

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**WATERLEFE
COMMUNITY DEVELOPMENT DISTRICT**

A regular meeting of the Board of Supervisors of the Waterlefe Community Development District was held on **Tuesday, February 25, 2014 at 1:02 p.m.** at the Waterlefe Golf Club – Lefe Room, 1022 Fish Hook Cove, Bradenton, Florida.

Present and constituting a quorum were:

Ken Bumgarner	Board Supervisor, Chairman
John Brocki	Board Supervisor, Vice Chairman
Roz Warner	Board Supervisor, Assistant Secretary
Mark Kalish	Board Supervisor, Assistant Secretary
Chris Hogan	Board Supervisor, Assistant Secretary

Also present were:

Molly Syvret	District Manager, Rizzetta & Company, Inc.
Andy Cohen	District Counsel, Persson & Cohen, P.A.
Rick Schappacher	District Engineer, Schappacher Engineering
Joe Rassett	General Manager, Waterlefe Golf Club
Franklyn Dickson	MPOA President
Don McFadden	Golf Course Committee
Steve Sanborn	Golf Course Committee
Herb Krasow	Golf Course Committee
Bill Dunn	Golf Course Committee
Marty Schuler	Erosion Committee
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Syvret called the meeting to order and conducted the roll call.

SECOND ORDER OF BUSINESS

Audience Comments

Ms. Syvret opened the floor to audience comments. Questions were entertained regarding status of off-duty patrols and enforcement of traffic laws and signage.

THIRD ORDER OF BUSINESS

**Discussion Concerning the Aerator System
at Discovery Terrace**

Ms. Syvret provided a brief overview of the matter; reviewing the Board's discussion at the last meeting, and presented a proposal from Owens Electric for the electrical costs associated with relocating the existing unit. Discussion ensued. The Board requested that staff see if a representative of the manufacturer of the motor could come out and ensure it is running as it is supposed to, before any further action is taken.

FOURTH ORDER OF BUSINESS

**Discussion Concerning Resurfacing of
Waterlefe Boulevard Outbound Lanes**

Mr. Schappacher suggested resurfacing outbound lanes of Waterlefe Boulevard, from Portside to the exit, once the landscape renovation is complete. Mr. Schappacher advised he would get bids for the work and bring them back for the Board's consideration at the next meeting.

FIFTH ORDER OF BUSINESS

**Consideration of Proposals for Stop Signs
Along Waterlefe Boulevard at Sand Crane
Court and Portside Terrace**

Mr. Schappacher provided an overview of the proposals for addition of stop signs at Waterlefe Boulevard and Sand Crane, making it a three way stop, and at the Portside intersection, which would make it a 4-way stop. Discussion ensued.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved the Proposal from Beautiful Mailbox in an amount not to exceed \$5,000 for purchase and installation of stop signs and stop bar painting, according to County and State traffic specifications, for Waterlefe Community Development District.

SIXTH ORDER OF BUSINESS

**Discussion Regarding Addition of Trees
Along Fish Hook Cove**

Mr. Rassett advised there is one dead oak tree and two that are not doing well along the driving range on Fish Hook Cove. Mr. Rassett advised he received a proposal from Artistree for installation of three 20' trees, including removal of the old trees, stump grinding, and installation and staking of the new trees for \$7,000. The Board directed Mr. Rassett to explore additional trees, obtain additional proposals, and obtain itemization of bid received from Artistree.

SEVENTH ORDER OF BUSINESS

District Engineer Report

Mr. Schappacher advised the bids are in for the next phase of lake bank restoration. He distributed a summary of bids for two types of options; flexamat or geoweb. Bids were received from Bio Mass Tech, Finn Outdoor, and Erosion Restoration. The bids ranged from \$104,630.00 to \$352,212.00. Discussion ensued.

On a Motion by Ms. Warner, seconded by Mr. Kalish, with all in favor, the Board approved the Proposal from Bio Mass in an amount not to exceed \$60,000 subject to review of contract by District staff and delegating the authority to Ms. Warner to execute the contract, for Waterlefe Community Development District.

Mr. Schappacher advised the Con-Span inspection was completed by Bolt but he has not yet received the report.

EIGHTH ORDER OF BUSINESS

Discussion Concerning Matters Related to Long Term Planning for Golf Course

Discussion ensued concerning whether a workshop should be scheduled. Mr. Bumgarner distributed a draft outline of areas of concentration for consideration in study and long term planning for the golf course operations. Discussion ensued.

NINTH ORDER OF BUSINESS

Discussion Concerning Mediation Related to the Shores

Mr. Cohen advised that at the MPOA motion for summary judgment, the motion was denied and the parties were also ordered to mediation. He advised a shade meeting for the CDD Board and Counsel is scheduled for tomorrow, Wednesday February 26th. Either today or during the meeting tomorrow the Board needs to determine who would be designated to represent the CDD's interests at the mediation.

A board member inquired why the motion for summary judgment was denied. MR. Cohen stated that at the prior hearing held a few months back on the motion for summary judgment that was filed by the Shores owners, there were several findings that came out of decision; which included findings that this was not a CDD assessment, not illegal assessment, and it was calculated in manner prescribed in the declaration and supplement. Mr. Cohen explained that those findings still stand, but that the Shore's counsel was able to raise issues related to the manner in which the MPOA effected the assessments. Although the matters raised may be easily explained or documented in favor of the MPOA, that they create a question or some issue of fact now is all that is necessary to be established in order to defeat a summary judgment. Mr. Dickson advised that the MPOA will need assistance in preparing for the mediation and compiling some records from when the CDD handled the assessments.

TENTH ORDER OF BUSINESS

Consideration of Golf Course Management Agreement

Mr. Cohen provided an overview of the Golf Course Management Agreement between Waterlefe CDD and Rizzetta Amenity Services and asked if there were any questions. Discussion ensued.

On a Motion by Mr. Bumgarner, seconded by Ms. Warner, with all in favor, the Board accepted the Contract between Waterlefe CDD and Rizzetta Amenity Services, for Club Facilities Management, and delegated authority to the Chairman to execute, subject to review by District Counsel, for Waterlefe Community Development District.

ELEVENTH ORDER OF BUSINESS

Consideration of Revised District Management Agreement

Mr. Cohen provided an overview of the revised District Management Agreement between Waterlefe CDD and Rizzetta & Company, Inc. and asked if there were any questions. There were none.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board approved the Revised District Management Agreement between Waterlefe CDD and Rizzetta & Company, Inc., for Waterlefe Community Development District.

TWELFTH ORDER OF BUSINESS

Consideration of Entry Attendant Staffing Agent Agreement

Mr. Cohen provided an overview of the Entry Attendant Staffing Agent Agreement between Waterlefe CDD and Rizzetta Amenity Services. Discussion ensued.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved the Entry Attendant Staffing Agreement between Waterlefe CDD and Rizzetta Amenity Services, for Waterlefe Community Development District.

THIRTEENTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting held on January 28, 2014

Ms. Syvret presented the minutes of the Board of Supervisors' meeting held on January 28, 2014. She asked if there were any revisions to the minutes. There were none.

On a Motion by Mr. Bumgarner, seconded by Ms. Warner, with four in favor, and one abstaining, the Board approved the Minutes of the Board of Supervisors meeting held on January 28, 2014, for Waterlefe Community Development District.

FOURTEENTH ORDER OF BUSINESS

Consideration of the Minutes of the Landscape Committee Meeting held on January 14, 2014

Ms. Syvret presented the minutes of the Landscape Committee meeting held on January 14, 2014 and asked for a motion to accept the minutes.

On a Motion by Mr. Bumgarner, seconded by Mr. Hogan, with all in favor, the Board accepted the Minutes of the Landscape Committee Meeting held on January 14, 2014, for Waterlefe Community Development District.

FIFTEENTH ORDER OF BUSINESS

Consideration of the Operations and Maintenance Expenditures for the Month of January 2014

Ms. Syvret presented the operations and maintenance expenditures for the month of January 2014, which totaled \$66,040.65. Ms. Syvret asked if there were any questions regarding any item of expenditure. Discussion ensued regarding various items.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with three in favor and two opposed, the Board moved \$10,000 coded to Miscellaneous Contingency for Gator Air invoice to the Golf Committee line item, for Waterlefe Community Development District.

Further discussion ensued regarding various items of expenditure.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved the Operations and Maintenance Expenditures for the Month of January 2014, which totaled \$66,040.65, for Waterlefe Community Development District.

SIXTEENTH ORDER OF BUSINESS

Presentation of Monthly Financial Report

Ms. Syvret presented the financial report for January 2014.

SEVENTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Cohen advised he had no report.
- B. District Engineer
Mr. Schappacher provided his report as the Seventh Order of Business.
- C. Property Manager
Property Management had no report.
- D. Golf Course Manager
Mr. Rassetts reviewed the January 2014 financials.

- E. Golf Course Committee
Mr. Sanborn advised Tony Tierno has resigned from the Committee. Mr. Bumgarner suggested putting together a certificate and/or letter of appreciation for Tony Tierno.
- F. Erosion Committee
Ms. Warner advised she has worked out with LakeMasters that they will allow plantings in \$100 increments for approximately 125 plants for individual homeowners wishing to have additional plants planted.
- G. Landscape Committee
Ms. Warner advised the next phase of renovations has started and they are bringing in trees. She would like to see how much money is left over and maybe continue with the next phase. She also stated she would like to survey the monuments in front of neighborhoods and either spend the money to refurbish them or get rid of them.
- H. District Manager
Ms. Syvret advised the next meeting of the Board of Supervisors is scheduled for Tuesday, March 25, 2014 at 1:00 pm.

EIGHTEENTH ORDER OF BUSINESS

Supervisor Requests

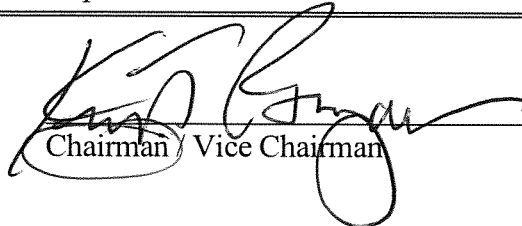
Ms. Syvret opened the floor for Supervisor requests and comments. There were none.

NINETEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Brocki, seconded by Mr. Kalish, with all in favor, the Board adjourned the meeting at 4:41 p.m., for Waterlefe Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman