

VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
MARCH 23, 2010

[For the record](#) - subsequent to Mr. Kalin calling the District Regular Board Meeting to order, Mr. Jimmy Rivero, property manager for the Venetian Isles Master Homeowners Association, called a meeting of the Venetian Isles Master HOA Board of Directors (in attendance) to order.

A. CALL TO ORDER

District Manager Neil Kalin called the March 23, 2010, Regular Board Meeting of the Venetian Isles Community Development District to order at 7:12 p.m. in the Venetian Isles Community Clubhouse located at 15355 Egret Lake Circle, Miami, Florida 33185.

B. PROOF OF PUBLICATION

Mr. Kalin presented proof of publication that notice of the Regular Board Meeting was published in the *Miami Daily Business Review* on September 9, 2009, as part of the District's Fiscal Year 2009/2010 Regular Meeting Schedule, as legally required.

C. ESTABLISH QUORUM

Mr. Kalin determined that the attendance of Chairman Luis Baluja, Vice Chairman Andres Vazquez and Supervisor Roger Perez constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance were: District Manager Neil Kalin of Special District Services, Inc.; and District Counsel Vivian Fazio of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also in attendance were the following: Jose Miguel of Miami, Florida; Orestes Rodriguez of Miami, Florida; Doris Restepo of Miami, Florida; Joaquin Roa of Miami, Florida; Juan Cespedes of Miami, Florida; Jose Medina of Miami, Florida; and Eduardo Alvarez of Miami, Florida.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. February 23, 2010, Regular Board Meeting

Mr. Kalin presented the minutes of the February 23, 2010, Regular Board Meeting and asked if there were any changes. There being no changes, a **motion** was made by Mr.

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Vazquez, seconded by Mr. Perez and unanimously passed to approve the minutes of the February 23, 2010, Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Information Regarding Sprinkler Repair(s) & Expense Sharing Thereof

This item was discussed after Old Business Item 2.

2. Discussion with HOA Board of Directors Regarding Aerator/Fountain Installation

Chairman Baluja welcomed the community residents, professionals and the Master HOA Board of Directors: Mr. Alvarez, Mr. Medina and Mr. Cespedes. Mr. Baluja provided a brief overview of the “aerator/fountain” project stating that the District was in favor of the HOA Project; however, there were concerns raised by the District’s Board regarding insurance and liability for the improvements which were being installed on District property. Mr. Baluja and Mr. Kalin confirmed that two (2) new aerators/fountains had been installed in the Palermo and Bellagio communities.

Mr. Alvarez, President of the Venetian Isles Master Homeowners Association (the “Master HOA”), stated that a permit had been obtained by the installing contractor (Weathermakers Electrical Contractors LLC) from Miami-Dade County; and the contractor’s evidence of insurance coverage was provided to the District Manger. The open items of concern were: 1) naming the District as an additional insured on the Master HOA liability portion of their insurance policy and an agreement providing for authorization for the three existing aerators/fountains and the two new aerators/fountains (hereinafter the “Improvements”) and outlining responsibilities for upkeep of the Improvements. Mr. Alvarez requested that if the District wanted to be a named insured, then, it would only be fair for the Master HOA to be a named insured on the District’s insurance policy with respect to liability. Further discussion took place regarding the insurance aspect and District Counsel stated that the purpose of the request was to protect the District from a liability standpoint in the event there were issues as a result of the Improvements which are owned by another entity, yet they are placed on District property. Mr. Cespedes and Mr. Roa asked about the size of the lake tracts and did each tract include the green area adjacent to the water’s edge. The green area referred to is now being maintained by the Master HOA and since a contractor (who is tendered by the Master HOA) is mowing District property, Mr. Cespedes opined that the Master HOA should also be protected and named as an additional insured on the District’s insurance.

District Counsel stated that there was a maintenance agreement currently in place between the District and the Master HOA for the stormwater management areas. According to Messrs. Medina and Alvarez, the agreement referenced is exclusive only to Section 9. This matter will be confirmed. Counsel also stated that the District could take ownership of the existing improvements through a “bill of sale” or an easement could be

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granted to the Master HOA, providing for placement of the improvements and continued maintenance, as required. Discussion continued with respect to a fair agreement between the District and the Master HOA for the improvements, including provisions for insurance. District Counsel stated that upon Board approval that she would work with Mr. Alvarez and the Master HOA Attorney to produce an agreement from the existing maintenance agreement which will include the existing and new Improvements. A discussion ensued after which;

A **motion** was made by Mr. Vazquez, seconded by Mr. Perez and unanimously passed to authorize the granting of an easement from the District to the Master HOA for placement on District property (Lake Tracts) of the existing fountain improvements (3); the new fountain improvements (2) and all associated appurtenances.

The subject of the agreement between the District and the Master HOA for providing for maintenance responsibilities and insurance of the Improvements referenced above were debated. Chairman Baluja and Supervisors Vazquez and Perez recommended that District Counsel review the agreements currently in existence and to make sure that maintenance of District property by others will be addressed, as required, by new agreements or amended existing agreements. A discussion ensued after which;

A **motion** was made by Mr. Vazquez, seconded by Mr. Perez and unanimously passed to authorize District Counsel to engage with the Master HOA Attorney and Master HOA President Alvarez and prepare a maintenance agreement that is mutually acceptable to the parties involved.

At this point in the meeting Chairman Baluja referred back to Old Business Item 1)

1. Information Regarding Sprinkler Repair(s) & Expense Sharing Thereof

Chairman Baluja gave a brief outline of the history behind the “sprinkler repair” work that was undertaken by the Master HOA as a result of damages from the “Sign Installation” project associated with the “Speed Hump” project. Mr. Baluja explained to the Board that he worked with the District Manager and the Master HOA Property Manager to resolve the issue. The District settled the matter with the Master HOA by paying \$300 towards the total repairs of approximately \$664.

3. Update on Website & Hosting of District Meeting Notices, Agendas & Minutes

Mr. Kalin informed those in attendance that there had been a hyperlink provided on the Master HOA website that directs interested residents to the District’s website. Mr. Kalin stated that the annual web hosting charges/fees will not exceed \$200 per year. The site will be used for information purposes and will show District meeting agendas, meeting minutes and news, as required.

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A **motion** was made by Mr. Vazquez, seconded by Mr. Perez and unanimously passed to approve an expenditure of a not to exceed amount of \$200 for administration of the Venetian Isles CDD website by Special District Services, Inc.

4. Update on Storm Drain Apron and Speed Hump Maintenance Project

Mr. Kalin stated that he had met with a Contractor (Southern Asphalt Engineering Inc.) and that there were twelve (12) storm drain inlet aprons that required restoration and that the cost of the repairs would be approximately \$1,850, which is budgeted in this current fiscal year. Chairman Baluja requested that the first “speed hump” outside of the Palermo community, after the main turn onto Egret Lake Circle, requires an adjustment. The District Manager will work out a remedy for the speed hump repairs in conjunction with the apron restoration. No further action was required by the Board on this subject at this time.

H. NEW BUSINESS

1. Consider Resolution No. 2010-01 – Adopting a Fiscal Year 2010/2011 Proposed Annual Budget and Setting a Public Hearing Date to Adopt Final Budget and Notice Thereof

Mr. Kalin presented Resolution No. 2010-01, entitled:

RESOLUTION NO. 2010-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2010/2011; AND PROVIDING AN EFFECTIVE DATE.

Mr. Kalin presented a “revised” proposed 2010/2011 annual budget showing one change to the expenditure line item “miscellaneous maintenance contingency”. This expense increased from \$6,000 to \$16,000 and in order to provide for this increase and balance the budget, the carryover from the fund balance was increased from \$31,500 to \$41,500. Mr. Kalin stated that this change did not result in an assessment increase; therefore letters to the residents would not be required. Mr. Kalin advised the Board that the annual fund balance was decreasing and in the fiscal year 2011/2012, an increase in assessments would be required. A discussion ensued after which;

A **motion** was made by Mr. Perez, seconded by Mr. Vazquez and unanimously passed to adopt Resolution No. 2010-01, as amended; and setting the Public Hearing to adopt the final 2010/2011 budget for June 22, 2010, at 7:00 p.m. in the Venetian Isles Community Clubhouse located at 15355 Egret Lake Circle, Miami, Florida 33185.

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2. Outline Procedures for November 2010 General Election (Seat 3 and Seat 4) - Handout

Mr. Kalin reminded the Board of the General Election in November and informed Mr. Vazquez that his term (Seat #3) would be expiring. Mr. Hernandez's (not in attendance) term of office, Seat #4, is also expiring. Mr. Kalin distributed information regarding election guidelines for qualified electors interested in running for District seat election. More information will be provided in the upcoming months regarding qualification for the November General Election.

I. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

J. BOARD MEMBER COMMENTS

There were no further comments from Members of the Board.

K. ADJOURN

There being no further business to come before the Board, a **motion** was made by Mr. Baluja, seconded by Mr. Perez and unanimously passed to adjourn the meeting at 8:30 p.m.

Secretary/Assistant Secretary

Chairman/Vice Chairman