
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, June 25, 2013 at 2:02 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
Rosalyn 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, Hankin, Persson, McClenathen, Cohen & Darnell
Rick Schappacher	District Engineer, Schappacher Engineering
Joe Rassett	General Manager, Waterlefe Golf Club
Christine Brookfield	Property Management
Marty Schuler	Erosion Committee
Herb Krasow	Golf Course 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

**Update Regarding Transfer of Permits
From WCI**

Mr. Cohen advised that WCI recently found several permits that remained to be transferred from WCI to either one of the associations or the CDD, as the operating entity. Mr. Cohen advised that the District Engineer worked with WCI to determine which permits should go to which entities, and he then reviewed the list of permits and relevant applications for those which were determined to be transferred to the CDD. Discussion ensued.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board delegated authority to the Chairman to execute the necessary paperwork to effectuate the transfer of permits from SWFWMD to the CDD, for Waterlefe Community Development District.

THIRD ORDER OF BUSINESS

District Engineer Report

Mr. Schappacher advised he received a second bid on the golf course pilings, which was more in line with the initial estimate, at \$8,125, and recommended moving forward with the second proposal.

Mr. Schappacher advised the Fish Hook Cove wall repairs are complete. He noted there were two matters brought to his attention by home owners; one relating to a barge that hit a piling, and the second involving potential crushing of a pipe when the rip rap was dumped. Mr. Schappacher advised that he does not believe either to have caused long term damage, but noted that we have the warranty in place that would cover both of them. He advised he documented both issues in writing to the contractor and provided a copy to the District Manager for the records.

Mr. Schappacher advised the handicap signs in the parking lot currently list the fine as \$100, which is the state statutory rate unless increased by the county. Mr. Schappacher advised County ordinance sets the fine at \$250. He recommended removing the lower section of the signs, which lists the fine, rather than replacing all of the signs. The Board concurred.

Mr. Brocki made the Board aware of a DRB application approved allowing a fence to be installed onto a CDD easement. Discussion ensued. Mr. Cohen will draft a letter advising the owner she must come to the CDD Board for approval.

FOURTH ORDER OF BUSINESS

**Consideration of Audit for Fiscal Year End
September 30, 2012 as Prepared by Carr,
Riggs & Ingram**

It was noted that Mr. Brocki had opportunity to speak with Mr. Joe Kennedy concerning questions and concerns with the audit, namely surrounding statements relating to debt owed to WCI. Mr. Brocki suggested adopting a memorandum asserting alleged debt is contested by the CDD. Discussion ensued. It was decided that Mr. Brocki could work with District Management to have some type of noted added to the audit for the next year.

On a Motion by Mr. Brocki, seconded by Mr. Kalish, with all in favor, the Board accepted the Audit for Fiscal Year End September 30, 2012 as Prepared by Carr, Riggs & Ingram, for Waterlefe Community Development District.

FIFTH ORDER OF BUSINESS

Discussion Regarding Landscape Improvements

Ms. Warner advised phase one and two of the phased renovation are complete, with exception of the sod and pine bark installation. It was noted that landscape lighting also remains to be completed, but it was not part of the contract and will be completed separately. Ms. Warner advised that SimplyVerde completed a walk through last week. All of the issues brought up by various members of the landscape committee and residents were provided to Ms. Castellano in advance so that she could review them during her walk through. Ms. Warner indicated that once the punch list is provided, any issue not included on the SimplyVerde list can be evaluated and addressed. Ms. Warner stated that phase three and part of phase four would be the next phases to be completed in the upcoming year, noting that irrigation and a majority of the plants on the median on Waterlefe Boulevard will not be changed, which will allow them to address more of the problematic trees. Discussion ensued.

SIXTH ORDER OF BUSINESS

Consideration of Arbitrage Rebate Calculations for Capital Improvement Revenue Bonds, Series 2001A and 2001B and for Golf Course Revenue Bonds, Series 2001

Ms. Syvret provided an overview of the Arbitrage Rebate Calculations for Capital Improvement Revenue Bonds, Series 2001A and 2001B, as prepared by LLS Tax Solutions, for the period ending June 27, 2012. She advised that there is no tax liability at this time.

Ms. Syvret provided an overview of the Arbitrage Rebate Calculations for Golf Course Revenue Bonds, Series 2001, as prepared by LLS Tax Solutions, for the period ending February 28, 2013. She advised that there is no tax liability at this time.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board accepted the Arbitrage Rebate Calculations for Capital Improvement Revenue Bonds, Series 2001A and 2001B and for Golf Course Revenue Bonds, Series 2001, as Prepared by LLS Tax Solutions, for Waterlefe Community Development District.

SEVENTH ORDER OF BUSINESS

Consideration of the Minutes of the Budget Workshop held on May 14, 2013

Ms. Syvret provided an overview of the minutes of the Budget Workshop held on May 14, 2013. She asked if there were any questions. There were none.

On a Motion by Ms. Warner, seconded by Mr. Bumgarner, with all in favor, the Board approved the Minutes of the Budget Workshop held on May 14, 2013, for Waterlefe Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of the Minutes of the Audit Review Committee Meeting held on May 28, 2013

Ms. Syvret presented the minutes of the Audit Review Committee Meeting held on May 28, 2013. She asked if there were any questions. There were none.

On a Motion by Mr. Bumgarner, seconded by Ms. Warner, with all in favor, the Board accepted the Minutes of the Audit Review Committee Meeting held on May 28, 2013, for Waterlefe Community Development District.

NINTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting held on May 28, 2013

Ms. Syvret presented the Minutes of the Board of Supervisors meeting held on May 28, 2013. She asked if there were any revisions to be made to the Minutes. The Board requested various changes to the minutes.

On a Motion by Ms. Warner, seconded by Mr. Brocki, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on May 28, 2013, subject to revisions as reflected on the record, for Waterlefe Community Development District.

TENTH ORDER OF BUSINESS

Consideration of the Minutes of the Special Board of Supervisors' Meeting held on May 28, 2013

Ms. Syvret presented the minutes of the Special Board of Supervisors meeting held on May 28, 2013. She asked if there were any questions or revisions to be made to the Minutes. There were none.

On a Motion by Mr. Bumgarner, seconded by Mr. Kalish, with all in favor, the Board approved the Minutes of the Special Board of Supervisors' Meeting held on May 28, 2013, for Waterlefe Community Development District.

ELEVENTH ORDER OF BUSINESS

Consideration of the Minutes of the Golf Course Committee Meeting held on April 22, 2013

Ms. Syvret asked if there were any questions related to the Minutes of the Golf Course Committee meeting held on April 22, 2013. There were none.

On a Motion by Mr. Hogan, seconded by Mr. Brocki, with all in favor, the Board accepted the Minutes of the Golf Course Committee Meeting held on April 22, 2013, for Waterlefe Community Development District.

TWELFTH ORDER OF BUSINESS

Consideration of the Minutes of the Landscape Committee Meeting held on May 14, 2013

Ms. Syvret asked if there were any questions regarding the Minutes of the Landscape Committee meeting held on May 14, 2013. There were none.

On a Motion by Mr. Bumgarner, seconded by Ms. Warner, with all in favor, the Board accepted the Minutes of the Landscape Committee Meeting held on May 14, 2013, for Waterlefe Community Development District.

THIRTEENTH ORDER OF BUSINESS

Consideration of the Operations and Maintenance Expenditures for the Month of May 2013

Ms. Syvret provided an overview of the expenditures for the month of May 2013, advising that expenditures for the period of May 1 through May 31, 2013 totaled \$104,879.33. Questions and comments were entertained regarding various items of expenditure.

On a Motion by Mr. Bumgarner, seconded by Mr. Brocki, with all in favor, the Board approved the Operations and Maintenance Expenditures for the Month of May 2013 totaling \$104,879.33, for Waterlefe Community Development District.

FOURTEENTH ORDER OF BUSINESS

Presentation of Monthly Financial Report

Ms. Syvret provided an overview of the monthly financial report. Discussion ensued.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Cohen advised that a motion for summary judgment hearing is scheduled in The Shores matter for July 29 at 1:30 and that the Shores' counsel is trying to set up a deposition of Mr. Strader.

Mr. Cohen advised that he had been reviewing a proposal and draft contract from Formella related to the improvements required for the golf course maintenance building. Mr. Cohen asked whether the Board would require a performance bond. He noted that he did not feel it was necessary in this situation because the contractor would only be receiving a 10% deposit and the remaining 90% cost would be paid at completion. Discussion ensued. The Board agreed a performance bond would not be required.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved a contract with Formella, not to exceed \$36,032, for Golf Maintenance renovations and delegating authority to the Chairman to execute the contract, for Waterlefe Community Development District.

Mr. Cohen distributed documents related to the Landings issue pursuant to the Board's direction at the last meeting, and advised he has received no responses either way. He asked the Board for direction. Mr. Brocki provided a draft document he suggested be recorded in the public record regarding easements and encroachments on these lots. Discussion ensued concerning the easements and whether the CDD has the right pursuant to the easement to have encroaching cages removed.

Mr. Kalish made a motion, which was seconded by Mr. Brocki, providing that if Counsel's research concludes that the CDD has a right to have the cages removed, it is the Board's intention to proceed with filing for an injunction to remove the cages following notice to the affected owners. With two in favor and three against, the motion failed.

The Board directed Counsel to research the extent of the CDD's easement in terms of ability to have the cages removed, to research exposure to slander of title by recording an instrument as discussed, and to work with Mr. Brocki to craft a document with the appropriate language to have ready for recording if that is what the Board decides.

B. District Engineer

Mr. Schappacher provided his report in the Third Order of Business.

C. Property Manager

Ms. Brookfield provided an overview of the work order summary and advised the extension panels to the back gate are in the powder coating stage.

D. Golf Course Manager

Mr. Rassett provided an overview of the golf course financials for the month of May.

Mr. Rassett distributed and reviewed two proposed public play programs, a "Business Card" program and "Non-Member/Non-Resident Public Play Card". Discussion ensued.

On a Motion by Mr. Hogan, seconded by Mr. Brocki, with all in favor, the Board authorized District Staff to initiate the rule making process to consider the Business Card Program and Non-Member/Non-Resident Public Play Card, and further authorizing notice of a Special July meeting and Public Hearing for July 30, 2013 at 2:00 pm, for Waterlefe Community Development District.

Mr. Rassett reviewed a proposal from C-Squared to remove and repair the handicap parking pads in the parking lot in the amount of \$1,350. Mr. Rassett noted that he has some other repairs being completed by C-Squared in September and can have the work coincide.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved the proposal from C-Squared for Removal and Re-pouring of the Parking Pads in the amount of \$1,350.00, for Waterlefe Community Development District.

E. Golf Course Committee
No report.

F. Erosion Committee
No report.

G. Landscape Committee
No report.

H. District Manager
Ms. Syvret advised that pursuant to the discussion earlier, the Board of Supervisors meeting scheduled for July 23rd would be cancelled and a special meeting scheduled for July 30, 2013 at 2:00 pm.

Ms. Syvret distributed proposals from Aquagenix and Vertex Water Features for various aeration/fountain system options for pond #16. Discussion ensued. This item was tabled to the next meeting.

Ms. Syvret advised yard drain and catch basin clearing along the back gate is scheduled to be completed by the end of the current week.

SIXTEENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Syvret opened the floor for audience questions. Audience questions and comments were entertained. No Board action was taken.

Ms. Syvret opened the floor for Supervisor requests and comments.

Mr. Bumgarner provided a summary of items related to the MPOA meetings including projects under consideration.

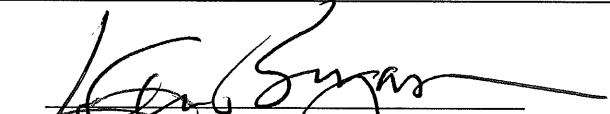
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SEVENTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Kalish, seconded by Mr. Brocki, with all in favor, the Board adjourned the meeting at 5:30 p.m., for Waterlefe Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman