
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 special meeting of the Board of Supervisors of the Waterlefe Community Development District was held on **Tuesday, July 30, 2013 at 2:00 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
Mark Kalish	Board Supervisor, Assistant Secretary
Rosalyn Warner	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
Christine Brookfield	Property Management
Herb Krasow	Golf Course Committee
Tony Tierno	Golf Course Committee
Don McFadden	Golf Course Committee
Bill Stasiuk	MPOA Representative
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. Temin, a property owner, along with her attorney Ms. Ford, addressed the Board regarding installation of a fence approved by the Waterlefe DRB, believed to encroach on CDD property. Discussion ensued regarding the property ownership and various easements located in the subject area. It was noted that so long as the fence was installed within the homeowner's property line and not on CDD property it would no longer impact the CDD or be a CDD issue. Accordingly the Board directed that no portion of the fence may infringe on CDD property. Property owner is to measure and confirm the fence location is within the limits of her property.

Kevin Mann of 927 Fish Hook Cove addressed the board regarding his vehicle being struck by a golf ball and concern related to potential injury to other persons or property by stray golf balls. He asked if there is any way to lessen the likelihood of this happening. Discussion ensued. It was noted that these types of incidents are a known risk inherent in owning property and living within a golf course community. The Board noted that the trees installed along the left side of the driving range are intended to serve as a buffer and tee areas at the driving range have already been angled away from the road/adjacent property to minimize the likelihood of stray golf balls, but indicated that it would have the golf committee and course management continue to review whether there are any further viable modifications that could be made.

THIRD ORDER OF BUSINESS

**Consideration of Contract with
SimplyVerde for Landscape Architectural
Services Related to Phases 3 and 4**

Ms. Syvret provided an overview of the contract as provided by SimplyVerde. Discussion ensued. It was noted that the standard terms and conditions in the proposal would be modified consistent with the terms negotiated for the contract for services related to phases 1 and 2.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved the proposal from SimplyVerde in the amount of \$4,300 for Phase 3 and portions of Phase 4 Construction Services, for Waterlefe Community Development District.

FOURTH ORDER OF BUSINESS

**Public Hearing Related to Programs and
Fees of the Golf Course**

On a Motion by Mr. Kalish, seconded by Mr. Hogan, with all in favor, the Board opened the Public Hearing Related to Programs and Fees of the Golf Course, for Waterlefe Community Development District.

Mr. Cohen provided an overview of the Proposed Public Play Programs; the Business Card program and the Non-Member/Non-Resident Public Play Card as discussed at the previous meeting. Members of the public were present but did not provide any comments.

On a Motion by Mr. Kalish, seconded by Mr. Hogan, with all in favor, the Board closed the Public Hearing Related to Programs and Fees of the Golf Course, for Waterlefe Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Rule 13-02, Amending
Golf Club Usage and Fees**

Mr. Cohen provided an overview of Rule 13-02 which amends the Golf Club usage and fees.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board adopted Rule 13-02, Amending Golf Club Usage and Fees, for Waterlefe Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2013-06,
Adopting Certain Fees and Programs for
Use of the Golf Course**

Mr. Cohen advised the Resolution being presented formally adopts, by way of resolution, the usage and fees adopted by Rule of 13-02.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board adopted Resolution 2013-06, Adopting Certain Fees and Programs for Use of the District's Golf Course, for Waterlefe Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of the Minutes of the Board
of Supervisors' Meeting held on June 25,
2013**

Ms. Syvret presented the Minutes of the Board of Supervisors meeting held on June 25, 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. Bumgarner, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on June 25, 2013, subject to revisions as reflected on the record, for Waterlefe Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of the Minutes of the
Erosion Committee Meeting held on April
16, 2013**

Ms. Syvret presented the minutes of the Erosion Committee Meeting held on April 16, 2013.

On a Motion by Mr. Bumgarner, seconded by Mr. Hogan, with all in favor, the Board accepted the Minutes of the Erosion Committee Meeting held on April 16, 2013, for Waterlefe Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of the Minutes of the
Erosion Committee Meeting held on June
18, 2013**

Ms. Syvret presented the minutes of the Erosion Committee Meeting held on June 18, 2013.

On a Motion by Mr. Bumgarner, seconded by Ms. Warner, with all in favor, the Board accepted the Erosion Committee Meeting held on June 18, 2013, for Waterlefe Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of the Operations and
Maintenance Expenditures for the Month
of June 2013**

Ms. Syvret provided an overview of the expenditures for the month of June 2013, advising that expenditures for the period of June 1 through June 30, 2013 totaled \$111,464.18. Questions and comments were entertained regarding various items of expenditure.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board approved the Operations and Maintenance Expenditures for the Month of June 2013 totaling \$111,464.18, for Waterlefe Community Development District.

ELEVENTH ORDER OF BUSINESS

Presentation of Monthly Financial Report

Ms. Syvret advised she would forward the monthly financial report via e-mail.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Cohen provided an update regarding the Shores litigation; advising the judge ruled from the bench denying a summary judgment from Defendant Hoffman, et al. Mr. Cohen further advised that the judge ruled that the additional assessment is not a limited common assessment and is defined by the association documents as additional assessment equivalent to the CDD O&M, for which the Defendant(s) are obligated.

Mr. Cohen further advised that it has recently come to light that the owners of the Kelley parcel are using a small portion of CDD land for access to their property. Mr. Cohen advised he will send a friendly letter to confirm the access point is on CDD property.

Mr. Cohen provided overview of the results of research conducted by his firm relating to the Landings matters, in particular pertaining to pursuit of injunctive relief to remove encroachments and slander of title concerning recording an instrument describing the encroachments and impact on the property. Mr. Cohen advised he does not recommend pursuing injunctive relief. Discussion ensued.

On a Motion by Mr. Kalish, seconded by Mr. Hogan, with all in favor, the Board authorized recording of an instrument for each property on which lanai cages have been extended into a CDD easement relating to the encroachments and existence of the engineering report, to be drafted by Mr. Cohen and Mr. Brocki, and further confirmed that it did not wish to pursue injunctive relief at this time, for Waterlefe Community Development District.

Mr. Cohen advised the Board of changes at his firm; noting he and Mr. Persson, along with some other staff will be branching off and operating as Persson & Cohen, as well as moving offices.

B. District Engineer

Mr. Schappacher advised he believes as things start moving along with the development by Medallion to the adjacent south, that the County is going to ask for a portion of the right of way where the wall is located and a small area of the wall may need to be relocated to the North onto CDD property. Mr. Bumgarner distributed a draft letter agreement between the CDD and Medallion prepared by Ms. Petruff related to the agreements concerning development as previously discussed with Medallion. Discussion ensued. The Board agreed to proceed with providing the draft letter agreement to Medallion, subject to inclusion of comments by the Board and final review by Mr. Bumgarner.

C. Property Manager

Ms. Brookfield provided an overview of the work order report and status of engineering asset report items.

D. Golf Course Manager

Mr. Rasset provided an overview of the golf course financials for the month of June and on going maintenance/projects.

Mr. Rasset suggested that the Board consider re-striping the parking lot in September while he has work scheduled on the handicapped parking spaces.

On a Motion by Mr. Kalish, seconded by Mr. Hogan, with all in favor, the Board approved an amount not to exceed \$1,000 to re-stripe the parking lot when the handicapped space work is completed in September, for Waterlefe Community Development District.

E. Golf Course Committee

No report.

F. Erosion Committee

No report.

G. Landscape Committee

Ms. Warner advised punch work is under way, which will complete phases 1 and 2 of the renovations. She advised she is working on getting proposals for lighting.

H. District Manager

Ms. Syvret advised the next meeting of the Board of Supervisors is scheduled for Tuesday, August 27, 2013 at 6:00 p.m., which is the date of the public hearing related to the final budget for fiscal year 2013/2014.

THIRTEENTH ORDER OF BUSINESS

Supervisor Requests


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

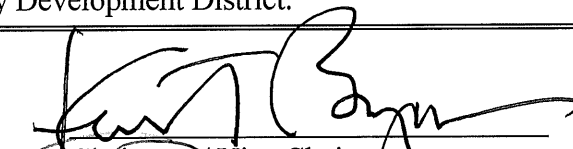
Mr. Bumgarner and Mr. Tom Davidson provided an update concerning upcoming hearings and events related to the Fort Hamer Bridge project.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Kalish, seconded by Mr. Hogan, with all in favor, the Board adjourned the meeting at 4:15 p.m., for Waterlefe Community Development District.


Secretary Assistant Secretary


Chairman / Vice Chairman