MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

VENETIAN COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Venetian Community Development District was held on Monday, December 10, 2018 at 9:30 a.m. at the Venetian River Club, 502 Veneto Boulevard, North Venice, Florida 34275.

Present and constituting a quorum were:

Richard Bracco  Board Supervisor, Chairman
Susie Lentile  Board Supervisor, Vice Chairman
David Lusty  Board Supervisor, Assistant Secretary
Richard McCafferty  Board Supervisor, Assistant Secretary

Also present were:

Belinda Blandon  District Manager, Rizzetta & Company, Inc.
Andy Cohen  District Counsel, Persson & Cohen, P.A.
Rick Schappacher  District Engineer, Schappacher Engineering
Denise Payton  Club Manager, River Club
Mike Rodriguez  Interim Field Manager, Venetian CDD
Audience

FIRST ORDER OF BUSINESS  Call to Order

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

SECOND ORDER OF BUSINESS  Public Comment

Ms. Blandon opened the floor to audience comments.

Mr. Mike Craychee advised that he attended the birthday bash and the food was great; he commended Ms. Payton. Mr. Craychee spoke regarding the back gate and how previously it was an exit only swing gate; he advised that new operators were installed two years ago and during day light hours the swing gate was open and the drop gate allowed exit. He advised that recently the opening of the swing gate is erratic; he suggested that the gate be set to open at 7:00 a.m. until 7:00 p.m. or 8:00 p.m. Mr. Craychee advised the back gate is also an emergency gate for first responders and has a device that when a siren sounds the gate opens although on occasion, the gate does not open. He recommended checking of the gate on a regular basis. Mr. Craychee advised that a third person was added to the guardhouse in peak season to assist with phone calls in the guardhouse; he recommended reviewing the need for the that third person.

Mr. Dick Foster spoke regarding the gate arm lights not working properly, the green
lights are staying illuminated when the arm is the closed position; he advised that when the gate arm is in the open position at night when the gate is closed and the bar is not in use, the green lights are on although he believes the lights should not be on when the arm is in the open position.

Mr. Gericke spoke regarding the flag pole out front; he advised the flag is worn and the base stones need attention aesthetically. He inquired regarding the formation of a Dog Park Committee.

Mr. Scott Richards spoke regarding the ambrosia beetle problem that is killing trees and inquired regarding protecting other trees within the community. He asked if there is anything that can be done to protect the preserve. Mr. Bracco advised that the areas that are having issues now are not the responsibility of the CDD and recommended that the homeowners speak to their Association regarding removal of the trees. Mr. Tom Jones of the POA advised that the affected trees are being removed.

Ms. Pam Perry advised that the Tennis Committee did not meet in the month of December and she asked for confirmation that the first Recreational Advisory meeting would be held on January 7th at 2:00 p.m. Ms. Payton confirmed. She asked if email addresses would be set up for the Recreational Advisory Committee. Ms. Blandon confirmed.

THIRD ORDER OF BUSINESS

Mr. Schappacher advised that emails have been exchanged regarding the turnover; he advised that the areas are almost ready for turn over. Mr. Cohen advised that on his end we are good to go with the turn over he is only awaiting confirmation that the taxes have been paid. Mr. Schappacher advised that part of the punch list is flushing of the irrigation lines which should be done today and then the last thing is verification of the easement with Willow Chase and that should be received in about a week. Mr. Cohen advised that the sod is also to be inspected to ensure it has taken.

Mr. Schappacher spoke regarding the sidewalk drainage issue on Veneto just West of Cipriani; he advised there is a pipe punched out at the curb and the 4” drain was covered with mud which is not allowing the water flow. He advised of possibilities for repair. Mr. Schappacher spoke regarding quotes received from BrightView and advised that if a 12” slab is poured, at a cost of $125.00, would fix the drainage issue. Ms. Lentile asked for Mr. Schappacher’s recommendation. Mr. Schappacher advised increasing the drain to a 9” or installing the slab; he advised the slab may be a more permanent fix.

Mr. Schappacher spoke regarding the utility cover deficiencies; he recommended reaching out to the owner of the utility to provide the necessary repairs. Mr. Bracco asked Mr. Schappacher to reach out to the utility owners to make the necessary repairs. Mr. McCafferty inquired regarding the boxes being on private property. Mr. Schappacher advised most boxes are within a utility easement located on private property.

Mr. McCafferty inquired regarding golf carts lowering the average speed of the radar reports. Mr. Schappacher confirmed and advised the radar picks up vehicles at a speed of 5 miles per hour.
Mr. Schappacher advised that regarding the lake inspections, he is reviewing the lakes and making a prioritized list.

Ms. Lentile inquired regarding the proper steps after he reaches out to the proper utility for repair or replacement of the boxes. Mr. Schappacher advised that it may be best to have each Association reach out rather than each homeowner.

FOURTH ORDER OF BUSINESS Sunshine/Apparent Authority
Presentation by Mr. Cohen

Mr. Cohen distributed a handout regarding the Sunshine Laws. He advised that the Sunshine Law is fairly simple and straightforward; he advised it extends to discussions and deliberations taken by a public Board and is applicable to any gathering, formal or casual, of two or more members of the same Board or Commission to discuss some matter on which foreseeable action will be taken by the public Board or Commission. Mr. Cohen advised that Sunshine Law applies to the CDD Board members. He advised the main thing he would like to impose is that the medium doesn’t matter; email and text communication counts, any communication regarding CDD business should not take place with another CDD Board member outside a regularly scheduled meeting. He reviewed the basic requirements of the Sunshine Law. Mr. Cohen advised that any Committee that makes a recommendation to the Board must meet in the Sunshine as well. He advised that at any time any Board member may speak with a staff member regarding CDD business. Mr. Cohen advised that there are no closed sessions except under very limited circumstances and that is when there is pending litigation and even then there are very strict limitations that must be followed. He advised that appearance is everything and asked that the Board be mindful of this. Mr. Cohen reviewed the consequences of violating the Sunshine Laws highlighting the ability of the plaintiff to recover attorney's fees and costs. Mr. Cohen advised that a Board member cannot abstain from voting unless a conflict is declared. He reviewed questions that outline the Sunshine Laws. Mr. Cohen stressed that the Board utilize their CDD email accounts for CDD business; he further stressed that Board members should not reply all to emails where other Board members are copied.

Mr. Cohen addressed Apparent Authority; he advised it is a legal term which basically means a situation where a reasonable third party would understand that an agent had authority to act. This means that the person is bound by the agent’s actions even if the agent had no actual authority whether expressed or implied. He further advised it means that the Board members should only be out doing CDD work with authority from the full Board because if a Board member is out going rogue, as long as that third party didn’t know that the Board member is going rogue, and thought the action was an actual authority of the full Board then the Board itself could potentially be bound by that.

Mr. Lusty asked for clarification regarding sending a one-way email to another Board member so long as that other Board member does not respond. Mr. Cohen advised it is best to keep it to a minimum. Mr. Bracco inquired regarding having Ms. Blandon distribute the information. Mr. Cohen advised that the District Manager must be careful to not be an intermediary. Mr. Lusty inquired regarding Staff, liaison, and Committee communications. He advised it is his understanding that the Chairman of a Committee, the liaison, and the Club Manager can communicate via email back and forth. Mr. Cohen confirmed.
FIFTH ORDER OF BUSINESS  
Aquatic Systems – Florida Water Steward Presentation

Ms. Natalie Clagett of Aquatic Systems gave a presentation regarding the stormwater retention ponds, littorals, and wetlands and responded to questions by the Board. Mr. Schappacher reviewed the positive aspects of various aquatic plantings. Ms. Lentile discussed the monthly pond inspections. Mr. Bracco asked that Ms. Clagett provide a copy of the map that identifies each of the ponds.

SIXTH ORDER OF BUSINESS  
Consideration of BrightView Proposals for Drainage Repair Along Veneto Boulevard

Ms. Blandon advised the Board has provided direction to Mr. Schappacher to coordinate the proper repairs for this item.

SEVENTH ORDER OF BUSINESS  
Consideration of Resolution 2019-04, Initiating Conflict Resolution

Ms. Blandon reviewed the resolution as provided by Ms. Petruff, special counsel related to the spills. She further advised that she worked with Mr. Schappacher to respond to public records request by the Florida League of Cities, and now it would be appropriate to adopt the resolution to move forward and to also appoint the Chairman as the point of contact related to this matter.

On a Motion by Mr. Bracco, seconded by Mr. McCafferty, with all in favor, the Board Adopted Resolution 2019-04, Initiating Conflict Resolution, and Further Designated the Chairman as the Point of Contact Related to this Matter, for the Venetian Community Development District.

EIGHTH ORDER OF BUSINESS  
Consideration of Proposals for Mailbox Painting

Mr. McCafferty inquired regarding some quad mailboxes not being included and asked for clarification. Ms. Blandon advised that some of the newer mailboxes are not a part of the project. Ms. Blandon distributed and reviewed the bid breakdown that she created. She reviewed the process of painting the mailboxes; removing the flags, numbers, and lighting from the posts and then pressuring washing the boxes, and finally painting the boxes and posts. Mr. Schappacher discussed the differential in pricing from one proposal to another; he advised that it is based on the economy and not a reflection of the quality of product or workmanship. Mr. McCafferty inquired regarding adding the street sign posts as they are set to be painted in 2019. Mr. Schappacher advised that it is possible to use the same company for painting of the sign posts. Mr. Bracco suggested adding the sign posts to the mailbox project. Mr. McCafferty recommended doing so in two pieces; one project for the mailboxes and a second project for the sign posts. The Board asked to have proposals for pressure washing of the mailboxes and painting of the sign posts for the January meeting. Ms. Blandon advised the coordination will need to include the Post Office to coordinate delivery of mail during the project.
NINTH ORDER OF BUSINESS

Consideration of Nature Walk License Agreement with Venetian Golf & River Club Property Owners Association, Inc. Related to Patrol Services

Mr. Cohen reviewed the License Agreement related to roving patrols of the nature walk area which allows the rover to access the area and for the Association to pay for the service. He advised that the amount of time to be dedicated, as requested by the Association, is a total of one hour per week, no more than 30 minutes per inspection, conducted twice per week. Mr. Cohen advised that Ms. Blandon can fill in the monetary amount. He reviewed the terms of the agreement. Discussion ensued. Mr. Bracco recommended approval of the agreement subject to input from Victory.

On a Motion by Mr. McCafferty, seconded by Ms. Lentile, with all in favor, the Board Approved the License Agreement with Venetian Golf & River Club Property Owners Association, Inc. for Patrol Services at the Nature Walk, and Further Authorized the Chairman to Execute the Agreement, Subject to Input from Victory Security, for the Venetian Community Development District.

TENTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors’ Meetings held on November 12, 2018 and November 26, 2018

Ms. Blandon presented the minutes of the Board of Supervisors’ meetings held on November 12, 2018 and November 26, 2018 and asked if there were any questions or comments related to the minutes. There were none.

On a Motion by Mr. Bracco, seconded by Ms. Lentile, with all in favor, the Board Approved the Minutes of the Board of Supervisors’ Meeting held on November 12, 2018 and November 26, 2018, for the Venetian Community Development District.

ELEVENTH ORDER OF BUSINESS

Consent Items

Ms. Blandon advised that October 29, 2018 Pickleball Advisory Committee Meeting Minutes are being presented for acceptance by the Board.

On a Motion by Ms. Lentile, seconded by Mr. Bracco, with all in favor, the Board Accepted the Consent Item, for the Venetian Community Development District.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Cohen advised he had no report.
B. River Club

Ms. Payton advised that A/C units 6 and 7 have been ordered. She advised that the mulch has been removed and replaced with sod, pressure washing of the building is underway, the lap pool fence has been painted, and finalization of the Renovation punch list is ongoing. Ms. Payton advised that the painters hired by Noller does not intend to strip and repaint the doors; she advised that she would like direction from the Board regarding the doors. The Board recommended that Ms. Payton reach out to Noller as they hired the painters. Ms. Payton advised the tables are being repaired.

Mr. Lusty inquired regarding the lava rock at the pool deck as it has not been installed and the invoice has been paid. Ms. Payton advised that she will follow up with BrightView. Mr. Lusty inquired regarding status of the lighting. Ms. Payton advised she has not received any quotes.

This item was opened to public comment. There were none.

On a Motion by Mr. Lusty, seconded by Ms. Lentile, with all in favor, the Board Directed Ms. Payton to Move Forward with Pool Area Lighting, Utilizing the Services of Mr. Art Bouquet, Waiving the Standard Insurance Requirements, for the Venetian Community Development District.

Ms. Payton advised that she had the roof looked at by a few roofing companies. She advised that Mid Coast Roofing provided a proposal in the amount of $740.00 to fix the tiles on the roof; he advised that he would glue the tiles back together and then re-adhere them to the roof. She advised that Douglas roofing provided pictures of the broken tiles as well as water damage to the roof; he quoted $4,250.00 for installing new tiles, hauling off debris, and make repairs. Ms. Payton advised that the tiles on the River Club roof have been discontinued and not available and so he would blend the tiles appropriately. Ms. Payton advised that Gulf Coast Roofing provided two proposals, one for repair of the broken tiles at $550.00 and one for repair of a leak at $3,850.00. Ms. Payton advised that Kennedy Construction visited the site and found two leaks; he advised that the roof should be replaced and did not provide a proposal for repair. Ms. Payton advised that Noland’s Roofing is present at today’s meeting to review the damages to the roof. She introduced Chad and Justin of Noland’s Roofing. Chad reviewed his inspection of the roof and advised that there are significant damages to the roof. Justin reviewed the damages to the roof including damaged and missing membrane; he further advised that some of the damages may have been caused by storm and/or wind. Justin recommended replacement of the roof. Discussion ensued regarding the insurance policy the District has for the roof at the River Club. Ms. Blandon advised that she will speak with Egis when she returns to the office.

C. Field Manager

No Report
D. District Manager

Ms. Blandon advised that the next regular meeting of the Board of Supervisors' is scheduled for Monday, January 14, 2019 at 9:30 a.m.

Ms. Blandon advised that the Administrative Assistant that was hired to assist the Field Manager has resigned. She further advised that a new Administrative Assistant has been hired and will start within a week.

THIRTEENTH ORDER OF BUSINESS Supervisors Requests and Comments

Ms. Blandon opened the floor to Supervisor requests and comments.

Mr. Bracco recommended that Mr. Rodriguez review the gate concerns raised by Mr. Craychee. He further advised that if the flag is frayed then it should be replaced. Mr. Bracco advised that he and Mr. Rodriguez met with Mr. Jasper regarding the irrigation system.

Ms. Lentile advised that she has received several positive comments related to Mr. Rodriguez.

Mr. Lusty advised that he received information from a vendor regarding an upgrade to the entry system at the front gate. He advised that he sent that information to the Board and asked if the Board is interested in having the vendor attend a meeting. Mr. Lusty advised that implementation of the new system would save the District on personnel costs and would augment the current RFID system. Mr. Cohen advised that the vendor is familiar with CDD’s and public roads. Mr. Lusty asked that the vendor be placed on the Agenda. Ms. Blandon advised that she will place them on the agenda for the second meeting of January 2019.

FOURTEENTH ORDER OF BUSINESS Adjournment

On a Motion by Mr. McCafferty, seconded by Mr. Bracco, with all in favor, the Board adjourned the meeting at 11:25 a.m., for the Venetian Community Development District.

[Signatures]