

**MINUTES OF MEETING
SPICEWOOD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Spicewood Community Development District was held on Wednesday, October 22, 2014 at 5:15 p.m. at the South Miami-Dade Arts Center, 10950 S.W. 211th Street, Cutler Bay, Florida.

Present and constituting a quorum were:

Eric Martinez	Vice Chairman
Ivette Bermudez	Assistant Secretary
Janet Boue	Assistant Secretary
Nushine Hosseini	Assistant Secretary (via telephone)

Also present were:

Kenneth Cassel	District Manager
Ginger Wald	District Counsel

The following is a summary of the minutes and actions taken at the October 22, 2014 meeting of the Spicewood Community Development District Board of Supervisors.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Cassel called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments on Agenda Items

There being no audience, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the August 27, 2014 Meeting

- Mr. Cassel stated each Board member received a copy of the minutes of the August 27, 2014 meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Ms. Bermudez seconded by Mr. Martinez with all in favor the minutes of the August 27, 2014 meeting were approved.
--

FOURTH ORDER OF BUSINESS

Manager's Report

A. Consideration of Motion to Assign Fund Balance as of 9/30/14

- The Board assigned the Fiscal Year 2014 Reserves to Operating Reserves \$26,552 and to Reserves-Renewal and Replacement \$2,000.

On MOTION by Mr. Martinez seconded by Ms. Boue with all in favor to assign the Fund Balance as of 9/30/14 as indicated above was approved.

FIFTH ORDER OF BUSINESS

Attorney's Report

- With District Attorney input and the assistance of the Alvarez Engineer's Report, Mr. Cassel researched who is responsible for sidewalks, streets and rights-of-way within the District.
- Maps were distributed showing locations in pink are private streets of the HOA and the CDD responsibility; locations in green are common areas maintained by the HOA and the CDD and blue areas are public streets.
- The main street, S.W. 238th Street, with single family homes and the sidewalks located there are County responsibility. The town home areas are private roads and the HOA's responsibility.
- Ms. Patrizia Quattropani of the HOA sent Mr. Cassel an email informing him the County responded to her letter stating they will be working on single family homes in the next few weeks.
- Ms. Wald located the easement entered into with the District and the HOA. She noted the diagram which was distributed shows in pink the private streets. Those streets and the right-of-way are owned by the HOA, which is the town home area.
- The easement itself for those areas provides for the District to maintain the sidewalks. The District has the ability and power pursuant to the easement to enter into a contract for those sidewalks to be repaired.
- The issue is the trip hazard removal estimate and the way it is identified by Florida Sidewalk Solutions is by specific address. Some of the addresses are easy to recognize. Some addresses could be a problem because it depends exactly where the address is and whether the sidewalk is in the county's right-of-way and ownership versus the HOA's ownership.

- The District can provide funds for security due to the easement agreement. The District can supply funds for sidewalk repair to the HOA. The HOA would do the work and the District would reimburse them within the area with the exception of the west side of 109th Avenue and the north and south side of 238th Street.
- The Board inquired whether the CDD would ask for an additional \$50,000 or we would have to divide the amount between security and the sidewalks.
- Mr. Cassel noted in the budget there is \$40,000 in Miscellaneous Contingency and some of that can be used.
- Repairs are estimated at \$11,900 for the town home area with the County responsible for some of it.
- There are sufficient funds in the budget. There is \$12,500 in R&M-Grounds, \$36,500 in Security with the \$40,000 in Miscellaneous Contingency because assessments were not lowered. The CDD has funds for sidewalk repairs.
- Later in the year, if some parks need mulching, there are funds for that. It is a matter of managing the funds the CDD has.
- Ms. Boue noted at this point the Board is aware of the issues and not fixing it would be a liability.
- Mr. Martinez noted it is considered a hazard and a potential liability, he felt the money should be used for repairs.
- The Board discussed the assessments.
- The HOA has to confirm ownership of the sidewalks and ensure they are not owned by the County before repairs are made.

Ms. Boue MOVED to go forward and begin repair of the sidewalks and the District Manager will work with the HOA to determine amounts to be spent by the CDD and amounts to be spent by the HOA.

- Ms. Wald felt technically a motion is unnecessary at this time and the Board only needs to direct the District Manager to tell the HOA to make certain the sidewalks are within the HOA right-of-way, and ownership, and the exact amount.
- Mr. Cassel felt the original Assessment Methodology may need to be reviewed and figure out if it could be amended. Then we may have to do an amended methodology report,

which could be an expense to the District, but may better reflect the benefit different components are getting now from the initial benefit the components were getting.

SIXTH ORDER OF BUSINESS

Supervisor Requests

There not being any, the next item followed.

SEVENTH ORDER OF BUSINESS

**Acceptance of Financial Statements,
Approval of the Check Register and
Invoices for September 2014**

There being no questions or comments,

On MOTION by Ms. Bermudez seconded by Mr. Martinez with all in favor the financial statements were accepted and the check register and invoices were approved for the period ending September 30, 2014.

EIGHTH ORDER OF BUSINESS

Audience Comments

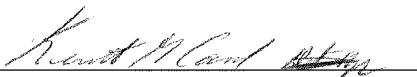
There not being any, the next item followed.

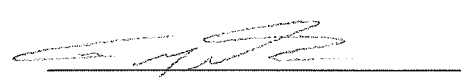
NINTH ORDER OF BUSINESS

Adjournment

There being no further questions or comments,

On MOTION by Ms. Bermudez seconded by Mr. Martinez with all in favor the meeting was adjourned.


Kenneth Cassel
Secretary


Eric Martinez
Vice Chairperson