

**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, December 20, 2011 at 2:01 p.m.** at the Waterlefe Golf and River Club, 995 Fish Hook Cove, Bradenton, Florida.

Present and constituting a quorum were:

Ken Bumgarner  
Tony Maddaloni  
Mark Kalish  
Rosalyn Warner  
John Brocki

**Board Supervisor, Chairman**  
**Board Supervisor, Vice Chairman**  
**Board Supervisor, Assistant Secretary**  
**Board Supervisor, Assistant Secretary**  
**Board Supervisor, Assistant Secretary**

Also present were:

Molly Syvret  
Andy Cohen  
  
Joe Rassett  
Darcy Leahy  
Doug Egly  
Franklyn Dickson  
Steve Sanborn  
Herb Krasow  
Dick Hall  
Jack Ritchie  
  
Patricia Castellano  
Audience

**District Manager, Rizzetta & Company, Inc.**  
**District Counsel, Hankin, Persson, Davis,**  
**McClenathen & Darnell**  
**General Manager, Waterlefe Golf Club**  
**Property Management**  
**Escalante Golf**  
**MPOA President**  
**Representative, Golf Course Committee**  
**Representative, Golf Course Committee**  
**Representative, MPOA & Erosion Committee**  
**Representative, MPOA Communications**  
**Committee**  
**Simply Verde**

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Syvret called the meeting to order and conducted the roll call. Ms. Syvret advised the some of the agenda items would be presented out of order, starting with the Golf Course Committee and followed by a presentation from Ms. Castellano of Simply Verde.

**SECOND ORDER OF BUSINESS**

**Golf Course Manager/Committee Staff Report**

Mr. Rasett provided an overview of the Golf Course Financials and course projects.

**THIRD ORDER OF BUSINESS**

**Presentation of Updated Landscape Plan, Opinion of Probable Costs and Soil Reports by SimplyVerde**

Ms. Castellano advised that several soil reports were flagged for additional tests because the Ph level was above 7.4, which means the soil is very alkaline, and she hopes to have those tests results next week. Ms. Castellano advised that these tests are important because the Ph level of the soil will affect the type of plants that can go in that soil. Ms. Castellano reviewed the revised phasing priority based on comments from the landscape committee: Upper Manatee River Road South to entry; front entry signs, entry to gatehouse; Waterlefe Boulevard; Upper Manatee River Road North of entry. Ms. Castellano reviewed the updated plans for the Board. Questions and comments were entertained.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors Meeting held on November 22, 2011**

Ms. Syvret stated the next item on the agenda was the consideration of the Minutes of the Board of Supervisors Meeting held on November 22, 2011. She asked if there were any revisions to the Minutes. There were none

On a Motion by Mr. Kalish, seconded by Mr. Maddaloni, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on November 22, 2011, for Waterlefe Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of the Operation and Maintenance Expenditures for November 2011**

Ms. Syvret presented the operation and maintenance expenditures for the period covering November 1-30, 2011 and totaling \$71,474.81. Questions were entertained regarding Cornerstone and the water bills. The Board inquired whether the legal bills relating to the trademark matters were being shared with the MPOA. Ms. Syvret confirmed the MPOA was being invoiced for half those expenses.

On a Motion by Mr. Brocki, seconded by Ms. Warner, with all in favor, the Board approved the Operation and Maintenance expenditures totaling \$71,474.81 for the Month of November 2011, for Waterlefe Community Development District.

**SIXTH ORDER OF BUSINESS**

**Presentation of Monthly Financial  
Summary**

Ms. Syvret advised the Monthly Financial Report was not ready due to the early meeting date.

**SEVENTH ORDER OF BUSINESS**

**Update Regarding Shoreline Restoration  
on Maritime Court**

Ms. Syvret provided an update regarding the shoreline restoration on Maritime Court. She advised BioMass has sufficiently completed their work on Maritime Court. She advised there were minor irrigation issues remaining between the two houses, but she has arranged for Cornerstone to make the repairs and the cost of the repairs would be deducted from the final payment to BioMass.

Discussion ensued regarding the weed removal and clean up provided by Aquagenix. Ms. Leahy was asked to contact Aquagenix and have them return to the site to review areas that were reported as only partially completed or skipped altogether.

Discussion ensued regarding re-bidding the next phase of the erosion work and the potential credit from BioMass for utilizing them for future contracts.

**EIGHTH ORDER OF BUSINESS**

**Discussion Regarding John Deere  
Maintenance Equipment**

Mr. Cohen advised that Escalante, on behalf of the course, executed a purchase order for equipment in order to take advantage of superior price savings. Mr. Cohen determined the RFP process should have been used because the amount involved was over the statutory dollar amount. John Deere verbally agreed to release the District from the deal so the District can go through the RFP process. They did note they will honor the same pricing. Mr. Cohen recommended starting the RFP process for the golf course maintenance equipment. Discussion ensued regarding the timeline for the RFP process.

On a Motion by Mr. Kalish, seconded by Mr. Maddaloni, with all in favor, the Board authorized District Staff to proceed with a Request for Proposals for Golf Course Maintenance Equipment, for Waterlefe Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Golf Course  
Correspondence to Community**

Mr. Krasow reviewed the correspondence to be distributed to homeowners related to two free golf passes to be made available to each household, subject to certain restrictions on times and non-transferability. The Golf Course Budget will be amended to reflect the promotion. Discussion ensued regarding restrictions to be placed on the passes.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Cohen provided an update regarding the Cornerstone contract relating to liability for water bills. He advised that after reviewing the contract and discussions with Mr. Toborg, there is a good argument to recover damages; which he roughly calculated at \$8,000 based upon a review of the history of the water bills over the past year. Discussion ensued. The Board directed Mr. Cohen to send a demand letter. Further discussion ensued regarding the terms of the Landscape Maintenance Contract.

Regarding the trademark issues, Mr. Cohen reviewed correspondence received from special counsel relating to the decision issued by the UDRP against Robinson on three domain names. He advised the District prevailed on one domain name, but not on the other two. Discussion ensued.

Mr. Dickson advised that in regard to the Shores, liens have gone out; the MPOA is still working towards resolution with representatives of the Shores. Discussion ensued.

B. District Engineer

Mr. Schappacher was not present.

C. Golf Course Manager/Golf Course Committee

The Golf Course Manager/Golf Course Committee report was provided in the second order of business.

D. Property Manager

Ms. Leahy provided an overview of work orders. She advised that the wall along the southern boundary needs to be cleaned on either side to remove exotics. Ms. Leahy provided an overview of the proposals she received for removal of the exotics. Discussion ensued regarding responsibility for the area on the south side of the fence and Mr. Bumgarner requested that Darcy inquire of Mr. Schappacher the placement of the wall in relation to the boundary line, and confirm ownership of the area in question, as he thought it was the County's responsibility.

On a Motion by Mr. Kalish, seconded by Mr. Maddaloni, with all in favor, the Board approved a not to exceed amount of \$5,000 for property management to purchase round up to apply to outside of the South wall, for Waterlefe Community Development District.

E. Erosion Committee

The Erosion Committee advised they had met and are waiting for Rick to review the shoreline now that the manual weeding has occurred to determine the area that should be included in the next phase of erosion repair.

F. Landscape Committee  
The Landscape Committee had no report.

G. District Manager  
Ms. Syvret advised that she received some preliminary information from the supervisor of traffic signs and markings at the department of public works. From this preliminary information, it appears that modifications will need to be made to signs throughout the community to meet the requirements outlined in the most recent version of the Manual on Uniform Traffic Control Devices, which has adopted by the State as the guideline for such devices. Ms. Syvret stated she would look into the requirements in more detail. Ms. Syvret also advised that the application to update the liquor license has been submitted, as well as the District's insurance renewal has been bound. Ms. Syvret provided an overview of the GAB Robins insurance appraisal program. Discussion ensued.

On a Motion by Mr. Maddaloni, seconded by Ms. Warner, with all in favor, the Board approved the GAB Robins insurance appraisal program, for Waterlefe Community Development District.

Ms. Syvret announced that the next regularly scheduled meeting of the Board of Supervisors will be held on Tuesday, January 24, 2012 at 2:00 pm.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests and Comments**

Ms. Syvret stated that the next item on the Agenda was Supervisor Requests and comments. There were none.

Ms. Syvret opened the floor for Audience comments. There were none.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

Ms. Syvret stated that there was no further business to come before the Board and asked for a motion to adjourn.

On a Motion by Mr. Kalish, seconded by Mr. Brocki, with all in favor, the Board adjourned the meeting at 5:26 pm, for Waterlefe Community Development District.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman