

**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 Thursday, January 22, 2009 at 3:01 p.m. at the Waterstone Clubhouse, Phase II, 1355 Waterstone Way, Homestead, Florida 33033.

Present and constituting a quorum were:

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

Also present were:

Paul Winkeljohn	District Manager
Michael Pawelczyk	District Counsel
Juan Alvarez	District Engineer
Dennis Baldis	GMS
Jon Cusick	Alton Madison Property Manager
Albert Ixchu	Resident

**FIRST ORDER OF BUSINESS**

Mr. Diaz called the meeting to order.

**Roll Call**

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes from  
the November 13, 2008 and  
December 11, 2008 Meetings**

Mr. Diaz stated included in your agenda package are the minutes from the November 13, 2008 meeting and the December 11, 2008 meeting.

On MOTION by Mr. Cooper seconded by Ms. Felipe-Ochoa with all in favor the Minutes of the November 13, 2008 Meeting & the December 11, 2008 Meeting were approved as revised.
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**THIRD ORDER OF BUSINESS**

**Discussion of the 2009 Town Hall Meeting to Coincide with Presentation of the Fiscal Year 2010 Budget – April 23, 2009**

Ms. Felipe-Ochoa stated because there are so many changes happening in the community and I really want to try to make as many people come as possible, I think I am going to give another overview of what a CDD is because I think with counsel we saw that there is still a lack of understanding of the CDD. They are still kind of intertwining the CDD and the HOA. I want as big of a turnout as we can get. This is a town hall meeting, so we've been told that we can't have any kind of social function but if we hold this on a Saturday I think it would draw more of a crowd.

Mr. Diaz stated the only thing with Saturday is most people have things to do on Saturday. We are planning to expand and maybe we can use the other clubhouse for something bigger. Also, I think we can do a better job of advertising the town hall meeting with banners, etc.

Mr. John Cusick stated if you are interested I will let you use the room at your disposal with no charge.

Mr. Diaz asked when would you like to do your town hall meeting and when would you like to do your proposed budget business meeting? Do you want them to be the exact same?

Ms. Felipe-Ochoa responded no, that would be too much. Now is a key moment because we are at a point in our budget with the police presents that now is the time to bring it up to the community about assessments being raised, if at all. Being that with any kind of construction project, it is taking a lot longer than we anticipated.

Mr. Albert Ixchu stated I would like to suggest having a meeting on Friday evening when people are home from work. If you are holding them at 3:00 p.m. during the weekday they wouldn't have the option to be able to attend.

Ms. Felipe-Ochoa stated we have already explored that and it used to be earlier at 1:00 p.m. but with all of our jobs we now hold them at 3:00 p.m. Unfortunately after 5:00 p.m. it is really difficult because these people cost more at that time.

Mr. Pawelczyk stated I have attended Saturday meetings and three times no one showed up. It doesn't matter what time it is scheduled for.

Ms. Castro asked what is the cost for doing a meeting on a Saturday?

Mr. Diaz responded there are two types of meetings that we are talking here; a town hall meeting is designed for communication between residents and the board.

Mr. Pawelczyk stated one thing that you could do in order to convince people to come at a certain time is do an agenda from 6:00 p.m. to 6:30 p.m. is a CDD overview and 6:30 p.m. to whatever is something else and this way people can come to the meeting for the portion they are interested in.

Mr. Winkeljohn stated I think if you wanted to do it towards the weeks end, I think Friday the 24<sup>th</sup> would be good.

Ms. Felipe-Ochoa stated for me, Friday's are my busiest day of the week.

Mr. Diaz stated we also need to make sure the room is available.

Ms. Felipe-Ochoa stated I think Friday night is the best night. The weekends are my family time and I prioritize that over everything and I don't want someone to blow it off because they have five birthday parties to go.

Mr. Winkeljohn stated you have to have the budget meeting before June 15<sup>th</sup>.

Ms. Felipe-Ochoa stated we will it in April then but we might need to have another one because if we decide to raise the assessments because of whatever security means we might need to have another town hall meeting in between them.

Mr. Winkeljohn stated we will advertise it for 6:30 p.m.

Ms. Castro stated what we can do in the interest of saving time is to prepare something in writing.

Ms. Felipe-Ochoa stated I was going to do a PowerPoint but this time I am going to add a cheat sheet, so that way people will have something in hand.

<p>On MOTION by Ms. Castro seconded by Ms. Felipe-Ochoa with all in favor Designating the Town Hall Meeting to be held on Friday, April 24, 2009 at 6:30 p.m. was approved.</p>
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Mr. Winkeljohn asked did you want to keep your proposed budget meeting for Thursday? You have an advertised meeting for April 23<sup>rd</sup>.

Ms. Felipe-Ochoa asked is that going to be enough time for us?

Mr. Diaz responded yes.

Mr. Winkeljohn stated unless you suggest an increase.

Ms. Felipe-Ochoa stated that is why I am asking if that is enough time because there are a bunch of projects we need to discuss.

Mr. Diaz stated I want to make sure we have enough time to look at the budget carefully, not only because of the issue of the roll but also the issues of maintenance of these. You have to think ahead because this money is not rolling in until March of the following year.

Mr. Winkeljohn stated you get the bulk of your money in December. Anyone with a mortgage that has an escrow those all get automatically paid. Last year, you had around 300 to 500 that sold at tax certificates and that money we got in late July, which was earlier than the year before.

Mr. Diaz stated we are going to have to look into a guardhouse for 2010 and maintenance of the guardhouse and toiletries.

Mr. Winkeljohn stated the process of increasing your assessment is after you propose an increase there is a 60 day advertisement period where it goes to local governments for comments and there is also a mailed notice to each resident and then you have an adoption meeting, so in July you would have an adoption of an increase if you so choose. You can adopt a lower amount without any problem at that second meeting but you still have to advertise it.

Mr. Pawelczyk stated the procedure is always the same unless you increase the assessments. You always have to go through the budget process but if you are going to increase you need to provide written notice. If the board so chooses you could direct him to present a proposed budget at the April meeting as an initial start and then bring back a proposed budget in May to finalize it.

Ms. Felipe-Ochoa stated we have increased the flowers and all these kinds of things and that needs to be looked at in long term perspectives. I would like to brainstorm with the board what we would like to present to the community. I just got a \$500 escrow check because I saved taxes. I love that but we are not at the level we want the community to be at. I just want to know what is the reality for everything that we want and what is the priority and feedback from the community that they want.

Mr. Diaz stated I am not looking at the luxury items. I am looking at the bad economy and what comes with a bad economy. You have security concerns that come with a bad economy. The reason is very justified at this point because it is not a luxury to have roaming police officers; it is a necessity because of the bad economy.

Ms. Felipe-Ochoa stated I don't want the assessments to go up. I just want the community to be informed that maybe in two or three years when everything is great.

Mr. Diaz stated I think you can away with the same goal just by doing a very conservative budget. Then at the end what you carry over you could say we could do these projects. That is pretty much the GMS way anyways. Everything they do has contingencies built into it and conservative numbers that allows for us to do all these projects because we carry over money. There are a lot of unknowns but if those unknowns don't come up then you are leaving the door open for special projects.

Ms. Felipe-Ochoa stated I understand my assessments aren't going to go up for the next couple of years but maybe when things are good in two years I would love to see those fountains.

Mr. Diaz stated I'm just saying to take it little by little. We have our wish list and we have our objective. We have the vision of where we want to see Waterstone be in the next couple of years but I think we need to be cautious about how much you present at one given time because it may become overbearing to some people. Necessities items are easy to justify but luxury items in this economy aren't. That doesn't mean we can't do some of those items. It just means that we don't necessarily present a budget for them.

Ms. Felipe-Ochoa stated I think we should present it as a wish list.

Mr. Diaz stated you have to educate people to and let them know that we are not trying to squander money. We are trying to look at the best interest for the district.

Ms. Castro stated I think we are hated by a lot of people that are uneducated and you go and increase the budget too much and include anything that is not security people are going to hate us even more.

Mr. Winkeljohn asked do you have a date for the proposed budget meeting?

On MOTION by Ms. Castro seconded by Ms. Felipe-Ochoa with all in favor, except Mr. Cooper who had stepped out the meeting, Designating Thursday, April 23, 2009 at 3:00 p.m. as the Meeting to Present the Proposed Budget was approved.

**FOURTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Pawelczyk stated we are waiting for signed copies of a couple agreements to come back from their respective associations. Those are the license agreements with Stonebrook HOA and Portofino Point. I hope Comcast is almost done. I have copied Paul on those emails but it is more or less them going back and forth. Not so much, with the language or what we are asking but more so it's just with Comcast.

Mr. Cooper asked did you get my email regarding broadband Agreement Specialists Incorporated?

Mr. Pawelczyk responded I never got that.

Mr. Cooper stated I sent him the contract because he did a presentation here for the HOA about bulk agreements. He feels that Comcast is getting away with a lot with this deal. He feels that if we hired him he could bring in at a minimal an additional \$42,000.

Mr. Pawelczyk asked for the use of those three parcels of roadway?

Mr. Cooper responded yes.

Mr. Pawelczyk stated now one thing Comcast now understands is that this has nothing to do with the associations, so the only thing that this gives them the right to do is to keep that equipment in the right-of-way. I have not received anything from anyone regarding that.

Mr. Cooper stated I copied you on it. He wants to come to the next meeting and make his presentation to the board. He couldn't make it to today's meeting.

Mr. Pawelczyk stated I think he should talk to me ahead of time.

Ms. Felipe-Ochoa asked what exactly does he think he can get that Mike has not?

Mr. Pawelczyk responded one thing that he probably doesn't understand is that we are not entering into a bulk service agreement. It says that but that is not what it is. This is just a service agreement that gives them the right to sit in that right-of-way. The CDD cannot enter into a bulk service agreement.

Ms. Felipe-Ochoa asked how much does he charge?

Mr. Cooper responded it is a percentage; like, 15% or 20%.

Mr. Diaz asked what is his function?

Mr. Cooper responded he does bulk agreements.

Mr. Diaz asked what do you mean he does them? He brokers them?

Ms. Felipe-Ochoa responded yes, kind of like that.

Mr. Pawelczyk stated it is up to the board's discretion.

Ms. Castro asked how much would we really save if we hired another person?

Mr. Pawelczyk responded we are not allowed to make Comcast the exclusive provider for Waterstone. You need to say you need to give us something for the right to use our easement.

Mr. Winkeljohn stated this is no different than us letting Homestead Utilities add a new electric line and the best way for them to get somewhere is to go through our easement, so for that there is an exchange. This isn't a cable arrangement. This is a utility arrangement.

Mr. Pawelczyk stated it is very easy to go back to Comcast and say we have waited so long and the board is feed up. We hired Jay to take it over and he is going to finish this up and I will look at the agreement when it is done.

Mr. Cooper stated he knows it is not a bulk agreement. He knows it is just an access issue. He talked about the deregulation and he did a pretty fair presentation. Paul had mentioned to me earlier that maybe Lennar already got paid.

Mr. Winkeljohn stated the Christmas light agreement won't be looked at and signed, we got it as an addendum to the contract, so that for the next few years Mike's changes will be included but he is not back into the office until the 26<sup>th</sup>.

Ms. Castro stated regarding the lighting people, they removed the lights that light up our monument.

Mr. Diaz stated I think Dennis just wrote a note to look into that.

Mr. Baldis stated I recall that light got stolen.

Ms. Castro responded no, it was removed.

Mr. Baldis stated I thought you told me that someone stole them.

Mr. Diaz stated I thought they did but when I looked closer they were in there.

Ms. Felipe-Ochoa stated in the last month there was like three weeks that the red lights in the circle were not working. I thought they were supposed to come out weekly to do the maintenance and check those lights. There were several trees that were out.

Mr. Baldis asked when was this?

Ms. Felipe-Ochoa responded from mid December until they took them off.

Mr. Baldis stated they go to each location and if it wasn't lit when they got there they document what they did to correct it and on every one of them there is all lights lit.

Mr. Diaz asked do you know the location?

Ms. Felipe-Ochoa responded it is in the circle. It started in mid December and there was one tree out and then a couple days later two trees were out. It wasn't the entire tree that was out it was just the red part and then at the end there was a couple sections of white lights that were out. Every time I returned I would notice more lights out. I just wanted to know what their solution to that was because they were not working for the last three weeks.

## **B. Engineer**

Mr. Alvarez stated I am bringing a change order for additional work. The first six items are for school flashers, which is completely new.

Ms. Felipe-Ochoa asked those solar flashers are \$28,000?

Mr. Alvarez responded yes.

Mr. Winkeljohn stated this is to meet the traffic plan as part of our project.

Ms. Felipe-Ochoa asked is there anyway to get funds from the county for not completing that or doing any of that?

Mr. Diaz responded when the charter school went through the permitting bypassed the county completely, to the point where the county was really unaware that the charter school existed. We made them aware of it when we brought it to them. The condition for the approval of this road project was at least a portion of it within our project we would pay for it to get it done.

Ms. Castro asked but \$28,500?

Ms. Felipe-Ochoa responded that's because they aren't just any lights they are really nice. They are very high end solar lights.

Mr. Diaz stated plus it is like three times what we were going to put in. I think at first we were going to put four flashers in and that would have cost us \$10,000 to \$12,000. But now the county is requiring that you have two flashers in every direction on both sides of the roadway, so you will have 16 of these lights.

Ms. Felipe-Ochoa stated first of all Waterstone II hasn't even been turned over.

Mr. Winkeljohn responded this is our property. It is conditional on our permit to do the widening.

Ms. Felipe-Ochoa asked is that something we can add to the Gary Marr's thing and maybe try to recoup those funds that way.

Mr. Winkeljohn responded it doesn't hurt to try. We are spending \$700,000 and at least half of that is correcting what Alex said at the beginning that this did not go through the city or county's traffic review. Had it done that, the charter school would look a lot different I promise you and this circulation issue would have looked a lot different. We are the first person to ask for a permit in that area. We don't have any negotiating. We can try on the private side.

Ms. Felipe-Ochoa stated that is why I brought that up. Now the county required us to put the light here but as a negotiation for us to complete this project we said we will do this and that is an item that was obviously overlooked.

Mr. Diaz stated let's remember also that not only did they make us do this but this opened the door for what is missing on Campbell Drive. They are currently seeking the funds to put a traffic light on Campbell Drive and the school zones on Campbell Drive are missing. The county is taking that part, which is about \$400,000, so they are doing their part. They are working with Commissioner Moss right now to pull funds.

Ms. Felipe-Ochoa asked so this change order is in addition or this is the original change order?

Mr. Winkeljohn responded this is the second one. Remember the first one we already dealt with and this is the big one that I told you was coming because of the scope change of the project after the Dade County meeting.

Mr. Alvarez stated when JVA gave me the price we did not have it fully approved and plans from Miami-Dade County or the City of Homestead, so one of the things that was not in the plans was the water service for the gate house, so that is what this is the Utility changes including the domestic water line and the sewer.

Ms. Felipe-Ochoa stated this is even more confusing because as I read each line item there are credit line item for certain lines. It says here at the bottom additional scope of work listed above was not proposed in original bid set. Originally when we looked over things that were not budgeted for, like pavers, now they are adding an \$18,000 line for additional pavers.

Mr. Alvarez stated we were budgeted for pavers.

Mr. Winkeljohn stated some pavers.

Mr. Diaz stated you have to separate what we budgeted for and what the bid package actually put out. Some of those items weren't in the bid package. We budgeted for the items but they didn't win the bid, so the contractor is saying you haven't told me about the pavers, so now they are adding that part.

Ms. Felipe-Ochoa asked so when you brought it to the board this is the way I remember it, there are no pavers here, so let me add that. When they submitted their contract to us that was not in their pricing?

Mr. Alvarez responded that is correct.

Mr. Diaz asked no one else had it in their price either, correct?

Mr. Alvarez responded no, the plans did not have pavers.

Mr. Diaz stated we need to be a little more careful for the guard house to make sure we are including all these little items

Mr. Alvarez stated in the engineers report that was used to sell the bonds our estimate included \$666,000 for roadway alone, exclusive of the signed fees.

Ms. Felipe-Ochoa asked where are we in relation to that budget versus where we are with the actual and this change order now?

Mr. Alvarez responded if you approve this change order the contract at this moment would be \$618,000.

Mr. Winkeljohn stated the project budget was \$760,991.

Ms. Felipe-Ochoa asked and now what is the actual?

Mr. Winkeljohn responded with this change order it is going to be about \$618,000.

Mr. Alvarez stated so even after we approve this change order we are still at \$618,000.

Ms. Felipe-Ochoa stated but there are two more change orders just on this roadwork project.

Mr. Diaz stated there is just one.

Mr. Winkeljohn stated I have been working with Juan on this change order. When I presented a project update budget to you I anticipated this change order being closer to \$60,000 or \$70,000, so it is a little lower. Understand that the flasher gets a credit coming back from the district ultimately to balance the budget because you already paid for those flashers.

Ms. Felipe-Ochoa asked so that money is really already gone?

Mr. Winkeljohn asked what money?

Ms. Felipe-Ochoa responded what you are talking about with the flashers.

Mr. Winkeljohn stated you spent it and you budgeted for it but returned for a refund. This isn't even as bad as it looks because some of it you have already spent.

When we tore the place up and put it back together with the sidewalk and the gravity wall, it became obvious that the previous hedge line and fence line was going to be grossly misplaced. On one side it was going to be very broad and the other side was going to be right up against the walls and it doesn't match anything in this community. Over the holidays or just before the holidays we asked the contractor to reshape all of the berms, remove all the buttonwood and 42 oak trees that were being damaged because of the slope of the berm. The contractor tried the best he could be the trees were not going to make it, so we went back to the city and said we need to remove all 42 of these oaks and replace them. That is a pretty significant reshaping of this project. It had to be done. We would probably have replaced the oaks in our own business plan anyways. The first thing we need for Juan is a motion approving this change order. It has been culled over by Juan and myself and the contractor has been true to his bid prices, which is what is required.

Mr. Diaz asked are the new items within practicality of a standard rate?

Mr. Alvarez responded yes. We received a quote from the manufacturer of the flashers and we know how much they cost and the contractor already added the amount for installing. The original proposed change order was for \$127,000 and we worked with him and it has been reduced to \$109,000.

Mr. Diaz asked are the school zone lights going to be placed on our decorative signs that we established?

Mr. Winkeljohn responded yes.

Ms. Felipe-Ochoa asked is that included in this cost here?

Mr. Winkeljohn responded no, the poles are not.

Ms. Felipe-Ochoa asked we had the first change order and this is the second change order. The first change order was approximately \$86,000, correct?

Mr. Winkeljohn responded it was \$89,545.

Ms. Felipe-Ochoa asked so where are we at in terms of this change order and them finishing? We are all in sticker shock. Are we anticipating any more change orders besides the berm and how much is the berm?

Mr. Winkeljohn responded we don't know how much the berm is.

Mr. Diaz stated I am noticing there is 28 additional whatever for the gravity wall.

Mr. Winkeljohn stated the gravity wall needed to be a little longer than the initial design.

Mr. Alvarez stated he knows how many cubic yards of concert he did. He is adding the additional cubic yards.

Mr. Diaz asked so we extended it a club length?

Mr. Winkeljohn responded not necessarily. The way bid unit pricing works is the engineer estimates how much concrete that part is and he bids the unit price times that estimate equals a number, so he produces a bid.

Mr. Diaz asked how do we know he is not just saying that?

Mr. Alvarez responded we are using the shop drawings to calculate and we compare it to how many cubic yards he claims he used.

Mr. Winkeljohn stated the original bid was \$120,000 lower than we expected and we had budgeted an additional \$200,000, so we are under budget from that standpoint.

On MOTION by Ms. Felipe-Ochoa seconded by Mr. Cooper with all in favor Change Order for Widening Project for \$109,000 was approved.
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Ms. Felipe-Ochoa asked are we anticipating more change orders besides the berm?

Mr. Winkeljohn responded no, nothing significant is on the horizon.

Mr. Diaz stated the trees.

Mr. Winkeljohn stated that is not the contractor.

Mr. Diaz stated if we get our permit for the guardhouse the idea you had was to make a change order.

Mr. Winkeljohn stated I am going to deal with that on Monday. I am meeting with him for lunch. I have verified with the attorney that we can do that. He has already verbally said the unit pricing would be held and he is going to offer to perform the civil portion of our other two gate sites now that they have expanded to much more

significant curb work. It is going to look a lot more like this project. You guys remember I asked you how we would pay for that would be a reduction of the scope of the work eliminating the one round-a-bout. Obviously, no one cared about the round-a-bout at yesterday's meeting, so it is not on anyone's horizon that is how we are going to pay for it. I'm going to have the contractor take the civil drawings as they are now and identify what his unit pricing would look like against those drawings.

Ms. Felipe-Ochoa asked for the guardhouses?

Mr. Winkeljohn responded for the civil road widening for the other two guardhouses.

Mr. Alvarez asked you are going to do a change order to this contract?

Mr. Winkeljohn responded yes. This contractor was 30% or 40% lower than the other competitors that bid that project, so as a board I think we were confident that was a fantastic number. What that will do from a project budgeting standpoint is I know how much the round-a-bout deduction is and then I can get him to tell me how much his civil unit pricing would be and he can give us an estimate. This portion is only from the ground down.

Ms. Felipe-Ochoa asked so we will have a separate contractor for the guardhouses?

Mr. Winkeljohn responded yes.

Mr. Diaz stated they will be done with this project hopefully within a month.

Mr. Alvarez stated he tells me that with his additional work that he will finish on March 8<sup>th</sup>.

Mr. Winkeljohn stated that is also what he told me today.

Mr. Alvarez stated he will still have to do the thermal plastic, which is normally placed about a month after the asphalt cures.

Mr. Diaz asked why do they do that?

Mr. Winkeljohn responded because the asphalt is not cured enough.

Mr. Alvarez stated otherwise the asphalt would get wrinkled and would bubble. I would suggest that he holds off on that until the guardhouses are finished and then we could put on the final thermal plastic.

Mr. Winkeljohn stated you remember the discussion about the center line paintings that one half was thermal and one half wasn't painted at all. The price difference is huge and so you don't want to mess up your thermal.

Mr. Alvarez stated he thinks he is going to finish the temporary markings on March 8<sup>th</sup>. He is going to give me a schedule of completion and we are going to attach it to this change order and it is going to be a condition for the approval.

Mr. Diaz stated it seems like they have taken a large break.

Mr. Alvarez stated I agree it is longer than I thought.

Mr. Diaz state he refuses to work weekends.

Mr. Winkeljohn stated the labor rate for them is double on weekends, so you couldn't use that number.

Ms. Felipe-Ochoa stated his estimation to the timeframe that this project would have been done is way over that and apparently his company had another job, so they were balancing two jobs at the same time. Having said that they are where they are and it is what it is but when we go to decide who the contractor is for the guardhouses I think that is a question that needs to be addressed and answered.

Mr. Winkeljohn stated I know how it feels to be the homeowner and I appreciate the slack but the scope did change on him and his original bid would have had an estimated amount of days. If you add in the right amount of days for each change order the project extension is pretty normal. It is not desirable because we wanted it out of the way in June.

Mr. Alvarez stated he had to deal with things like extra widening for the fire trucks. I do have to say he is a very good man to deal with.

Mr. Winkeljohn stated in the world, in civil work, and large scale construction the kinds of delays being our biggest problem is really good news. A shell contractor is a whole other animal. It is a totally different experience. Right now, what you are seeing is a subcontractor with those utility lines. When you do a shell you have a concrete person, you have a brick and block person, you have a roof person and you have an electrical person. I think where you are shooting is when we select that

contractor we want them to commit to sequencing the trades tightly. I brought this up before when they said you wanted to do the boulevard first and I said let's hold off and when we negotiate with the contractor we may want him or her to come back to us with the most efficient process pricewise. You may get a better price letting them decide how to do it, as opposed to just saying to get it done fast. I see a tremendous energy from our existing contractor. My conversations, so far, show that he has plenty of capacity to keep working. If he had other big government jobs where he was making great money and didn't need to worry about his labor that would be different. I had a long conversation with him today about the dirt pile that is there. He needs to be more conscientious of working in front of a school. Monday, when I'm talking about another \$500,000 worth of work I think we will get a great response.

Mr. Diaz asked I thought the two more widening were \$250,000?

Mr. Winkeljohn responded \$250,000 on top of what was already going to be done for those two gates.

Mr. Diaz stated the price just keeps getting higher and higher.

Mr. Winkeljohn stated no, it's just when you put them in different buckets.

Mr. Diaz stated it wasn't as much over there it was just the sides.

Mr. Winkeljohn stated it is not as much. It is two more locations.

Ms. Felipe-Ochoa asked the last thing on here the repair of the gutters are those the ones we asked him to fix?

Mr. Alvarez responded no, this is for the round-a-bout.

Ms. Felipe-Ochoa asked how much is this going to be?

Mr. Winkeljohn responded he is not going to charge us for that.

Mr. Diaz stated Corine did say that the oak trees have to be a certain quality and they want them to be top Grade A oaks.

Mr. Winkeljohn stated the landscaping and the widening is significantly greater than we ever budgeted or anticipated, so I have to figure out how to position these costs. We have to do the oak trees. We have to do an irrigation system. I want to negotiate a little bit on the trees because I think we can get them cheaper somewhere

else. The one thing that is out there that I haven't mentioned is the hedging. We removed almost 1,000 foot of hedging and the hedging are usually \$30 to \$40 a foot installed at the seven gallon size, so that is going to be \$25,300. In my mind, that is really not a project or a capital purchase. It is really a redesign of our existing landscaping as a result of seeing what happened with this project. I think you may want to consider paying for the hedging out of your operating line.

Ms. Felipe-Ochoa asked how much do we have left in operating?

Mr. Winkeljohn responded you have an additional \$200,000 or maybe \$300,000 in this year's budget, so you can afford these bushes out of your operating budget.

On MOTION by Mr. Cooper seconded by Ms. Felipe-Ochoa with all in favor Install Fence Line Shrubs not to exceed amount of \$20,000 was approved.
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Mr. Diaz stated the fence is going to be at least \$10,000.

Mr. Winkeljohn stated but I think that is operating. It is not really in the scope of what the bond funds were raised for. You could argue and have his revise his engineering agreement but I think it is really something in the maintenance. It may end up being capital.

Mr. Diaz asked have we pinned down the landscaping plan?

Mr. Winkeljohn responded right now he gave me a preliminary design on that landscaping, along with the irrigation. I met with him this afternoon and I identified a couple mistakes in the design that will significantly lower his costs. It was about a \$40,000 installation, which \$20,000 would be part of the project and another \$20,000 would be on your operating side. The design should cut that in half. I am going to get the design changed. What happened was she created the density of one of our planter beds all the way through and it would be grossly out of character and scale to be that dense in all of our entrances. It would create a really bad imbalance. Not to say that we aren't going to increase the density of the planting and the quality of the plants because it is an entrance area and I think that is where you are going in your five year install

plan, but it was so dense that it would have been way too much. You wouldn't be able to afford that level in all of your main focal points, so you would be over spending. You put yourself in the corner because of the maintenance of that quality of landscaping and that density.

Mr. Diaz stated Dennis had brought up at the last meeting about the electrical and irrigation and running those lines while we are in the area.

Mr. Winkeljohn stated it is a good area for landscape lighting and it has been noted by several landscape architects. I will have him do that. There is no decision for you at this time. The project side of the landscaping is already authorized, so as soon as that is ready I will start it.

Mr. Cooper asked can you give us an update on where we are at with the city council meeting?

Mr. Winkeljohn responded as you know we are approved at planning and zoning yesterday and the city came back and said that if we start submitting the corrected plans they would put us on the February 17<sup>th</sup> city council meeting. After some confusion today and some miscommunication, eventually I got the plans updated by Juan's staff and Mr. DeMarco worked quite late last night to redo all the electrical because the city electric only offer a single phase electrical, which is significant. It wasn't a big deal because DeMarco is the electrical on our project and he did all that. Ashley did all the notes on the plans this morning. Juan Alvarez did all the notes on his plan. Juan Calderon, had to change his plans. All of that has been done and submitted to the city.

Mr. Cooper asked did you get back comments?

Mr. Winkeljohn responded I have written them that I would deliver everything tomorrow. I haven't been in the office in the last three days. It is a strange communication process with them. I ask them questions and I get different answers. I give them what I'm doing and I get no response back that it is going to be okay, so I'm guessing they are going to work. I don't know if we will make that meeting but I'm doing everything I know of to get on that agenda.

Mr. Diaz stated I commend you for your presentation yesterday and all of your work behind the scenes. We appreciate it.

Mr. Winkeljohn stated Mike Pawelczyk earlier had a compliment for all of us that getting through planning and zoning the first time on a significant project like changing a guard house is a pretty significant impact to a community and it is not usually approved across South Florida. We wrote out over 3,300 letters through the city and not one negative comment.

Mr. Diaz asked one person came in?

Mr. Winkeljohn responded yes, one person showed up at the meeting. He wasn't opposed to the guard house. He was opposed to fees. We have one more with the city council but I don't think that will be a problem at all. I give credit to our traffic engineer, Juan Calderon, because he knew more than the consultant did and he was right at the very beginning with all of his calculation, all of the software modeling.

Mr. Diaz asked if we have to guess now, we are looking at November?

Mr. Winkeljohn responded I don't know. You can be surprised by some scope of construction. When you are doing what we were doing in front of major school, you would be a fool to think that is ever going to be quick and painless. Vertical construction of these guard houses will pop up and they will have a roof on very quickly but you won't be able to use them for a long time. We are going to meet Monday and fine tune the specs on this project. The biggest headache I have right now is how are we going to run utilities because we have very long utility runs. The gates are isolated by lakes, so to get utilities to a place that was never intended to have utilities will be interested.

Ms. Castro asked in your experience you don't foresee counsel requesting additional changes?

Mr. Winkeljohn responded no. Planning and zoning is a legal proceeding, which has testimony and it is a sworn testimony process. They have to have really good cause to ask you to do something. As long as you are not doing something that can be proven as adverse they are not allowed to deny you. When you mail out 3,000 letters and no

one says no, then they can't say there is a negative community uprising. I would say to the residents that we are at the mercy of permitters, inspectors, suppliers, etc. Just think if we had not done the widening separate because then the civil contractor would have really spend that much time on one site.

Mr. Diaz stated it is going to be awhile before we get the bid or the contractor or the contractor, so it will be another four months before they start breaking ground for the guard houses.

Mr. Winkeljohn stated one of my thoughts is because they gave us the civil separate already I think I can win the argument to let us have the other civil permits.

Mr. Diaz asked are they going to fill in the blocks on the walls with concrete or cement?

Mr. Winkeljohn responded because it is so small the corners are always reinforced concrete.

Mr. Alvarez stated either you put the columns at the corners or you can fill in the block with a smaller rock.

Mr. Winkeljohn stated in my mind because the corners are going to be so close that you would build strong hurricane code corners.

### **C. Field Manager - Management Report**

Mr. Baldis stated I was asked to get proposals to do surveys of the two locations; Waterstone Grand Clubhouse and the bridge across from the canal. I got a quote from Biscayne Engineering to do those two services for \$2,775.85. I also got a quote from JEA to do the road widening project for \$2,300. This request came from Alex.

Mr. Diaz stated that is a lot more money than I thought it was going to be.

Mr. Cooper asked how many feet is this approximately?

Mr. Baldis responded I'm not sure.

Ms. Felipe-Ochoa asked Loni asked for these surveys?

Mr. Diaz responded I asked for them. We were considering putting some vertical landscape so you don't see houses and everything else when you cross the bridge but then South Florida Water Management said no.

Ms. Felipe-Ochoa stated because they can't access it without a car or anything.

Mr. Diaz stated but there is a way they can access it by going at a 45 degree angle. As long as we stay within our property line but then comes the question where is the property line. With the Waterstone grand entrance started with the signage and then when we realized the flowers were not there then it became an issue of what is ours to maintain and what is not ours to maintain. The idea was to put a spike or something in the concrete curb, so that we know definitively this is our maintenance area boundary.

Ms. Castro asked are you going to plant the same material at both clubhouses?

Mr. Diaz responded our standard thing is that anything that is not thriving or dying to pull out. We would rather have nothing. I think John pointed out that you left us with nothing and I said that is reasonable. Then we looked on the Dave Cowling survey and a portion of that property is ours, so we have to maintain it. It is one of those areas that are tough to figure out what is ours, so we can maintain it.

Mr. Alvarez stated I can provide you with the blue prints and the specs from the original design.

Mr. Diaz asked could that help if we had their survey?

Mr. Baldis asked do you want to review their plans before?

Mr. Diaz responded I didn't think it was going to be this much money. I thought it was going to be like \$800.

Mr. Baldis stated JVA's survey is broken out into two separate prices; \$1,100 for the bridge side and \$1,200 for Waterston Grand.

Mr. Diaz stated they may take a negotiated price, also.

Mr. Cooper asked did you find the survey markers?

Mr. Alvarez responded no, I just saw a plan that has them. I was thinking about putting a spike in the curve, so you can tell Valleycrest it is from this point on that we maintain it.

On MOTION by Mr. Cooper seconded by Mr. Diaz with all in favor, except Ms. Castro, Bridge Survey not to exceed \$1,000 with JVA Engineering was approved.
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Ms. Castro stated my concern is if we are having issues with FPL people and we put anything there will they try to come and bust us.

Mr. Diaz stated that is the purpose of the survey, so we know where the line is, so we won't go into their area.

Ms. Castro asked after we put whatever we want there, can't they come back and say that we are blocking access and that is my property and you have to remove this?

Mr. Winkeljohn responded I wouldn't suggest we put anything in that would block their access but there may be enough property line.

Mr. Diaz stated I was thinking about a royal palm in a triangle format, so you could still get in there but it creates a buffer over the bridge.

Mr. Baldis stated the issue we've had with them is they don't want anything tall in case they have to bring a crane in there. They have an easement out there but I have never seen or read what their rights are for their easement. We just want to find out where everything is. Where the easement is and then we can move forward.

Ms. Castro asked what if we put something there and they are accessing their area and they caused damage to it?

Mr. Diaz responded they are not going to let you put anything in their easement. Outside of their easement it would be damage to their property and we would deal with them like we would anyone. They don't have any special rights. I think that land is inaccurate by just looking at it. The way the fence thing went down it is pretty obvious somebody doesn't know where the property lines are. They are approximates, so if we can get a pin off of something permanent and then get an azbuilt sketch from the surveyor then we can start thinking intelligently and arguing successfully with who is who. I don't think they know what their real easement is anymore than we can guess. This \$1,000 may end the discussion because we may have no room at all but it may begin the discussion where we may have room.

Mr. Winkeljohn stated from my perspective I think there is space here.

Mr. Baldis stated the next item I have is to address the pole in front of Portofino Lakes Community. We received a letter from them in November that was presented to

the board about the hardship of removing that light pad and the estimated cost of \$1,200 to \$2,000. At the last meeting you suggested that I get a quote from a vendor that we have been using and I have gotten a quote from Voltage Electric and it is for \$440.

Mr. Winkeljohn stated you should probably let them know ahead of time that we have another quote that is not \$1,200 or \$2,000; it is \$440. See if they will agree to pay half or agree to pay all of it from the cheaper vendor.

Mr. Pawelczyk asked is it on our property?

Mr. Cooper responded yes. Why don't you ask them to send you a check for \$440 and we will take care of removing it? Just say that the board has obtained better quotes to reduce the cost substantially.

Mr. Diaz stated we asked them to remove it and their response was we can't afford the full price because our quotes are \$1,200, so we went and got our own price.

Mr. Pawelczyk stated I would suggest sending them a letter saying it is \$440 would you like it delivered.

Ms. Felipe-Ochoa asked how much is one of those lights?

Mr. Diaz responded \$1,500 for the pole and probably another \$1,500 to get it installed.

Mr. Baldis stated in section A there were no hedges or mulch installed there and it would be \$647.50. I questioned if it was included in the hedge replacement that was approved at the last meeting and they said they did not include it because hedges were never installed there. They just went to areas that were not doing well.

Ms. Felipe-Ochoa asked is there any other missing hedges or shrubberies?

Mr. Baldis responded that is the only one.

Ms. Felipe-Ochoa stated because in Stonebrook, we are missing groups over there. I think they installed them and were hoping they would grow in but it is obvious they are not going to.

Mr. Cooper asked do you want smaller bushes?

Mr. Winkeljohn asked is that in comparison to the other quotes we have gotten for hedge replacement?

Mr. Baldis responded yes.

Mr. Diaz asked we are going to be getting mulch in around April, right?

Mr. Baldis responded yes.

Mr. Cooper asked is there a way we can hold off and maybe they will pour us more?

Mr. Baldis responded the cost of the mulch is \$40.

Mr. Baldis stated 12 of the hedges are seven gallons and three of them are three gallons. Do you want the look to happen sooner or later? The look is not even there now.

Ms. Castro asked how did it look before?

Mr. Baldis responded there has never been anything there.

Ms. Felipe-Ochoa stated these are holes that have been identified afterwards.

Ms. Castro asked how consistent will a seven gallon be?

Ms. Felipe-Ochoa responded it will take half the time for it to fill in.

Mr. Cooper asked with your experience would a three gallon be fine? We have rainy season coming in two to three months.

Mr. Baldis responded if you are looking at price then you go with the smaller plant. It is your choice.

Ms. Felipe-Ochoa asked a three gallon plant would take about a year to grow and a seven gallon plant would take about six months, correct?

Mr. Baldis responded it depends about the rain.

Mr. Diaz stated we are spending a lot of time over a \$200 deal. My suggestion would be to have Dennis try to negotiate it and if it is under \$500 you can go for it because you don't need our approval anyways.

Mr. Baldis stated to put that same drip line in that area it will cost \$1,650.

Ms. Felipe-Ochoa stated that is much better than the last drip line.

Mr. Cooper asked are we going to drip line all the hedges?

Mr. Baldis responded I think what we have seen in the past when that line was put in there was a difference in the hedges.

Mr. Diaz asked for how many feet?

Mr. Baldis responded 400 feet.

Ms. Felipe-Ochoa asked is that comparable to the price that we paid for the previous?  
Mr. Baldis responded yes.

On MOTION by Mr. Cooper seconded by Ms. Castro with all in favor Drip Line Installation of \$1,650 was approved.

Mr. Baldis stated there are three areas that we have done trial with. Sod gets torn up and cars pulling onto it.

Mr. Cooper asked that has nothing to do with irrigation, right?

Mr. Baldis responded one area we found an irrigation leak at. The areas I have are 41<sup>st</sup> Street North by the lift station. This proposal is to put in pavers to stabilize the area.

Ms. Castro stated we have the same problem at the boulevard. You know where we put the bench in front of the lake?

Mr. Baldis responded yes. I drove through yesterday in late afternoon and I saw eight to 10 cars parked on the grass waiting for school to get out. To put sod and gravel in those three areas and then re-sod it is \$3,248.30.

Ms. Castro stated we need something more permanent to re-sod, then re-sod.

Mr. Baldis stated they put gravel and sand underneath it and it seems to stabilize the area and probably helps with the drainage to.

Mr. Diaz stated the problem with those areas is that they are holding the water on it for a long time.

Mr. Diaz asked how many square feet are we talking about?

Mr. Baldis responded two pallets of sod, a yard of gravel, delivery, excavation and labor.

Mr. Diaz asked how much is the labor?

Mr. Baldis responded the labor is \$2,335. As you drive towards Friendship Park there is lift station and right before that there is a bed that has no landscaping in it. As we were driving around looking we thought that if we could hide that lift station from view it would be a good idea. I got a quote to do that and put in grass, spider lilies, milkweed and mulch and that is for \$1,997.67.

Ms. Felipe-Ochoa asked where is that?

Mr. Baldis responded it is right before you enter Friendship Park.

Mr. Diaz stated the road curves to the north, so your focal point is the lift station.

Ms. Felipe-Ochoa stated the vines are obviously not thriving.

Mr. Baldis stated the vines are doing okay.

Ms. Felipe-Ochoa asked they just aren't enough.

Mr. Baldis responded the vines are just not doing anything right now because of the time of the year.

Mr. Diaz stated there was a recommendation from Caryn today to give it a five time liquid hit and she said that will do it.

Ms. Felipe-Ochoa stated let's do the liquid and see what happens.

Mr. Diaz stated Caryn did say that the liquid would be done when it gets warmer because it is too cold to do it now.

Mr. Pawelczyk asked do you have a project list that you are keeping? You can put it on the project list and consider it around budget season.

Mr. Winkeljohn responded yes.

Mr. Baldis stated we received a complaint about a fence that needed repaired out on Floridian Isles. I met with the gentlemen that made the complaint and we went over what needs to be done. It hasn't been addressed yet because we have been waiting to bring the fence man back in to put all the fence in at the roadway project and right now they are working on the berm, so hopefully next week or the week after John will come back and address that fence and a couple other areas that have been damaged.

Ms. Felipe-Ochoa asked is that where the hedges are not thriving?

Mr. Baldis responded no. This is right along Waterstone Way and what appears to be happening is someone is coming through where the entrance feature is and climbing through the decorative rails and then walking down that way and then climbing that fence. They have actually lifted up the bottom, so we are going to put in barbwire in there to prevent that from happening.

Mr. Diaz stated we also discussed about putting a horizontal bar and a vertical bar at the entry feature, so you can't go through.

Ms. Felipe-Ochoa stated there is an area right after the construction zone. They have put the new curb in and its in front of Portofino Homes and the construction people put all of their trash there and all the dead trees and all the hedges and now that area looks terrible. We are going to have to put up signs or something. I noticed that the construction company has not been using that site any longer to put debris there. I haven't been in the community that much in the last couple of months but every time I have been passing by it looks pitiful.

Mr. Baldis stated I would assume that when we do the landscaping for the road widening project we would include that area because it was damaged during that time period. I can do something now or wait. If I put in sod now I'm going to have to water it like crazy and people may use it as a parking lot and then I will have the same problem there as I do in other areas. I know it looks bad.

Ms. Felipe-Ochoa stated the construction companies should have been removing debris on a daily basis and because of that it is going to cost us money.

Ms. Baldis stated the location of that irrigation break was not Friendship Park it was in island where they tore down the building.

Mr. Winkeljohn stated we will get it into a requisition.

Mr. Diaz stated I think I mentioned to you about the people that are doing the survey of the bridge that maybe we could see about doing a survey for the berm right in front of the school.

Mr. Baldis stated I can go back and look at that and I can go online. It may be something even though it is not ours that we may want to ask the landscaper to maintain.

Ms. Felipe-Ochoa asked what is happening with the hedges that have turned brown at the entrance feature on 8<sup>th</sup> Street?

Mr. Baldis responded I will have them look at it. I have seen it in other places that are why I suggest you don't always use the same plant material everywhere

because if something starts to happen to a certain variety then all of a sudden you have problems with all of them. I think that plant is part of the ficus family but I'm not sure. I will ask Valleycrest to look at them and they should replace it because that is part of their contract.

Mr. Cooper asked what is the status of Gary Marr's?

Mr. Winkeljohn responded you may remember that he recommended we wait a few weeks after the holidays and regroup and put out this letter. In the next week or so I've got a couple things he still needs and I'm going to give that to him and he should be able to do his letter.

**D. Manager**

There being none, the next item followed.

**FIFTH ORDER OF BUSINESS                      Supervisors      Requests      and  
Audience Comments**

There not being any, the next item followed.

**SIXTH ORDER OF BUSINESS                      Financial Reports**

- A. Approval of Check Register**
- B. Balance Sheet & Income Statement**

Mr. Winkeljohn stated included in your agenda package is a check register, the balance sheet and income statement.

On MOTION by Mr. Cooper seconded by Ms. Castro with all in favor the Balance Sheet & Income Statement were approved.

**SEVENTH ORDER OF BUSINESS                      Adjournment**

There not being any further business,

On MOTION by Mr. Cooper seconded by Ms. Castro with all in favor the meeting adjourned.

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Secretary/Assistant Secretary

\_\_\_\_\_  
Chairperson/Vice Chairperson