

**MINUTES OF MEETING  
SOUTH-DADE VENTURE  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the South-Dade Venture Community Development District was held on Thursday, October 9, 2008 at 3:00 p.m., at the Watersone Clubhouse, Phase II, 1355 Waterstone Way, Homestead, Florida.

Present and constituting a quorum were:

Alex Diaz de Villegas	Chairman
Kimberly Felipe-Ochoa	Vice Chairman
Curtis Cooper	Assistant Secretary
Sonia Castro	Assistant Secretary

Also present was:

Michael Pawelczyk	District Attorney
Paul Winkeljohn	District Manager
Dennis Baldis	Governmental Management Services

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Diaz called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Staff Reports**

Mr. Diaz: Moving on to the second item, we have staff reports, actually, if we could move ahead and just start with Dennis' report first, for the field manager's report, so go ahead Dennis.

**C. Field Manager - Management Report**

Mr. Baldis: Since our last meeting I received another price for the holiday lighting from Plant Professionals. I also tried to get another company from Pompano Beach, but they didn't respond after several phone calls so they more or less gave me the impression they are really very busy this time of year and they're not looking to add any clients to their list. So we had people from Plant Professionals who also install Christmas lighting

and holiday lighting and I asked them to come out and give us an idea of their thoughts on what would look nice at the entrance features and a cost and they provided that and I emailed that to everybody and I hope everybody got that.

Ms. Felipe-Ochoa: Ok.

Mr. Baldis: Then we also got a revised quote from Christmas Designers who provided the new quote. I also sent you a spreadsheet where I took out the items that I could compare apples to apples between the two and on that spreadsheet you can see that Plant Professionals came in at \$2,256 dollars less than Christmas Designers, but their quote didn't include the 60 inch wreaths because that was part of their poinsettias and the big structure they came up with, so the wreath was included in that. I also sent photos of areas that Plant Professionals did, so it's for your consideration.

Ms. Felipe-Ochoa: But they don't customize?

Mr. Baldis: I spoke to him and he had items that he would show me, customized stuff that he did and I don't know if it's a time problem but he has been sending a lot of stuff through email, and I didn't receive any of that, but he did tell me they had done areas like that with customized decorations. So the price is similar if you saw the photos with Plant Professionals with their ideas and the new design.

Ms. Felipe-Ochoa: Now, when I saw your email Dennis they came up with something that was in the range of \$70,000 for the first year and then the second year would be what and the third year would be what?

Mr. Baldis: What we asked them to do was we gave them a budget of \$70,000.

Mr. Cooper: I'm a little bit confused here, I know you guys are talking about \$70,000.

Mr. Baldis: That was the first quote, the one I sent you is the one we're talking about now.

Mr. Cooper: Ok so this is the new quote.

Ms. Felipe-Ochoa: Right because the original one had 70 poles on it and we're obviously not going to put a banner on every single existing pole in the community, so we

narrowed it down at the last meeting to between 24 and 27 poles, so that was the \$70,000 and what does that include in that price? Is that the purchase option?

Mr. Diaz: Well what's the input from our manager? What option works out best over the long run, renting, leasing, or purchasing?

Mr. Baldis: They've purchased the material at Turtle Run.

Mr. Diaz: Ok and that works out?

Mr. Baldis: Yes, it works out great. Christmas Designers have been doing Turtle Run now for five or 6 years and they are very pleased with their response and they are very professional and ensure that things are working and we've corrected a lot of problems at Turtle Run with LED lighting. They last longer and it's just amazing how bright they are.

Ms. Felipe-Ochoa: So then the following year, if we were to buy them, if they were broken or they didn't work, we'd have to purchase more, but they come in small strings?

Mr. Baldis: Yes.

Ms. Felipe-Ochoa: So if we were to purchase them and then pay for storage, that's what we would have to do then, for them to come out, what does it involve with all of their services with that?

Mr. Baldis: They would come out once a week when the lights are up and check them, turn them on and make sure everything is working, unless you call and you say you have a problem.

Ms. Felipe-Ochoa: Paul, where are we at with our reserves?

Mr. Winkeljohn: Off the top of my head, you budgeted \$30,000 for holiday lighting, you have a reserve account of about \$350,000 this year, but the purchase side of this program can be capitalized and you have more than enough money in your capital account to cover it, about \$450,000, but that's your capital fund.

Ms. Felipe-Ochoa: So this is the initial purchase price, not leasing?

Mr. Baldis: It's a three year lease purchase.

Ms. Felipe-Ochoa: Ok so it's a three year lease purchase.

Mr. Baldis: Right.

Ms. Felipe-Ochoa: So you initially purchase them and then they store it?

Mr. Baldis: Yes, they're going to store it and they're going to come and put it up.

Mr. Pawelczyk: It's a three year contract, after the three years you own it, right?

Mr. Baldis: Right.

Mr. Pawelczyk: Then you'll need to renew the contract with them after that to do the same service.

Ms. Felipe-Ochoa: Ok so the initial cost is \$70,000?

Mr. Baldis: That's for everything, the banners, the lighting, and the monument signs.

Mr. Diaz: How many banners do you have on there?

Mr. Baldis: This is for 27 community standard banners, the hardware for the brackets and the purchase of the banners.

Ms. Felipe-Ochoa: There are no lights on the brackets, right?

Mr. Baldis: That's with the enhancements, the banner bracket is just a strap with two rods coming out of it, the enhancement is the lighting.

Ms. Felipe-Ochoa: So this is with enhancements?

Mr. Baldis: Yes.

Ms. Felipe-Ochoa: So the initial price is \$70,000?

Mr. Baldis: Yes.

Ms. Felipe-Ochoa: And then the second year?

Mr. Baldis: \$70,000.

Ms. Felipe-Ochoa: And the third year?

Mr. Baldis: \$70,000, no I'm sorry you'd have to take out the monument signs, the banner hardware, and the banners, you wouldn't be paying for that. The enhancers the hardware and the banners would all be taken off.

Mr. Diaz: It's considerably less the second and third year.

Ms. Felipe-Ochoa: So then it would be \$70,000 minus \$12,000 the second year, so that's like \$58,000.

Mr. Cooper: The fourth year we would own them right?

Mr. Baldis: You'd have to sign another contract, but you would own them, yes and if you didn't want to use them, if you had someone else you wanted to hire to put them up or you wanted to put them up yourselves you could do that.

Mr. Winkeljohn: Just from a financial standpoint, the way finances work for capital purchases you couldn't handle a lease from a capital purchase, you'd need to purchase year one the assets, right away and then pay the install, maintenance, storage side as an operating line for the next three years.

Ms. Felipe-Ochoa: So then it would be more than \$70,000 for the first year?

Mr. Winkeljohn: Yes, and you would have to have two conversations, one would be what is the ongoing operating costs of this and it sounds like it's in the \$30,000 to \$40,000 dollar range over three years and there is about a \$30,000 a year capital price that this proposal splits across three years, you would pay say \$90,000 plus \$30,000 for year one, \$90,000 out of capital, so you'd be in your budget, but your operating budget is close, is what I'm trying to say and then next year you would be within a few thousand dollars. All of the electrical install work can be capitalized, because it would be a construction project, but any maintenance and repairs to it would be on your operating side.

Mr. Diaz: Ok.

Mr. Winkeljohn: So I think you're close, but the order of magnitude as a policy board, the question you need to ask yourself is, am I comfortable with a \$90,000 investment for something I get to keep and use two, three or maybe four or five years and a percentage of them will last that long. The LED is going to last longer and it's going to be less susceptible to damage or wear and tear, it just does much better and what I'm hearing from Dennis' experience, is the way they take care of the equipment, you would get the maximum of years possible. It's a \$90,000 investment into something that depreciates probably in the third year, but you might get a fourth or fifth year out of it.

Ms. Felipe-Ochoa: Ok so does anybody else have any comments or discussion?

Mr. Winkeljohn: Well my advice to you since we want to move on this and get it in, is to authorize a not to exceed amount for purchase and a not to exceed amount for the annual install and management for the next three years and have Dennis nail down the

details inside of those numbers, under this scope and I think a motion to that affect and you're done.

Ms. Felipe-Ochoa: Yes, we can move on this, but would you guys like to make a motion or do you want to discuss it? I see the long term, when we put those up, people are really going to recognize Waterstone.

Ms. Castro: Well my comment was really that, it's a little bit less than I expected. I thought we were going to approve \$80,000 or \$90,000.

Ms. Felipe-Ochoa: Which is really what we're going to approve because, remember there is electricity items they have fit into that.

Mr. Diaz: So really all we need is a motion to approve let's say \$90,000 and then Dennis works out the details.

Mr. Winkeljohn: Well I would word it as an upfront purchase of a not to exceed I think.

Mr. Diaz: Why don't you start with the verbiage first?

Mr. Winkeljohn: Sure. A capital purchase of not to exceed \$90,000 and a yearly installation and storage purchase not to exceed \$30,000 a year and that is the \$70,000 that we've been talking about, so if it's a little bit more in the capital and a little less in the maintenance your total sum should be \$70,000 a year.

Ms. Felipe-Ochoa: After the \$90,000?

Mr. Winkeljohn: Yes, we have two issues, I don't know the exact capital and I don't know the maintenance, but the total together would be \$70,000 a year over three years, but I think it's going to be about \$90,000 upfront capital, plus about \$30,000 to \$35,000 for the yearly piece, so that added together is \$70,000 a year or a onetime capital purchase of approximately \$90,000 and a \$35,000 dollar yearly fee for three years and no more of a combination of the two, would be an appropriate threshold and Dennis will get that done.

Mr. Diaz: I just wanted to stress to the board the issue was to get this done today because this company was on hold for us to have it done, if we want it done.

Mr. Winkeljohn: Right, so you're authorizing a \$70,000 per year expenditure to be structured with capital and management as discussed.

On MOTION by Ms. Felipe-Ochoa seconded by Ms. Castro with all in favor, authorizing staff to move forward with the holiday decoration proposal not to exceed \$70,000 per year, with a capitalized expenditure not to exceed \$90,000 upfront costs was approved.

Mr. Pawelczyk: Also listed in that motion is authorization for the chairman to execute the agreement which we obviously have to put together and review, I just want to make sure there's a consensus to do that.

Ms. Castro: We are going with C.D.I. right?

Ms. Felipe-Ochoa: Yes.

Mr. Diaz: Yes, we didn't really stress it was C.D.I.

Mr. Winkeljohn: I thought I heard you say that, who was it?

Mr. Diaz: Christmas Design Inc.

Mr. Winkeljohn: C.D.I.

Mr. Baldis: No, Christmas Design Inc., Enterprises.

Mr. Winkeljohn: C.D.I.E.

Mr. Pawelczyk: Maybe a motion's in order authorizing the execution of an agreement under those parameters with C.D.I.E., subject to legal and staff review.

Mr. Winkeljohn: Excellent, do we have a motion to that affect?

Ms. Felipe-Ochoa: I think Curtis had a question.

Mr. Cooper: No.

Mr. Winkeljohn: So you're good with that? Do we have a motion to that affect?

On MOTION by Ms. Felipe-Ochoa seconded by Ms. Castro with all in favor, authorizing the chairman to execute the agreement with Christmas Design Inc. Enterprises subject to District Counsel and staff review was approved.

Mr. Winkeljohn: Ok, we'll nail it down, but you guys did give us the right parameters though for us to get it done correctly. Dennis, anything else?

Mr. Baldis: Yes, I have a few more items. I had been asked to get proposals to do some fencing work which is right outside the window here. What we have is, on this side of this building there's a fence that the kids are jumping over and they're walking across here and cutting through here to go to these homes. So I was asked to get a proposal to put new fencing here and over on this side and we had two proposals. One is from Fantasy Gates and it's for \$2,275 and I also have one from Security Solutions for \$2,100 and just so you know it's the metal fencing, it's not the chain link fence.

Ms. Felipe-Ochoa: And that's over here on this lake?

Mr. Baldis: On this side, the fence over here on this side.

Mr. Cooper: I have a question. What would it entail so that there's not fence to fence at eye level? My understanding from what Dennis just explained is that there's going to be a fence from that point over there going all the way over here.

Mr. Diaz: Well it goes straight down to the water, with a gate door so they can get the lawn mower through.

Ms. Felipe-Ochoa: What I don't understand about that is, where is that and why does it have to be white? That's the part that I don't understand. Ok so why don't we just go outside and see that?

Mr. Pawelczyk: We are going outside back by the pool area at this time.

Mr. Diaz: Alright, so where that fence ends, straight down to the water, and what's happening is they are jumping that, they're damaging that and we had to repair it I think at least two different times.

Ms. Felipe-Ochoa: And you think that's going to stop them? That little fence that is that high? I don't think so.

Ms. Castro: That was going to be my comment also.

Mr. Diaz: No.

Mr. Pawelczyk: They are going to put one the size of that fence, a six foot fence.

Mr. Diaz: It will be the same height as that one, six feet high, with the spikes, the exact same iron fence going all the way down to the water, but on this side, over here it

will have a door so they can get the lawn mower in there, it will go into the water so from that point that way and that point this way, they can't cross here.

Ms. Felipe-Ochoa: So that fence is the one you're talking about, the one with the spikes?

Mr. Diaz: Yes, those quotes are for iron fencing, the exact same fence that's already there.

Ms. Castro: Only on that side?

Mr. Diaz: Right. The problem is the HOA looked at doing that but we've encountered this problem with permitting, with the encroachment deal with the city of Homestead, which is, basically they don't want to get into fencing when it's not your property. So, even if we gave an encroachment deal to the master association to do it, they don't want to allow us to do that. They want the person who owns the property, which in this case is the CDD, to do it.

Ms. Felipe-Ochoa: I just think that, that is green there and that looks awful and it doesn't go together. How many feet is that and how much is that?

Mr. Diaz: Six feet high.

Ms. Felipe-Ochoa: No, how many feet long, linear?

Mr. Cooper: So wait, that's costing \$2,000 for a fence from there to there?

Mr. Diaz: With a five foot gate.

Mr. Cooper: It seems a little steep for what we're getting.

Mr. Diaz: Remember it's iron and it's going into the water, and I'm not justifying the price, but we got two different prices and they were pretty similar.

Mr. Cooper: Who put this fence up over here, the white picket fence there?

Mr. Diaz: That was Security Solutions. That was a four foot fence.

Ms. Felipe-Ochoa: Alright let's go back inside now.

Mr. Pawelczyk: We are now returning to the meeting room.

Ms. Castro: So when we get this fence, how good is it going to be to prevent rust, because I don't want to approve something which then is going to be a nightmare for maintenance, do they guarantee us?

Ms. Felipe-Ochoa: What kind of a fence is it?

Mr. Baldis: Well it says, "Oven painted material white, permit to add new fence to pool area. To be installed from corner of fence to lake, replacing corner post of pool with ¼ inch steel post, build custom fence 2x2 from 1x1 pickets with a door, built to custom spec by drawing, provided by Fantasy Gates or customer painted white."

Ms. Felipe-Ochoa: What is that material?

Mr. Baldis: I think it's aluminum.

Mr. Diaz: No, I think it's iron.

Ms. Felipe-Ochoa: Well, does steel rust?

Mr. Winkeljohn: It would. Galvanized would last longer, but it still would deteriorate, aluminum would be better than all of them.

Ms. Castro: So steel is sturdier, but has more maintenance.

Mr. Pawelczyk: Why don't you enter into a maintenance agreement with the association to maintain it?

Mr. Diaz: Well we're doing ourselves a favor, but in reality we're really doing the community a favor.

Ms. Felipe-Ochoa: Which is what I was about to bring up next, we have all this other foot traffic on the other side between Malibu Bay and Waterstone I and part of Waterstone II and I know that affects your community and all those communities over there. If we were to do something like that, I think that we need to do it all along over there, like pieces like that.

Mr. Diaz: The same material?

Ms. Felipe-Ochoa: Yes, because we put up these fences, these chain link fences with the hope of keeping outsiders out and we still get the foot traffic because you know where they are coming in because that's where the fence is destroyed. So, I understand but right now it's only going to benefit that one community and at \$2,000 I'm not going to do it for one community if I'm not going to do it for the rest and that's what I have to say about that.

Mr. Diaz: Right, well are you looking at it from that one community that's on the other side, east of that fence?

Ms. Felipe-Ochoa: Yes, there is foot traffic all over the place.

Mr. Diaz: But then I look at it more like it serves the Waterstone Clubhouse which is all of Waterstone II communities, which is 8 communities.

Ms. Felipe-Ochoa: Right, but that's my opinion.

Mr. Cooper: How much damage does that cause with them going over that?

Mr. Diaz: How many times have we repaired that fence there Dennis?

Mr. Baldis: I'd say maybe two to three times.

Mr. Diaz: The black fence?

Mr. Baldis: The chain link fence.

Ms. Felipe-Ochoa: Does he install those other kinds of fences?

Mr. Baldis: I'm sure he does.

Ms. Felipe-Ochoa: Well this is my view, I think if we put that up, and I understand the benefit of the clubhouse and only one community, I have an issue with that because of all the foot traffic over on the other side. Maybe we could find a way to put fences up in certain places to deter that foot traffic on the other side? I have a hard time doing it with just one community.

Ms. Castro: And it has to be a fence, it cannot be trees or plants with thorns or something?

Mr. Pawelczyk: I think the problem if you put a hedge there for instance, is you need to make sure you can go all the way around the lake, so that's why we need a gate there so we can go all the way around because that's a lake maintenance easement and if you were to completely block that easement, then you're going to be hard pressed to tell other people they can't block the easement.

Mr. Diaz: Well, we sat here at the last meeting and this is where I got the idea from, I was sitting here watching people cross over that area constantly. It's not so much that it's an occasional problem, it's a continual habitual problem, especially for the kids going to school for whatever reason that's seems to be a really easy shortcut.

Ms. Castro: Is it possible then for us to get a quote for the same fence for all the communities that have this foot traffic?

Ms. Felipe-Ochoa: And identify those areas where those problems are on that side.

Ms. Castro: And then we can probably get a better price for that fence.

Ms. Felipe-Ochoa: Yes, and I would prefer to do it with that other fence person that's from up there because his work ethic is excellent and his turnaround time to do the job is excellent so we've had a very good experience with him.

Mr. Diaz: Just one thing with the west side though, because we inspect both sides occasionally, as of today, we haven't had to repair any fences along the Malibu Bay side. There is no fence damage along the west side that we know of, we haven't identified a single area of fence damage. In fact we added an additional one on Portofino Point diagonally, but the foot traffic over there isn't as habitual or consistent as what we have here and although I'm saying that people don't go back there, I'm just saying it's not a very common thing and typically it's just people from the immediate area, it's not people traversing through.

Ms. Castro: I have a question, why on that side versus that side, I think it would look better if we removed that green fence that we have there and then just put it over on that side?

Mr. Diaz: There's two reasons for that, one we wanted to be consistent with whatever people see along Waterstone Way, over there it would just look like a part of the clubhouse, and two because of the way the fence is set up where it has that 4 foot fence, it's basically the same thing, if you put up a 6 foot fence next to a 4 foot fence you use the 4 foot side to step on to get your footing.

Mr. Cooper: Is that something you could possibly do, maybe we could table this for the next meeting in about 2 weeks?

Mr. Diaz: Or maybe we could ask the association if they want to contribute?

Ms. Felipe-Ochoa: Or maybe we can ask the police to police that area during the time which you see habitual people to maybe crack down on people cutting through there and maybe it will ease the foot traffic, for now.

Mr. Diaz: Ok.

Mr. Cooper: I just don't think we should start spending lavishly if there's no burglaries or anything like that. Looking at Kim's explanation, we're not over in the clubhouse area over by that side of the community over there. Yes, granted it may not be damaged, but there could still be foot traffic over there we're just not seeing it. Like she was saying other areas in the community may need it as well, if not more.

Mr. Diaz: I understand the point, but the issue was trying to get over Homestead's permitting requirements that have become difficult to get something done. Originally the clubhouse wanted to do it, during the original fencing fee, but then Homestead said, we're not giving you a permit for something outside of your survey. If the CDD wants to put a fence there then they can apply for a permit and they can do it. So that's how this happened, in fact I obtained both proposals from the property manager of the clubhouse, but maybe something we could do is the District can get the permit to do it and then the clubhouse can pay for it. What do you think?

Ms. Felipe-Ochoa: I already said what I thought.

Mr. Diaz: Even if the clubhouse pays for it?

Ms. Felipe-Ochoa: Ok, first of all I think it's going to look ugly, just the aesthetics of it, I don't like it because you have this chain link fence, and we have all these chain link fences all over the community and then you have this one. I understand it's just following through with what you have at the clubhouse, but then for me, and you want to stop that foot traffic, and just like I said before, for me there's all this other foot traffic on the other side of Waterstone so that's why I'm thinking that if we do that, we need to look at the community as a whole.

Mr. Cooper: May you can get a quote Dennis for the other fence, for that chain link fence?

Mr. Diaz: Ok, let's move on then.

Mr. Baldis: Ok. Now for Marbella Cove, where the parking is going on in front of the sign, we talked about planters and policemen ticketing, and towing.

Mr. Diaz: You cannot ticket them, unless you post a sign and you get a traffic cop from the city of Homestead.

Ms. Felipe-Ochoa: So those people that are parking on the grass on Waterstone Way, they cannot ticket them?

Mr. Diaz: Unless they are 50 feet from the intersection, blocking a fire hydrant.

Mr. Pawelczyk: You shouldn't need traffic enforcement in there, that's a public road.

Mr. Diaz: Right, those are public roads.

Mr. Pawelczyk: Inside the gate you would need the traffic enforcement.

Mr. Diaz: Right, but there really is no prohibition to park on the side of the road, unless you make it a prohibition and then with that you'd have to not only post a sign saying no parking anytime, then if you're going to tow, you also have to put a sign at the entrance to the community.

Mr. Cooper: Well do we have any other options, we checked out plants, we checked out wooden posts?

Mr. Diaz: We looked at putting pavers on the side, we've looked at planters and landscape ideas, enforcement issues with signs and this is probably the best option and a more natural look and I think it will serve the purpose.

Mr. Baldis: I'll have that AEW for the next meeting.

Mr. Diaz: Paul, where are we with the traffic circle further down?

Mr. Winkeljohn: It's not in this scope of work, it's in the next phase of construction.

Mr. Diaz: Ok.

Mr. Cooper: Ok so going back to the landscaping area, I'd like to make a motion.

On MOTION by Mr. Cooper seconded by Ms. Castro with all in favor, authorizing staff to proceed with landscaping at roundabout, regarding parking issue was approved.

Mr. Winkeljohn: Thank you, Dennis, anything further?

Mr. Baldis: The oak trees on 137th have been installed. The drip line to water the hedge has all been installed and they started to install the pavers, I'm sure you all saw that and that should be completed in 2 weeks. The benches have been ordered and they're scheduled to be delivered on October 27th.

Ms. Felipe-Ochoa: When are the paver people supposed to be done, they're moving a little bit slow, wouldn't you agree? Have they completed any sites?

Mr. Baldis: Well they started on Tuesday, so they've only been here two days.

Ms. Felipe-Ochoa: It's only been two days? No.

Mr. Baldis: Well, they were going to start on Friday, and they were asked to wait until Monday to deliver the pavers.

Ms. Felipe-Ochoa: No, they had those trash bags out there, they were out there all weekend I think.

Mr. Diaz: They started Monday I believe.

Mr. Baldis: They started Monday, and Tuesday they continued to cut out the areas, so they were installing pavers yesterday, today they prepare the drainage because they were rained out and they'll be here tomorrow and I'll be here tomorrow.

Ms. Felipe-Ochoa: Ok.

Mr. Baldis: That's all I have unless there are any requests.

Mr. Winkeljohn: Does anybody have anything for Dennis? Thank you Dennis good work.

Mr. Baldis: Thank you.

**A. Attorney**

*(This report was discussed further down in this meeting.)*

**B. Engineer**

**D. Manager**

Mr. Winkeljohn: On to the Engineer's report and Manager's report. Basically four out of the last 10 days I've been down here working on finalizing the submittal to the city of Homestead. Today I met with Ray Ortiz the associate in charge of planning and zoning for our planning review and hearing process with the city. He gave me a bit of a laundry

list of details. He reviewed the plans and these are things that he was still going to need. We'll have to update our survey probably, and that shouldn't be too difficult to do.

Ms. Felipe- Ochoa: How much is that going to cost?

Mr. Winkeljohn: I don't know.

Ms. Felipe-Ochoa: Well, why does that have to be updated, because it's outdated?

Mr. Winkeljohn: Well, I can argue to the city if you'd like me to, but that's what he said and basically when you do construction if your survey is greater than 6 months old, it has to be updated. An updated survey is a fairly quick process and it's not too expensive, not like the initial survey.

Mr. Pawelczyk: On a residential property it's about \$300.

Mr. Winkeljohn: Yes, to update an existing survey. So those are the types of things when you go to construction that is expected. They also wanted us to update the traffic study.

Mr. Diaz: I didn't know that.

Mr. Winkeljohn: So I've told him that the numbers are sufficient, they're new enough and they're sufficient enough, there's been no growth in the community, so I put out the argument that's an unfair request, that was something we volunteered to do as a courtesy with the school to get a better handle on the traffic issue and he understood my position on it and backed off, so he is going to accept the current data, so we have to submit our existing traffic study, we do not have to do another one. Basically he's accepted our application, it's part of construction and it doesn't require your approval but I went ahead and asked staff to create a \$5,000 credit. They basically take their costs they charge against a deposit of \$5,000, there's a \$1,000 application fee, which I also handed them today, then to have the meeting I had to pay \$300 to become a registered lobbyist for the city and I also paid \$71 for your permit for your landscape relocation, when you moved the plants there was a permit for that. The first step will be in the middle of November, actually late November, November 20th is a developmental regional impact committee, DRC, they review the plans and they recommend them, staff gives them a

recommendation, they recommend it to the council, then we hit the cycle and the next available council meeting, it goes before council, and it looks like it's only one reading.

Ms. Castro: So if this process gets delayed another 6 months, do we have to again pay for another update of the survey?

Mr. Winkeljohn: No, and that's normal business, you are responsible for a current and accurate survey of your property, because if something changed your design may not work and so that's normal construction. When you build a house, if you start planning your house in 2005 and don't build until 2008, you have to redo your survey and it's a nominal update, so that's normal.

Ms. Felipe-October: Are you planning to attend that November meeting?

Mr. Winkeljohn: Yes, I'll take care of all of that.

Ms. Felipe-Ochoa: So that's the earliest?

Mr. Winkeljohn: That's the most current date, they meet once a month.

Ms. Felipe-Ochoa: How come we can't get on the October agenda?

Mr. Winkeljohn: Because he couldn't schedule it that fast, when you come in there's a minimum of a two week staff review period before they produce it and provide a report, we're on their cycle and we have to fit into their schedule.

Ms. Felipe-Ochoa: So we're looking at a December council meeting for approval?

Mr. Winkeljohn: Well, to tell you what he said, he said don't expect to be put on a council meeting for three or four cycles, they meet every two weeks, this council I believe?

Ms. Felipe-Ochoa: No, they meet once a month.

Mr. Diaz: There's one county and one council meeting.

Mr. Winkeljohn: Right, so every two weeks you could possibly get up for your hearing, but he thought there were enough projects already, they only want so many projects on their calendar at one time and he thought there was enough in the queue where we may have to wait one or two meetings. I wasn't going to delay what I was doing there today by arguing that point. I've got some things I have to give him, I'm going to work on it all day tomorrow and get it done, we have to produce, he wants 7 sets of plans, I gave him one just to get the application in to get the clock started, because as

soon as I can put the plans together I will submit them. So they'll come back with some recommendations, and we'll deal with them but there's a bit of an overlap, first of all you have a 60 to 75 day process just to bid and to get your contractor on board. What I'm going to recommend is that after the DRC review, see how that turns out, right in that period of late November, early December go out on the street with your bid proposals.

Ms. Felipe-Ochoa: How come you can't do it now because they have to have a certain amount approved?

Mr. Winkeljohn: You don't have to, but it's just the smart way to do things, if you don't and there's a significant reaction that alters a design, you bid one design and then you produce another, now your contractor that you have selected may change their mind and you're in a bad leverage position and you don't really save any time by doing that because of the other process, so I'm going to recommend after DRC approval, assuming we hit everything fine on November 20th, that's about when we go out on the street with our request for proposals, that's about 60 days turnaround time from when they go out, you get the plans back, the engineers and architects review them, you remember that process from the road widening. Right around the time that we go for our hearing with the city, is about the time when we'd be in position to select a contractor, so that lines up pretty tightly. In the interim, actually I had plans today to head to Dade county because they wanted a hard copy and Alex is going to sit with the Dade county folks, so we're starting a simultaneous review in Dade county and they have already gone through a lot of this, they've seen our traffic study, they've seen the operation of the gates. We've done everything humanly possible to keep this on the tightest calendar schedule without hiring a double the price type architect or engineering firm, so we're not overspending by any means either.

Mr. Cooper: So we're looking at maybe February or March to start construction?

Mr. Winkeljohn: That sounds about right, yes and this is called a special use zoning change, which is a gate, and it qualifies for that and every person will have a chance to comment back in writing or attend this public hearing, whatever the date of that hearing will be. We'll answer any concerns if there is a design issue, but I don't think there will be.

One of the first things I said you should do is write your policy of operation and that will continue to be key because as soon as somebody says, I don't like this, you would hand them your operation plan and it alleviates most people's concerns, so we're marching forward with that. I do need a couple of actions from the board, one of which and Mike part of the application process requires a resolution authorizing a representative of the owner and I thought that would be appropriate to have the board move that verbally and then we create the resolution.

Ms. Felipe-Ochoa: What was that resolution for?

Mr. Winkeljohn: Authorizing a representative of the community, the city only wants to deal with one person, and they want one person to be authorized to speak on behalf of the community and so I've applied to be that person, but I need to give them something from the owners and you represent the owners of the CDD property to continue this process on your behalf.

Mr. Pawelczyk: I think for the record it would be a resolution of the board of supervisors of the South-Dade Venture Community Development District authorizing Paul Winkeljohn, District Manager, to serve as the District's representative in connection with the city of Homestead application process associated with the gate project.

On MOTION by Ms. Felipe-Ochoa seconded by Mr. Cooper with all in favor, creating a resolution of the Board of Supervisors of the South-Dade Venture Community Development District authorizing Paul Winkeljohn, District Manager to serve as the District's representative in connection with the City of Homestead application process associated with the gate project was approved.

Mr. Winkeljohn: So I'll produce a letter to that affect with a copy of the resolution, and that's one of the things I have to give them. Just a quick update on the widening project, they've actually cleared the two driveways today, I don't know if you saw that or not. So they are in position to pour the rest of that sidewalk probably by the end of tomorrow or early next week, so the east side sidewalk will be intact and that will be very helpful. We had one or two complaints that were good observations and some parents

volunteered to assist with traffic, just because there were people crossing the road in the middle of construction. The contractor was quite helpful at firming up his schedule correctly. We also had a slight change order because Alex noticed that we were going to have these two extra lights and he thought why don't we put these two lights in and so I authorized the engineer to review his light study and to do what's called a photometric analysis, which basically puts in the quality of lighting that's there now and it identifies any shadow and what an additional light pole would do to that, and there are minimum standards of lighting and he did identify an area that could use some improvement in the lighting. Alex had the idea of going in the median but from a traffic engineering standpoint and a safety standpoint, the less you put in your median strip the better and the actual best place for the lights was on the school side, there was a place that was a little bit dark so we added one light there.

Ms. Felipe-Ochoa: So there's one extra light then?

Mr. Winkeljohn: Yes, we have one extra light.

Ms. Felipe-Ochoa: Because there's an area where I walk in the evening, it's at Portofino Lakes, across from Floridian Bay and at night it's very dark, it's like right at the end of Floridian Bay where the lake starts, lake #6.

Mr. Winkeljohn: Across from what community at Portofino Lakes?

Ms. Felipe-Ochoa: Portofino Lakes and Floridian Bay Estates at the end the of Floridian Bay Estates, in this area right here and right here, those trees that are there, and when you walk in that area, it's very dark at night and you really can't tell during the day, but at night it's very dark.

Mr. Winkeljohn: Ok, we'll look at it from a maintenance or a lighting perspective. Anything else? We received a letter from the police department acknowledging our letter of accommodation. What else did we get? Alex, the newsletter is finished?

Mr. Diaz: Yes, the magazine came out and has been mailed out as bulk mail.

Mr. Winkeljohn: Did you guys want to talk about your November meeting schedule?

Mr. Diaz: Paul doesn't want to have the meeting on Thanksgiving.

Mr. Winkeljohn: You're not scheduled for one, right now you actually have only one regular meeting. You have an October 23rd meeting, then you have a 13th of November meeting and your November 20th meeting is only a landowners election and I think that will suffice. The landowners election as you know, there will be notification in the newspaper that there is a seat up for landowner election. Each landowner has one vote per unit. If there were a bulk owner it would be per acre, but there isn't. There will be a proxy, there will be notification about a proxy and I'll have a proxy available for anybody who wants one you can ask us for one. They come and get the proxy, they get the proxy filled out for each person and they can collect multiple votes. The way the statute's been updated is the vacancy from a landowners election the board has 60 days to fill the seat by appointment.

Ms. Felipe-Ochoa: And what happens after that if we don't?

Mr. Winkeljohn: Well, all four of you own property, so you could cast four votes towards one person, and that would be the same thing.

Ms. Felipe-Ochoa: And you said in November we have a meeting on the 13th?

Mr. Winkeljohn: Yes, the 13th. Your December meetings are scheduled on the 11th and the 18th due to the holiday schedule, so you're going to have another week there. Historically what will happen is you'll end up with one of those meetings, you won't have enough business to really hold it, so probably you will cancel it.

**C. Field Manager - Management Report (Cont.)**

*(This report was discussed earlier in this meeting.)*

**D. Manager (Cont.)**

*(This report was discussed earlier in this meeting.)*

**THIRD ORDER OF BUSINESS**

**Supervisors Request and Audience Comments**

Mr. Winkeljohn: Ok, do we have anything from the board at this time?

**FOURTH ORDER OF BUSINESS**

**Adjournment**

Mr. Winkeljohn: I have nothing further, so we just need a motion to adjourn. Alex do you have anything?

Mr. Pawelczyk: I actually have one thing.

Mr. Winkeljohn: I'm sorry Mike I keep forgetting we jumped over you earlier.

Mr. Pawelczyk: At the last meeting we talked about an encroachment agreement for the monument entry feature on the traffic circle and just so you know Paul is gathering that information for me so I can prepare the document, but it's not really an encroachment agreement, I think it's more of a revocable license agreement. A license is just an authorization to use the property and if we don't want you to use it anymore, we're going to tell you to take it out as opposed to an encroachment agreement.

Ms. Felipe-Ochoa: And this is for what? What is this for?

Mr. Pawelczyk: I don't even know where it is, but there's some monument sign, inside the traffic circle, they install the monument.

Mr. Winkeljohn: When we surveyed, and we were getting ready to draw in our circle, it was learned that their monument was sitting about 3 feet into the District's property, the whole thing, it's not so big though.

Mr. Pawelczyk: It's wholly within our property and it doesn't extend from another property which is more appropriate for an encroachment.

Mr. Diaz: I think what happened was there is two circles, there's one that they own and there's one that we own and whenever the guy went out there to put the monument sign he didn't know that.

Mr. Pawelczyk: So I just want to let you know that once Paul sends me the document we'll move forward on that.

Ms. Felipe-Ochoa: It's called a licensing?

Mr. Pawelczyk: It's a license agreement, it's similar to a lease except it's a license to use the property.

Mr. Diaz: How many years, like a 99 year type of thing?

Mr. Pawelczyk: No, I haven't really thought about that yet, but we'll put it in there and make it renewal to the District.

Ms. Felipe-Ochoa: Ok so does that mean that they're maintaining it or we're maintaining it?

Mr. Pawelczyk: Well, they're going to maintain it definitely, that will be part of the license that they're responsible to maintain that monument and they're going to indemnify us for anything that's a result of that, which they would do under the encroachment agreement as well, if not, take it out.

Mr. Winkeljohn: Just to make sure I'm thinking of the right monument, you're talking about the one on the Boulevard? The new traffic circle one, because that one is in our spot a little bit also.

Mr. Pawelczyk: Stonebrook.

Mr. Winkeljohn: Ok Stonebrook, that one I remember now, that one was because of the campaign signs.

Mr. Diaz: Right.

Ms. Felipe-Ochoa: Right, that's the one.

Mr. Diaz: Yes, this issue was brought up again when we brought up the issue of the sign over at the other clubhouse.

Mr. Pawelczyk: The only other issue I have is I did receive a service agreement from Comcast, I'm still reviewing it. One of the issues I have with it is and I have to talk to the guy, but it seems to me that they're trying to incorporate the whole community and not just our property, meaning that the bulk service agreement basically gives them, for lack of a better word, an easement over our property for installation of cable services, to run cable services throughout the community, but it doesn't give them that per se, right, under the agreement to come into here, the clubhouse, or into the private residential communities.

Mr. Winkeljohn: And that's really how it all started, they couldn't get one piece without our piece.

Mr. Pawelczyk: I'm wording it so that we're ok and then we'll let them deal with any other problems they have. I think they probably have a right to be in there anyway, but one thing that was left out of the draft agreement was the phone service that we talked about that they had agreed to, so I just wanted to give you a report but I got this on Friday.

Mr. Diaz: Two questions, is there any language in there that if they have to unearth their cable and do any work that they're responsible for repairs? We're just trying to make sure that they're covering any damages.

Mr. Pawelczyk: I believe that's in there, but at the same time that's also covered under their franchise agreement with the city that requires them to repair.

Mr. Diaz: The other question I had is, can we have this signed by the next meeting or what is the timeframe?

Mr. Winkeljohn: Well, we don't know when they're going to give it back.

Mr. Pawelczyk: I'll talk to him and if I don't talk to him tomorrow it will be Monday because I want to talk to him before I send it to him, so I'm hoping that I'm done by next week, I can't tell you when he'll be done, but I'll do my best.

On MOTION by Ms. Felipe-Ochoa seconded by Ms. Castro with all in favor, the Meeting was adjourned.

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Secretary / Assistant Secretary

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Chairman / Vice Chairman

**NOTES:**

Please note that effective immediately the board moved the meeting time to 3pm

**Agenda Items:**

~ Please be advised that at the next meeting we will add the following items Ratification of holiday lighting agreement, Agreement with Hyman Spector & Mars  
Jennifer

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