

INDIGO
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Indigo Community Development District was held Wednesday, September 23, 2015 at 1:00 p.m. in the Holiday Inn Daytona Beach LPGA Boulevard, Ballroom, 137 Automall Circle, Daytona Beach, Florida.

Present and constituting a quorum were:

Robert E. Welsh	Chairman
Thomas G. Leek	Vice Chairman
John McCarthy	Supervisor
Donald Parks	Supervisor
Mark McCommon	Supervisor

Also Present were:

James Perry	District Manager
Katie Buchanan	Hopping Green & Sams (by telephone)
Kurt von der Osten	Field Operations Manager (by telephone)
Jamie Rountree	Team Rountree

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting to order at 1:00 p.m.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Foster stated I heard about the property being sold by the club.

Mr. Welsh stated NW 21.

Mr. Perry stated there is a signed agreement in regards to NW 21, which is with GC Land. Based upon the call that we had last week with them they indicated they had potential buyers but there was no contract. There was a contract that fell through about two weeks ago. As of right now there are no purchasers.

Mr. Crick stated I want to personally thank you and Kurt for taking care of that flooding last week.

Mr. Perry stated Mr. Rountree and his staff are the ones who actually did it, thank you.

Mr. Crick asked has any thought been given to having the Automall and other businesses help out with the maintenance of the interchange?

Mr. Perry responded yes.

THIRD ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Buchanan stated I would like to report to the board that we have signatures from GC Land in connection with the settlement agreement. We are going to make ----- as provided for in the agreement when we will be finalizing the mortgage, it has to be recorded and then there is another document we will execute after that, that will be held in escrow by a local attorney our firm works with. They wanted a neutral third party so we found one to do that. I think Jim was going to confirm the wire.

Mr. Perry stated my understanding is that it was supposed to have been transmitted so if it hasn't been we will be in touch with them. I have not been able to confirm.

Mr. McCommon stated that were two payments they were going to make.

Mr. Perry responded correct.

B. Engineer

There being none, the next item followed.

C. Manager

Mr. Perry stated we had our meeting right before the 15th and we did certify the roll to the county. The assessments that you adopted with the reduction in O&M will be reflected on the tax bills. It went down about \$100.

D. Field Operational Manager

Mr. von der Osten stated we have one fountain with an electrical problem at the International Golf Drive entrance and the LED lights are ongoing and we will have them in and installed by the end of the month. They are going to make sure that everything is installed and if they run into any back order issues, which may be a few remaining at the end they might have to

Mr. von der Osten stated it wasn't a question of wanting to do it all along it has been a funding question.

Mr. McCommon asked did we evaluate what it would cost?

Mr. von der Osten responded no.

Mr. McCarthy asked why is the CDD discussing changes in the signs, it should be the city.

Mr. Leek stated there are two different subjects, one is all the golf course signs that Mark talked about. The ones mentioned to be are the front entrance signs at each of the three main entrances to the development.

Mr. Perry stated those are CDD signs.

Mr. McCarthy asked why do we want to change them?

Mr. Perry stated the reason was to be consistent with the new logo and my understanding when we talked about this before was there was going to be funding or participation.

Mr. Leek stated that is my recollection too but I don't know if anyone has approached Consolidated to ask them or if they made any statements about it.

Mr. Parks stated at our September meeting Mark brought that up about getting the signs changed but we never got into a funding discussion.

Mr. Leek stated it seems to me that is where we were last time, we were moving along and we were going to take care of doing it. I don't know that the CDD was going to pay any of the cost.

Mr. McCommon stated I would want to know how much it is but I'm not necessarily thinking we should be paying much of any of it other than getting the work done. They are not coming up with the money to do the golf course I'm not hopeful that they are going to come up with the money to do that.

Mr. Parks asked should we talk to Mike and ask him to approach Mark about the signage on the entrances?

Mr. Leek stated that is a good place to start.

Mr. Parks stated I will see Mike today and ask him.

Mr. Welsh asked on NW 21 is that all done and we are up to date on that? Are there any builders looking at that property that we are aware of?

Ms. Buchanan stated I'm not and frankly my point of contact is not the same attorney who is handling those matters for GC Lands.

Mr. Perry responded I am not aware of any. I know they are actively marketing it.

Mr. McCommon stated I want to have more discussion about the I-95 interchange maintenance. We talked the last few months about talking to the beneficiaries of it and I spoke to Kevin K----- the other day. I know there is no legal obligation any of them have but we have some knowledge that more than just the Automall was paying Consolidated.

Mr. Perry stated my understanding is Vince Carter's was paying a portion also.

Mr. McCommon stated someone said the furniture row people were paying also.

Mr. Perry stated we were never able to obtain any of the documents related to that and they are a private company and don't have to provide them.

Mr. Leek stated the only way we are going to find out is by asking the individual businesses if they are contributing and if they will continue.

Mr. McCommon stated I'm wondering if it is worthwhile for us to approach the city because in talking about the history the agreement originally was done with the city, that was part of their reason they agreed to participate or provide some funding.

Mr. Perry stated funding was by DOT but the city approved the development and part of the development order was the interchange.

Mr. McCommon stated at the same time Consolidated agreed to split that cost with the CDD, there was a contract in place that was renewed about 10 years later, which is now expiring.

Mr. Leek stated it is not expiring; they have opted out.

Mr. McCommon stated a lot of things have changed, the city benefits from that as well. Is there a way for us to approach the city to talk about the maintenance now being solely in the CDD's hands and we are probably less than 10% of the beneficiaries of that exchange. I'm not sure what they can or will do or whether they would offer to participate. It seems to me to be worthwhile to approach them but I don't know the right way to do that.

Ms. Buchanan stated we should go back and look at the level of care that is required by our agreement with DOT because it is possible we could reduce the services. I realize that is not what you want but it could be used as a negotiation point.

Mr. McCommon stated that is a great point and could be part of the discussion.

Mr. Leek stated we have to solicit the businesses that are there and the ones that are coming and explain what happened and request that they participate because they are going to benefit. We need someone to run with that.

Mr. Parks asked Jim weren't you going to write a letter to Consolidated?

Mr. Perry responded we contacted them several months ago and they were non-committal they wouldn't provide me the listings or anything. If the board wants to appoint one supervisor I will be glad to work with him and we can approach the city.

Mr. McCommon stated I'm happy to do that, I will volunteer but I'm not sure where we start.

Mr. Perry stated the first one is the city commissioner for this area.

Mr. Leek stated it is Rob Gilliland.

Mr. Perry stated it would be best to start with him.

Mr. Parks stated Mayor Derrick Henry lives in LPGA.

Mr. McCommon stated I would start with him before Mr. Gilliland.

Mr. McCarthy stated it bothers me that we are paying for something that a significant percent of other people are benefiting from and we are getting nothing for that.

Mr. Parks stated Tom you were going to talk to Randy.

Mr. Leek stated I did and the automobile association group contributes about \$20,000 a year.

Mr. Perry asked Kurt will you look back again at the level of service for the DOT funding arrangement that took place several years ago on the interchange and see if we have potentially some leeway as to the level of service required?

Mr. von der Osten stated I think we do it is very vague. I have the agreements here for anyone who would like them.

Mr. Leek stated I would like to see it and so would Mark.

Mr. Perry asked can you get with Jamie and get an analysis of what we are paying for now, which we know and a reduced level of service?

Mr. McCarthy asked what would that reduced level be?

Mr. Rountree stated we are at a reduced level. Keep in mind that anything we reduce now is going to require doing away with something that also means an upfront cost. For example the jasmine, the letters or whatever something has to take its place. There is a certain

level of give and take to reducing the service any further than we already reduced it and I want to make sure the board is aware of that before we go down that path.

Mr. McCarthy stated I'm not advocating we go there as much as use it as a leverage point to the other folks we are talking to.

Mr. von der Osten stated we can always turn off the lights and fountain, we spend quite a bit on each one of them.

Mr. Perry stated that is kind of where I'm going. Based upon the grant that we received do we have the ability to turn off the fountains and turn off the lights?

Mr. Leek stated somebody needs to take the process and meet with Randy and the association leaders of different places and I don't think that is me. I think it is a sales job, you have to sit with them and make sure they understand the benefits of having that marked that way, the benefits of finding the outlet mall, the benefits of finding the Vince Carter's. As far as the developers who were originally doing all this it was to their benefit. There is still some development going on and some of them ought to be interested as well but they would be more short term. I think it needs to be retail oriented businesses who benefit mostly from that overpass being marked that way.

Mr. McCommon stated I can't commit to doing all of them myself.

Mr. Parks stated I don't mind talking to Randy and furniture row.

Mr. McCommon stated I would like to have a better understanding, something written down even if I have it in a handout that says here is the history and let them understand where we are that we are a CDD in a deficit position and we are fronting the entire cost of something that we are one of a few that benefit from it.

Mr. Parks asked could you prepare that sheet for us?

Mr. Perry stated yes, I will get that together. I will go with you to meet the commissioner and/or the mayor. That is the cleanest because truthfully if you are trying to meet with the Vince Carter's of the world and the others we really have no leverage. You might get the Automall, which is going to carry the biggest burden of this anyway and if you don't get the other ones you are not going to reduce the level of service.

Mr. McCommon stated this may be the wrong approach but I was thinking also as part of this with the city if we made them aware of it the next time Consolidated wants a break they will

remember that, they basically threw in their cards on this and are not participating going forward. Will you set that up with the city?

Mr. Perry stated I will set something up.

Mr. Leek stated if you want me to help I know Derrick a little bit so I would be glad to talk to him or make the introductions or something like that as long as we are not violating any sunshine law.

Mr. Perry stated you can be there to make introductions but if we are talking about something that will require a vote you would have to leave. I will do a history of I-95 with a timeline and also show what the costs have been over the years and contributions.

Mr. McCommon stated also the two levels of service and I know today is a lower level but what it could go to.

Mr. Parks stated if you turn the lights off you are not impacting the landscaping.

Mr. Perry stated just so the board is aware ten years ago we had a board that had the same discussion with a number of residents and it has been a sore point for years.

Mr. McCarthy stated ten years ago we didn't have nearly the development we have today either.

Ms. Milano stated I think Mark has the right idea about approaching the city because if you pull up any article about the Tanger Mall the city raves about the interchange. You would think they had a lot to do with it. I'm sure they don't want it to change especially with all the development.

FIFTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SIXTH ORDER OF BUSINESS

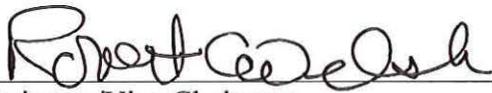
**Next Scheduled Meeting – October 28, 2015
at 1:00 p.m. @ Holiday Inn**

Mr. Perry stated the next scheduled meeting is October 28, 2015 at this location at 1:00 p.m.

On MOTION by Mr. Parks seconded by Mr. Welsh with all in favor the meeting adjourned at 1:42 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman