr. Akey asked have you met with Brian Wheeler at Toho Water Authority?

Mr. Smith stated no, not yet, I am waiting to meet with the reclaimed person at Disney to get his input and then I will talk with Toho Water Authority.

Commissioner Harford stated the County extension office offers free soil testing. It may take a while to get it, but you can have it tested for free rather than having to pay for

it. They also have a master gardener's program and they sell their own mulch to try to fund some of that. On April 17, 2010, we are having an Earth Day event from 8:00 to 1:00 and we will have several representatives from SFWMD, Toho Water Authority and the extension office. Residents can attend that event to ask questions.

Mr. Crikis stated the extension office is a great resource, and that is one group that we want to bring in for home owner education.

Mr. Carlson stated you are probably finding a lot of mulch in the drainage system. I know ours washes away and we replace it often.

Mr. Crikis stated we will continue to work with Mr. Smith, and if you are ready to setup training classes for the residents, just let us know and we will be happy to do that.

EIGHTH ORDER OF BUSINESS

Action Items for Board Approval

A. Consideration of Retaining Wall Mockup at Wilde and Stickley in Artisan Park

Mr. Akey stated we have discussed this at previous meetings. We have some recommendations that we will consider as well as hear comments from residents. Mr. Smith provided options for different fences and also for shrubbery.

Mr. Smith stated that is correct. I distributed a handout showing three options: chain link fencing, two-rail pvc fencing, and an enhanced shrub hedge. We provided mockups of the chain link fence and the two-rail pvc fence on Wilde.

Mr. Akey stated I would like to hear the Board's comments on the options.

Mr. Sunnarborg stated we had an extensive conversation about this at our meeting last month. Since then, we have installed another short mockup of a two-rail pvc fence. The other thing we agreed to do last month was to price out a landscape option, which I proposed last month and we will consider again. I know there are eight or nine residents who would like to speak to this issue, and I think we should give them that opportunity.

Mr. Joossens stated I did a survey of the residents in that area, and I will distribute comments I received from residents about the three options. The majority, 90%, agreed on the shrubbery. There were two major opponents, one because of cost and another one just did not like the choices. One person was in favor of both pvc fence and the shrubbery, but she thought shrubbery would be a better option because pvc still will not keep the kids from falling. There was only one person who strongly liked the chain link option. There were some who leaned toward nothing, but the majority preferred the shrubbery. The retaining wall at Stickley is a 100-inch drop.

Mr. Moore asked what residents did you survey?

Mr. Joossens stated all the addresses right in front, a couple off to the side, especially the one on Stickley that has a nice picture window view of the area. I received about 20 comments. Some people were not home all the times I tried to contact them and a couple homes are vacant. Of the ones I contacted, most all of them liked shrubbery as their preferred choice.

Mr. Cliff McCullough stated I live on Stickley, not directly at the area affected, but I would see whatever is put up every day coming in and out. In reviewing the minutes of the last meeting considering the three options, if anything is done, I prefer only shrubbery. I do not think the fence is really needed. It is not an area people are playing in or walking in, and children should not be playing in the street anyway. I think there is very limited risk to any reasonable person or properly supervised child. If expense is an issue, I prefer nothing, but otherwise shrubbery is my vote.

Mr. Tom Barnes stated I live directly across from the location of the proposed fence. I have been a Celebration resident since 2001. We built our first house in East Village and our second house in Artisan Park across from the lake. When we moved to that house, I had a two-year-old son. I saw that wall and I was somewhat concerned at first, but I was not very concerned because I did not expect him to be playing in the street. Since that time, we have had another child and I park my car in the street so my wife can park on the driveway in the alley. On occasion, I have to load my sons in my car. We will walk across the street and walk up to that wall. Usually they prune the shrubs in the winter and you can walk right up to the wall. There are some short prickly bushes that we can sometimes get through, and we will stand there to watch the otters and birds and other wildlife. My children respect the wall, they know where it is, and they are not afraid of it. I am more afraid of people who drive fast down Wilde Drive while I load my children in the car. From an aesthetic point of view, we like to see the lake. I appreciate Mr. Joossens compiling this information and getting all our comments. A fence is not aesthetically pleasing and it detracts from our value in real estate.

Mr. Akey asked do you have an issue with shrubbery?

Mr. Barnes stated I have not heard any discussion about the height of the shrubbery, but the black fence is not right. That is a low-cost solution and is clearly an eyesore. I have seen the green aluminum fence in some locations, and we did not like those sites in Artisan Park. We paid a premium for our site with a view because it did not have that

fence and it had a natural view to it. We saw the shrubs and we understood the risk but we like the view. The shrubs are a better solution. I would go with the holly at 42 inches versus a 42-inch rail fence. I prefer lower since I do not think you need a 42-inch buffer for a child who is shorter than 40 inches. On the lower porch, even with the mondo shrubs that are there now, our view is diminished when they get to 30 to 36 inches when full grown. We understand that when it is full during growing season, we will not get a good view from the sidewalk or the lower porch but we can from the upper balcony. We prefer nothing but if we had to choose, we would choose shrubs.

Mr. Mike Svoboda stated I do not have an upper balcony so I prefer shrubbery lower than Mr. Barnes suggested. I do not think anything needs to be changed. Some governing body made the decision when this was built that this is fine. For someone now to say they want something different because of liability, if you start changing things, you are now adding some liability with the idea that you are trying to protect something or change something. I question why we are looking to change it. I think we keep it the way it currently is. The black chain link fence looks ridiculous for Celebration. We paid premiums for these lakefront properties, and we feel it is ridiculous to change it in anyway. My neighbor next door had grandchildren living with them for a couple years who were pretty rambunctious, and they had absolutely no issues. I vote to do nothing.

Mr. Akey stated we did mention that this was an approved condition before. It is not like this Board said we wanted to do this but it was in response to some residents.

Mr. Svoboda stated someone spent time who was well qualified to make this decision. Why should we spend money to overturn a decision that some governmental body has already made?

Mr. Scott Cadwell stated I have been a member of the community since it was founded and I moved into Artisan Park when it first opened. I do not face the lake but I go past it on Stickley all the time. In the four or five years I have lived there, there has not been one incident of anyone falling over the railings or walkways. I agree with Mr. Svoboda and I do not know why we are even discussing this or why it has come up. It has not been an issue. I do not think we should even spend money on shrubs. The lake downtown has steps leading right into the lake, and someone could fall off the steps. The depth of that water is over everyone's head, but we do not put up a railing to keep everyone out. At a certain point, people have to be responsible for themselves and their

children. We have done what is required, and we do not need to do anything more. I do not think anything should be done.

Mr. Drew Locher stated I looked at this extensively with Mr. Sunnarborg. As the Chairman of the ARC, a chain link fence will never get approved. The only one that is approvable is the aluminum fence, and we would not even approve that. I was part of the original development team. PBSJ prepared the design, which was approved by St. Joe and by The Celebration Company. It went to the County, who approved it and inspected it. Everyone was happy with it. The problem seems to come up when the plant material is cut back in the winter. Then everyone sees this area and all the space so it becomes a bit of an issue. There is not a sidewalk on that side of the road, and you should not be in the landscape to begin with. There are much more dangerous areas within the community than this area. I do not know that you even need to have the expense to add more landscaping. I think we need to carefully select how we cut things back in the fall.

Mr. Dan Hill stated I live directly across the street from the wall on Stickley. If you put more vegetation there, it will obstruct our view of the pond. Every once in a while kids will get off their bicycles to look at a deer or alligator on the other side of the pond and they walk up close, but you rarely see people in that area. The drop off at Stetson on Celebration Avenue is much more treacherous on both sides of the fence, and I would rather see money spent on that area.

Mr. Moore stated I hear everyone's point of view and I appreciate them. There may be more perceived areas that are more dangerous and I think we should look at those if there are. Mr. Joossens initially brought this issue to our attention, and I wonder if you feel differently and if you have a recommendation after talking to all the residents.

Mr. Joossens stated people asked me to do something, and that is what I do. I go by what they have to say, not by what I think.

Mr. Akey asked are the people who asked you to do this represented on this list?

Mr. Joossens stated yes.

Mr. Moore stated more people wanted a shrub buffer.

Mr. Joossens stated if they had to make a choice, that is the choice they would select. Height is an issue. There are hollies on Wilde but nothing on Stickley to create any barrier. Let what is there continue to grow to close up some of the areas.

Mr. Moore stated it looks like cutting back in the winter is an issue because it makes it easier to get to that area.

A Resident stated I appreciate Mr. Joossens doing the survey, but it was giving us three choices. If doing none of the above was a choice, that is what I would have chosen. I think you should redo this survey by giving them a choice for none of the above.

Mr. Moore stated this puts us in a difficult position when we have a perceived safety issue brought to our attention. Should we do nothing because St. Joe and Osceola County approved it? They also planned for the shrubbery to be a certain height and a certain thickness, but things have changed over the years and we understand where you are coming from. I think there can be something in between, maybe not a 42-inch shrub but perhaps a little more buffer and ask the landscapers not to cut that back. In my opinion, that would solve the issue.

Mr. Carlson stated I love the aesthetics of the pond at my house, but there is not a steep drop off by my house, so I have to look at both sides. I want to preserve the aesthetics, but I feel we have to improve safety. The last thing we want to do is have an accident where someone falls off a wall that is 100 inches. There might be something in between that can be done to preserve the safety of that area to prevent someone from making a mistake and falling off the edge, while preserving the aesthetics for all the people who love the view just like I do.

Mr. Akey stated my first thoughts were to table this and meet with residents of Artisan Park where we can discuss height and shrubbery and all those details to see if we can reach a conclusion at a separate meeting. Let us see if we can agree and come up with an objective and make a decision from that. Is the Board agreeable to that?

Mr. Sunnarborg stated I am happy to attend and/or facilitate that meeting. I would like to make a proposal and see what the Board thinks.

Mr. Collins stated I do not think anything additional needs to be done on Wilde. I think what is there is sufficient and it is not particularly dangerous. I think it is more dangerous on Stickley, but I think we can enhance that with shrubbery and try to limit the height.

Mr. Sunnarborg stated I will defer if the consensus of the Board is to have another meeting. If there is not, then I propose we go with a landscaped solution that I offered earlier, to take the single row of hollies on Wilde and double that up for the whole length and on Stickley, plant a new double row the whole length of the wall, including the perpendicular wall all the way to the end, and see how that works. We can cut it however we choose to cut it, having nothing to do with the height of a fence or a rail or any Code

requirement. This is just landscape, which is what we do. It does not concede anything from a precedent or legal point of view that this is a safety problem. We landscape, and this is additional landscaping. The caveat about my proposal tonight that is different from last month is about the height. We need to give specific instructions to the landscape contractor to allow all this material to grow together into a hedge and not cut them into individual plants. Start at 30 inches and we can review it every season, but I think it is a good compromise that addresses both sides: (1) if you tried hard enough, you could fall off this wall and (2) we do not think it is a safety issue but we are putting in additional landscape.

Mr. Carlson stated it addresses what the concerns are when it is cut down in the fall when it is ground level. It is a better view but there might be safety problems. A hedge like Mr. Sunnarborg is describing will be the same height all year round, so it will be perceived as a barrier but it will not be blocking the view. That is a good height to start with to prevent a small child from going off the edge but low enough that people can see over the top of it. I think it is a good solution.

Mr. Sunnarborg moved to install additional landscaping along the retaining walls in Artisan Park at Wilde and at Stickley, as provided in the shrub option, with the plants allowed to grow into a hedge to be 30 inches and reviewed seasonally.

Mr. Moore seconded the motion.

Mr. Barnes asked is it the mondo grass that gets cut back?

Mr. Smith stated it is spartina.

Mr. Barnes stated you might want to consider a crawling spruce on the ground, which will prevent people from stepping in that area where the grass is. When the grass is cut back, you can walk around in that area. If you use a low groundcover, like a crawling juniper, it is not something you want to step on and it does not look like an area where you can even get close to the hedge. Then you can even reduce the height of the hollies.

Mr. Sunnarborg stated that is part of what we discussed last month as a potential step two. Next season if people do not get the message that they are not supposed to be walking through that bed, perhaps it would be a clearer message if it were an evergreen groundcover.

Mr. Barnes stated the mondo grass gets quite big in height, more than the holly that is there, and that would improve some of the residents' views.

Mr. Moore stated what is in there now would be good to be replaced because they grow so fast and you have to keep trimming them but you do not want to cut them back so far where people can walk in them.

Mr. Barnes stated they can grow over the curb, so it makes it a little unbalanced to get around the curb and between the pampas grass to get into your vehicle.

Mr. Sunnarborg stated let us just deal with the shrub option as an alternative to the fence and deal with Mr. Barnes's suggestion next.

Mr. Collins asked what is the cost of this?

Mr. Smith stated to do as Mr. Sunnarborg suggested, it is about \$7,000.

Mr. Akey stated we can authorize not to exceed \$10,000.

Mr. Collins asked how much if you just did Stickleby and nothing on Wilde?

Mr. Smith stated about \$2,500 to \$3,000.

Upon VOICE VOTE, unanimous approval was given to the landscape proposal, as discussed.
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Mr. Sunnarborg asked is there any desire to remove the pampas grass and install the juniper right away or should we wait?

Mr. Moore stated I think we should have Girard look at that.

Mr. Collins stated I would say just get it done.

Mr. Sunnarborg stated let us get a price for next month and consider it then. Thank you to Mr. Joossens for the work you did in the community and thank you to everyone who expressed their opinions. There was no way we were going to please everyone, but we hope that was a good compromise.

B. Consideration of Request from MSC to Extend their Existing Permit to Temporarily Close the Sidewalk Along Celebration Avenue

Mr. Akey reviewed the use application from MSC to extend their existing permit to temporarily close the sidewalk along Celebration Avenue for repair work at the downtown condominiums. As discussed in our workshop this afternoon, we will give them to the end of April. We will communicate that they need to move as expeditiously as possible to get the work completed, to keep Mr. Smith informed when they will close the sidewalk, and to put up proper signage.

On MOTION by Mr. Carlson, seconded by Mr. Collins, with all in favor, approval was given to MSC to extend their existing permit to temporarily close the sidewalk along Celebration Avenue at the condominiums for repair work.

C. Consideration of Use Application for Orlando Segway Adventures

Mr. Moyer stated this is a second segway group who is submitting a request. Since we do not have any experience with this company, we should follow the same process that we did with the first company, which is to issue it for 90 days, at which time we will review it again and if there are no problems, we will renew it for one year.

Mr. Moore asked can we bring them in and ask them questions like we did the other company?

Mr. Moyer stated yes.

Mr. Moore stated we spoke to the first company about issues in terms of staging, bathrooms and being on the promenade.

Mr. Collins asked do they need to come to a Board meeting or can we let Mr. Moyer deal with them?

Mr. Akey stated I am fine with Mr. Moyer meeting with them and explaining the rules and guidelines.

Mr. Moyer stated I will look through the minutes of the original conversations and convey those issues to this company.

Mr. Moore stated we had a lot of conversations about staging and if they are bringing in a truck to load and unload.

Mr. Moyer stated they will be coming in from Old Town, just like the current operator. There will be no trucks and we will not grant exclusive use.

Mr. Collins asked did we answer the question that they are allowed to use segways on the sidewalks?

Mr. Moyer stated the first applicant presented all the necessary legal information that they are allowed on sidewalks.

Mr. Moore stated the other company explained what they are going to do and how many are going to be on a tour. If they are coming from Old Town, they have to cross the bridge from North Village and it is very narrow. I am concerned about volume.

Mr. Carlson stated they indicate they will have one tour each day, six to seven people.

Mr. Moore stated if we are limiting them to the one tour per day, that is fine.

On MOTION by Mr. Carlson, seconded by Mr. Sunnarborg, with all in favor, approval was given to the use application from Orlando Segway for 90 days, with the conditions as discussed.

D. Consideration of Interlocal Agreement with Osceola County for Celebration Boulevard and Acadia Terrace Improvements

Ms. Carpenter reviewed the cost-sharing agreement with the County for Celebration Boulevard and Acadia Terrace. I proposed comments and provided them to the County Attorney. I am working with the engineer to confirm the exhibits to show that these roads are public property. We will meet with the District and the County engineer to be sure we all agree these are the same roads we are talking about.

Mr. Akey asked if they agree to this version or if they have a minor change, are we looking to wait until next month's meeting to approve this?

Ms. Carpenter stated no, I recommend the Board approve this agreement subject to counsel and the Chairman's approval of the final form. I do not believe any changes will be significant. They should expect certain elements, since we are both governments.

On MOTION by Mr. Moore, seconded by Mr. Carlson, with all in favor, approval was given to the cost-sharing agreement with Osceola County for Celebration Boulevard and Acadia Terrace improvements, subject to final review by legal counsel and the Chairman.

E. Community Policing Liaison

Mr. Sunnarborg stated I would like to make it official that the CDD has a representative on this community policing working group and clarify for the community that this is not a CDD committee or subcommittee. This is a member of the CDD representing the CDD on a community committee. I would like to make that appointment official so that all of us understand that whenever someone is representing the CDD, they are doing it in an official capacity with the Board's approval. I recommend Mr. Moore as that representative to this group.

On MOTION by Mr. Sunnarborg, seconded by Mr. Carlson, with all in favor, approval was given to appoint Mr. Moore as the CDD representative to the community policing working group.

F. Civic Corridor Liaison

Mr. Sunnarborg stated for the same reasons I just stated with the same lack of authority, I recommend Mr. Collins be the CDD's representative to the civic corridor working group.

On MOTION by Mr. Sunnarborg, seconded by Mr. Carlson, with all in favor, approval was given to appoint Mr. Collins as the CDD representative to the civic corridor working group.

G. Request for additional staffing

Mr. Smith reviewed the request to hire additional staffing for one full-time maintenance employee in the amount of \$49,920 including salary, benefits, and overhead. This employee's responsibility will be as the concrete supervisor to handle all concrete needs and asphalt repair needs throughout Celebration.

Mr. Moore stated we discussed this in depth at our workshop this afternoon. As Celebration gets older, we will have more and more maintenance issues and we are trying to address that now. We have one full-time person who should be repairing sidewalks and other concrete issues. We need to stay on top of that, and this request addresses that need we have.

On MOTION by Mr. Sunnarborg, seconded by Mr. Moore, with all in favor, approval was given to the request for additional field staff in the role of concrete supervisor in the amount of \$49,920, as discussed.

H. Transportation for staff

Mr. Smith reviewed the request for transportation for the new concrete supervisor, which is a 4x4 mule similar to the existing vehicles currently used, in the amount of \$10,200. I will continue to search for the best price I can find.

On MOTION by Mr. Sunnarborg, seconded by Mr. Carlson, with all in favor, approval was given to the request for transportation for the new concrete supervisor, in the amount not to exceed \$10,200, as discussed.

I. Request for Authorization to Paint Shade Structures

Mr. Smith stated while we do have painting staff, I am requesting authorization to contract out for painting of the two shade structures downtown, including the ceiling,

roof, and the louvered panels, as well as the overlook shade structure on Celebration Avenue at the bridge overlooking the golf course. This work is a little more difficult than my field staff is able to do because it includes roof work and needs more work than staff has time. I received three proposals. The lowest proposal is from William Stone in the amount of \$6,600. They work out of Celebration and have done quite a bit of work for us in the past. I am comfortable with their price and request authorization to award them the work.

Mr. Akey asked do you envision them starting in April?

Mr. Smith stated I think they want to start quickly.

On MOTION by Mr. Carlson, seconded by Mr. Sunnarborg, with all in favor, approval was given to award a painting contract to William Stone for painting the three shade structures, in the amount of \$6,600, as discussed.
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J. Request for Authorization to Make Repairs to the Esplanade

Mr. Smith stated in addition to the painting downtown, we need to address the timbers around the bulkhead at the lake, or the wooden bumpers around the lake. I would like to remove them and fix the wall. I received two prices. One is to remove the timbers and not replace them, and the second one is to remove them and replace them. There would be a significant discount if we chose not to replace the wood, about a \$15,000 savings if we do not replace the railings. The work includes fixing and tightening the railings, doing some tex coat work on the railings, and doing the pebble replacement around the shade structures where pebbles are missing. We received two proposals and the low price is from William Stone in the amount of \$44,450 for removing and replacing the timbers and \$28,150 for removing and not replacing them.

Mr. Akey stated we already have a section where the timbers have been removed and not replaced, and it looks very nice.

Mr. Smith stated staff's recommendation is to have William Stone do the removal and not replace timbers, and tex coat the top of the wall for \$28,150.

Mr. Moore stated this would be a huge cost savings and I do not think anyone will notice the timbers are gone.

On MOTION by Mr. Carlson, seconded by Mr. Sunnarborg, with all in favor, approval was given to award a painting contract to William Stone remove the timbers around the lake, not replace them, and tex coat the top of the wall, in the amount of \$28,150, as discussed.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Manager – Financial Statements

Mr. Moyer reviewed the financial statements, which are included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Moyer stated to date, we are 86.23% collected on the assessments and last year we were about 85% collected.

B. Field Operations

i. Monthly Highlight Report

Mr. Smith reviewed the Field Highlight Report, which is included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Smith stated last year the Board decided not to prune the crepe myrtles. In the past year, I have received requests from several residents asking that we prune the crepe myrtles in front of their homes. Since that time, we enlisted the services of Mr. Tom MacCubbin as our landscape consultant to help us with some of these issues. Mr. MacCubbin has identified the crepe myrtles as something we should be lightly pruning, just tipping and removing seed heads, which is a good practice. I am asking the Board to give me direction on where we should go from this point.

Mr. Akey stated Mr. MacCubbin will be here Thursday, so we will take him around and get his feedback. We will more than likely go with his direction. I will ask him to email his comments and recommendations, and we will distribute them to the Board and go forward with it.

Mr. Smith stated I would like to get started prior to the next Board meeting.

Mr. Sunnarborg stated I think we are all in agreement, but it is worth clarifying for the audience what we discussed at the workshop this afternoon. Mr. MacCubbin, our landscape expert, said that crepe myrtles should be lightly trimmed and seed heads and suckers removed, which is different from the severe pruning that used to occur which he was very much opposed to doing. We will trim it just a little to keep them nicely groomed but not cut them down to the nub.

The Board is in agreement with Mr. MacCubbin's direction for crepe myrtles.

Mr. Collins stated one thing that came out at our joint workshop was the health of the trees in North Village. I would like him to look at those trees because many of them are having problems and get his recommendations. We have talked about the soil being bad but perhaps there is something we can do to help those trees.

ii. Communication and Complaint Log

Mr. Smith reviewed the communication and complaint log, which is included in the agenda package and available in the District Office for public review during normal business hours.

C. Attorney – Letter of Legal Representation

Ms. Carpenter stated as of March 8, I joined another law firm, Latham, Shuker, Eden & Beaudine, another firm in downtown Orlando about the same size as my prior firm. Under the Florida Bar rules, when you leave a firm, it is the client's choice whether the file goes with the attorney or stays at the former firm. In order to have the file go along with me, Mr. Moyer signed a letter transferring the files so that I could attend the meeting and continue work. It is appropriate for the Board to discuss and ratify his decision or make a change. I have a contract that my former firm entered into with this District in September 2006, and we have not changed the terms. I would also ask for an assignment of that contract to my new firm so that I can continue representing you. It was a professional decision to make this move. This firm has some strong litigation and bankruptcy experience and also does not represent a large number of banks as my former firm did, which is where I was running into conflicts and issues related to bond issues. My two paralegals came along with me, and I will have an experienced real estate person working with me as well as a couple litigators who are getting up to speed on the issues and other bond-related matters for me.

Mr. Collins asked comparing your new firm to your former firm, are they as involved with CDDs? Were you the CDD attorney for the firm, or was the firm involved in representing CDDs?

Ms. Carpenter stated it is the same situation as with my former firm, where I was the one representing CDDs along with my staff.

Mr. Sunnarborg stated I would like to retain Ms. Carpenter as our legal counsel. Does staff have a recommendation?

Mr. Moyer stated I would certainly make that recommendation, which can be accomplished by approving the assignment of the original contract. Those terms will be with a different firm but the terms and conditions will be the same.

Mr. Moore asked does the contract have a term length?

Ms. Carpenter stated it is terminable at anytime upon 30 days' notice, or perhaps no notice. I do not believe we have ever increased our rates, either. I will keep the rates the same with the new firm for now.

Mr. Collins stated there have been times when Ms. Carpenter has been unable to attend a meeting and you had someone else attend in your place.

Ms. Carpenter stated I have a senior real estate corporate associate who is very sharp and has been learning about CDDs for the past two weeks. He has good bond and corporate experience. He will be attending with me in a month or so as Mr. Colt Little did previously, come to a few meetings with me before he attends alone on my behalf. He has already looked at the property swap and is ready to do the title work as soon as we get the contract. I have very strong real estate associates and I am very comfortable with my staff.

On MOTION by Mr. Moore, seconded by Mr. Sunnarborg, with all in favor, approval was give to the assignment of the legal counsel contract to Latham, Shuker, Eden & Beaudine.
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D. Engineer – Roadway Progress Report

Mr. Vincutonis reviewed the roadway progress report, which is included in the agenda package and is available in the District Office for public review during normal business hours.

Mr. Vincutonis stated Lake Evalyn and West Village alley work is complete and we are finishing some remaining punch list items. Our survey department has been asked to verify some things.

Mr. Collins asked do you know the start date for work on the Acadias?

Ms. Carpenter stated they do not have a start date yet, but I would think they want to start fairly quickly. I talked with Kate Stangle today and she was rushing to get it done. I imagine as soon as they can get it approved by the County Commission, they will get the work started.

Mr. McCullough asked is there an update on the striping of Celebration Avenue going into Artisan Park?

Mr. Akey stated it is scheduled for the end of March, depending on the weather, otherwise the end of April.

E. Chairman – Update on Joint CDD/CROA Issues

Mr. Akey stated we are all updated as of our joint meeting of March 11, 2010.

F. The Celebration Company’s Representative

Mr. Parker stated within the past several weeks, we were approached by Progress Energy to do an enhancement for the power coming down Celebration Avenue as phase one. Later on they will then want to do work on Celebration Boulevard. They are coming up with a plan that will entail a lot of work in the CDD right-of-way. They will want to schedule time at a CDD meeting to explain the process, their plan and how long it will take. I do not think we will have a lot of involvement in that work, although we are available to assist. They have requested plans, drawings and as-builts to be provided, which we have done. There was an update at the joint workshop regarding the cell phone tower. We are looking at several options for better cell phone coverage in the community. We are looking for locations that can be ground-mounted locations and on buildings. We also looked at the possibility of using existing power poles. We have been working with Mr. Moore and Mr. Joossens on this issue, and we are working together to get coverage expanded, especially in the south area of town and East Village since that is where the lack of coverage is. It involves identification of potential sites and we have considered several sites, and studies at these sites as to what coverage will be. We also looked at individual intrusion, because we are concerned about residential neighborhoods, commercial areas and future development. We met with AT&T and they did a propagation study to give them an idea of what the coverage will be if they put a call array in a location. After that propagation study, they went to Artisan Park and at 60 feet they did an RF drive test and did a monitoring to see what effects there would be in the community. The RF drive test confirms what the propagation study does. They concluded that they could cover all of Artisan Park, but we still need more data. They only took into consideration a cell array in Artisan Park and we need to include other areas. AT&T is looking at the hotel to upgrade the system they have downtown, which they are doing on their own and has nothing to do with this current work effort. Spire Development is a cell tower company, and they would like to put up a tower at the high school. They have not

committed to a height yet, but they have to do the same thing AT&T did at the Artisan Park condominiums, which includes getting permission from the high school to do it, performing a propagation study and doing an RF drive test. We also met with Verizon who is interested in another area in Celebration where they think they can provide additional service. It takes about 30 to 45 days for Verizon to do the RF drive test.

TENTH ORDER OF BUSINESS

Updates and Discussion Items

A. Update on Maintenance Facility

Mr. Collins stated we are about two months away from a final contract on the property swap. The first draft has been provided to The Celebration Company so we are at least another month away from a final contract.

ELEVENTH ORDER OF BUSINESS

Other Business

Mr. Sunnarborg stated I would like to congratulate Mr. Collins on receiving the Celebration Foundation's Good Neighbor Award.

Mr. Collins stated Mr. Pelaia raised the issue of three Bills going through the House dealing with foreclosed homes. Have we done anything on that to support it?

Mr. Akey stated I have an item on my list to call him and discuss it with him and come up with an action list.

Mr. Collins stated I think we need to move on that quickly.

Mr. Moore stated we probably should also be talking to Commissioner Harford about that because he can take a delegation to the State Legislature. They will meet and discuss those kinds of issues.

TWELFTH ORDER OF BUSINESS

Supervisor Requests and Comments

There being none, the next order of business followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Moore, seconded by Mr. Sunnarborg,
with all in favor, the meeting adjourned at 8:15 p.m.

Tom Sunnarborg, Secretary

Cliff Akey, Chairman