

**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, April 24, 2012 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	<b>Board Supervisor, Chairman</b>
Mark Kalish	<b>Board Supervisor, Assistant Secretary</b>
Rosalyn Warner	<b>Board Supervisor, Assistant Secretary</b>
John Brocki	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Molly Syvret	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
John Toborg	<b>Field Manager, Rizzetta &amp; Company, Inc.</b>
Andy Cohen	<b>District Counsel, Hankin, Persson, Davis, McClenathen &amp; Darnell</b>
Rick Schappacher	<b>District Engineer, Schappacher Engineering, LLC</b>
Joe Rassett	<b>General Manager, Waterlefe Golf Club</b>
Franklyn Dickson	<b>MPOA President</b>
Tony Tierno	<b>Golf Course Committee</b>
Don McFadden	<b>Golf Course Committee</b>
Herb Krasow	<b>Golf Course Committee</b>
Dick Hall	<b>MPOA and Erosion Committee</b>
Patty Petruff	<b>Special Counsel, Shumaker, Loop &amp; Kendrick</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

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

**SECOND ORDER OF BUSINESS**

**Presentation by Medallion Homes**

Mr. Peter Logan, President of Medallion Homes, and Mr. Connor Chambers advised Medallion Homes had acquired the property to the South of Waterlefe in November 2011. They provided an overview of the preliminary concept plan for development of the property, focusing on the location of the Port Harbour Parkway extension. Questions from the audience and Board were entertained.

On a Motion by Mr. Bumgarner, seconded by Mr. Kalish, with all in favor, the Board authorized Staff to continue to participate in discussions with Medallion Homes regarding realignment of the roadway along the Southern boundary, for Waterlefe Community Development District.

**THIRD ORDER OF BUSINESS**

**Discussion Regarding Vegetation Along Southern Boundary**

Mr. Schappacher reviewed a proposal for vegetation clearing along the Southern boundary and whether it made sense to move forward with clearing given possible conveyance of some of the land to Medallion. Discussion ensued.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved Staff to expend Not To Exceed \$4,000 to proceed with minimum necessary to clear vegetation encroaching on and affecting the structural integrity of the wall along the Southern boundary, for Waterlefe Community Development District.

**FOURTH ORDER OF BUSINESS**

**Discussion Regarding Establishment of New Passport Membership Categories**

Mr. Krasow provided an overview of the reasons for reviewing the membership categories, the demographic information considered in putting together the proposed new membership categories and the requirements/restrictions for each of the categories. Discussion ensued.

On a Motion by Ms. Warner, seconded by Mr. Kalish, with all in favor, the Board authorized Staff to implement the rule making procedure in order to proceed with adoption of the new passport membership categories as presented, for Waterlefe Community Development District.

**FIFTH ORDER OF BUSINESS**

**Discussion Regarding Status of Resolution of Irrigation Matters with Cornerstone**

Mr. Brocki and Mr. Toborg provided an overview of an on-site meeting held with staff from Cornerstone, District Management, and County representatives. It was requested the item be tabled as there were still a number of issues that are being researched.

**SIXTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors Meeting held on March 27, 2012**

Ms. Syvret stated the next item on the agenda was the consideration of the Minutes of the Board of Supervisors Meeting held on March 27, 2012. She asked if there were any revisions to the Minutes. There were none.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on March 27, 2012 for Waterlefe Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Erosion Committee Meeting Held on  
February 21, 2012**

Ms. Syvret stated the next item on the agenda was acceptance of the Minutes of the Erosion Committee meeting held on February 21, 2012.

On a Motion by Mr. Maddaloni, seconded by Ms. Warner, with all in favor, the Board accepted the Minutes of the Erosion Committee meeting held on February 21, 2012, for Waterlefe Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Golf  
Course Committee Meetings held on  
February 21, 2011, March 21, 2011, April  
25, 2011, May 23, 2011, August 22, 2011,  
September 26, 2011, October 24, 2011,  
November 21, 2011, December 19, 2011,  
January 23, 2012 and February 27, 2012**

Ms. Syvret stated the next item on the agenda was acceptance of the Minutes of the Golf Course Committee Meetings held on February 21, 2011, March 21, 2011, April 25, 2011, May 23, 2011, August 22, 2011, September 26, 2011, October 24, 2011, November 21, 2011, December 19, 2011 January 23, 2012, and February 27, 2012.

On a Motion by Ms. Warner, seconded by Mr. Kalish, with all in favor, the Board accepted the Minutes of the Golf Course Committee Meetings held on February 21, 2011, March 21, 2011, April 25, 2011, May 23, 2011, August 22, 2011, September 26, 2011, October 24, 2011, November 21, 2011, December 19, 2011, January 23, 2011, and February 27, 2012, for Waterlefe Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Landscape Committee Meetings held on  
September 13, 2011 and March 13, 2012**

Ms. Syvret stated the next item on the agenda was acceptance of the Minutes of the Landscape Committee Meetings held on September 13, 2011 and March 13, 2012.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board accepted the Minutes of the Landscape Committee Meetings held on September 13, 2011 and March 13, 2012, for Waterlefe Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of the Operation and  
Maintenance Expenditures for March  
2012**

Ms. Syvret presented the operation and maintenance expenditures for the period covering March 1-31, 2012, which totaled \$120,658.18. Questions were entertained regarding various invoices.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board approved the Operation and Maintenance expenditures totaling \$120,658.18 for the Month of March 2012, for Waterlefe Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Presentation of Monthly Financial  
Summary**

Ms. Syvret provided an overview of the financial summary for the period ending March 31, 2012.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Cohen advised that a reimbursement check was received from the fire district for non-ad-valorem assessments charged for years of 2009 through current totaling \$4,735. Mr. Cohen advised that trademark counsel determined the CDD owns the federal mark for restaurant services, but the state mark is owned by the MPOA, and it is his recommendation that one entity should own both marks with a license given to the other entity. Discussion ensued. Mr. Cohen confirmed the MPOA will give the state mark to the CDD and the CDD will license to the MPOA. Mr. Cohen also provided an overview of the status of the matter relating to the Passport member who resigned membership not in accordance with the terms of the agreement, advising that he had sent a letter demanding payment of the remaining fees by April 16<sup>th</sup> and no payment has been received. Mr. Cohen reviewed options for the District if the Board wants to pursue collection of the fees. Discussion ensued.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board directed District Counsel to proceed with a small claims action to recover the sums owed under the Passport Membership of Mr. & Mrs. Piazza, for Waterlefe Community Development District.

B. District Engineer

Mr. Schappacher had no report.

C. Golf Course Manager/Property Manager

Mr. Rassett reviewed the Golf Course financials for the month of March.

Mr. Rasset advised Ms. Leahy will be leaving as of June 1<sup>st</sup>. He reviewed the work order status; including proposals for aquatic planting and removal of nuisance plants, and replacement of damaged stop sign at Fishhook Cove. Discussion ensued regarding security at the back gate with a suggestion from staff to run a fence from the gate to the post at the sidewalk, and line the inside of the fence line with a hedge. The Board directed Mr. Rasset to proceed with obtaining a proposal as suggested.

D. Golf Course Committee

The Golf Course Committee had no report.

E. Erosion Committee

Committee Member Marty Schuler provided an update on the status of Phase II erosion remediation, indicating that out of 14 locations, totaling 1056 feet, approximately 707 feet is complete.

Ms. Warner advised additional lengths of geotubes are needed for an additional 30 linear feet of repair area that needs to be added.

On a Motion by Ms. Warner, seconded by Mr. Kalish, with all in favor, the Board authorized charges for additional 30 feet of geotubing on Maritime to be memorialized by Change Order #2 Prepared by District Engineer, for Waterlefe Community Development District.

Ms. Warner advised letters are being sent to those who received the tubing relating to proper watering and mowing of new sod. She also advised a letter is being drafted to the owner at 925 Fishhook Cove relating to erosion and damage to the wall caused by his dock and other drainage issues on his property.

F. Landscape Committee

The Landscape Committee advised of the addition of 30 Bird of Paradise to the median along Waterlefe Blvd. They advised they would like to proceed with Phase 1 or 2 of the SimplyVerde plan, subject to available funds.

G. District Manager

Ms. Syvret advised the next regularly scheduled meeting of the Board of Supervisors will be held on Tuesday, May 22, 2012 at 2:00 pm, which is the proposed budget meeting.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Comments**

Ms. Syvret stated that the next item on the Agenda was Supervisor Requests and comments.

Mr. Bumgarner advised he would like to have a joint workshop with the MPOA regarding community planning on May 14<sup>th</sup> from 9:00 a.m. to 12:00 p.m. at the River Club and

asked Staff to advertise the workshop.


Ms. Syvret opened the floor for Audience Comments.

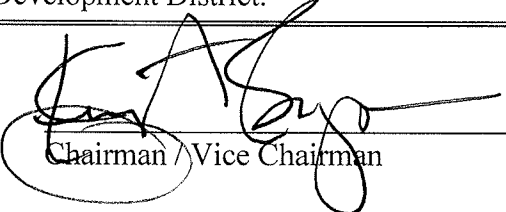
Mr. Krasow provided an update regarding the Fort Hamer Bridge. He requested the Board consider allocating funds to Special Counsel, Patty Petruff, to work in conjunction with Kevin Hennesey, counsel for the MPOA, to move forward with review/responses of DEIS and preliminary process following the public hearing process.

**FOURTEENTH 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 the meeting in progress.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board adjourned the meeting at 5:17 p.m., for Waterlefe Community Development District.

  
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Secretary / Assistant Secretary

  
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Chairman / Vice Chairman