

Baymeadows Community Council
Agenda
8/18/09

Secretary's Report	Frank
Treasurer's Report	Frank
President's Report	Frank
Working Group Report	Frank, Betty, Rick, Bill, Kay
Discussion	
New Business	
Adjournment	

Baymeadows Community Council
Meeting Minutes
8/18/09

The meeting was called to order at 7:10 PM by the President, Frank Morgan. As we have no Secretary or Treasurer, there were no reports.

Frank gave a summary of the action taken by the Council at its 12/16/08 meeting, which authorized a committee to research how we might purchase part of the golf course, if we chose to do so, and approved a budget for legal fees. He said that the working group is comprised of members Bill Peek, Betty Gurney, Rick Butler, Kay Stratton and Cliff Johnson, along with Village Green II's property manager, Ben Strickland, and that the attorney is Bill Ryan. The working group has met weekly for the past 5 months.

Attorney Ryan has recently decided that State Statutes probably take precedent over our governing documents and that a 75% super-majority vote of each Association's membership might be required for a special assessment or in order to add property, or an interest in property, to its common areas. The working group decided to look for other less complicated and costly options.

Frank had a meeting with Daryl Siewert of the Lutheran High School, Tom Burnett of Tom Burnett Golf Academy, Art Graham and Dylan Reingold of the Office of General Counsel for the City. Frank proposed a joint venture between BCC and the City for the purpose of purchasing and owning the front nine of the golf course. In the proposal, BCC would contribute \$1.8-2M cash and the City would contribute a like amount in the form of vacant land currently owned by the City. Art liked the proposal; however, Dylan stated that the City would have to be the purchaser and owner of the land, even though BCC would be contributing half of the purchase price. The City could, however, waive the requirement to put the management contract out for competitive bid and negotiate directly with Tom Burnett, since his group would be part of the joint venture, paying the cost of redeveloping the property into a functioning golf course and executing a long-term net lease for its operation as a public course.

Art took the proposal to the Mayor's office and received approval to proceed. Bob Porter of D.R. Horton is currently working with Art's office to review the properties that the City could offer as their portion of the purchase price.

Art and Dylan attended one of the working group's meetings to discuss how the joint venture could be structured and how BCC could raise its cash contribution without the necessity of a special assessment of its members. It was decided that a Dependent Special Taxing District might be the best vehicle to use, particularly if we want to include the upgrading of the internal street and storm water drainage systems in an overall plan to improve the neighborhood. Dylan suggested that we

contact Rob Bradley, a private attorney who practices government law and who is familiar with creating special taxing districts.

We met twice with attorney Bradley and learned that a Dependent Special Taxing District can raise all of the capital needed to accomplish our goals and needs only a simple majority of land owners to agree. Once created, the Dependent Special Taxing District can issue a bond to raise the monies needed. The Duval County Tax Collector will then collect the additional tax from the individual unit owners and other property owners within the boundary of the taxing district and forward the receipts to the district to repay the bond.

Condominiums and Homeowner Associations are considered to represent the individual unit owners, so the Boards of Directors can decide for their associations. Each association Board can decide for itself what authorization it needs from its members to commit their association to the taxing district. This, in the opinion of the working group, relieves the associations of the necessity of assessing its members a large, one-time payment and is the least objectionable way of financing the plan.

There were many questions concerning how the boundary of the taxing district would be drawn, how the additional taxes would be allocated, who would pay the initial costs involved in creating a special taxing district and how long the district would be in effect. The members of the working group answered those questions and made additional clarifications to the summary. The following motion was made and unanimously approved:

The Council should negotiate with D.R. Horton for the master planning of the Baymeadows Golf Club neighborhood to include the redevelopment of the front nine of the previous golf course, the upgrading of the internal street system and the storm drainage system. The negotiation should include the agreement, in concept, for a Dependent Special Taxing District.

Frank distributed copies of the working group's recommendation to the Council members. There being no further business, the meeting was adjourned at 8:25 PM.

In attendance were:

Yvonne Giberson – Las Casas

Linda Fleming – Las Casas

Michelle Santiago – St. Johns Plantation

Kathleen Stansell – VGIII

Erin Stansell - VGIII

Ken Maddix – VGIII

Rick Butler – Linkside

Bill Peek – Las Prados

Raj Mehta – Las Prados

Cliff Johnson – Putter's Cove

Betty Gurney – Los Lagos

Joanne Morgan – Los Lagos

Frank Morgan – Los Lagos