A. CALL TO ORDER

District Manager Jason Pierman called to order the Special Board Meeting of November 19, 2012, of the Venetian Community Development District at 1:31 p.m. in the Venetian River Club located at 502 Veneto Boulevard, North Venice, Florida 34275.

B. PROOF OF PUBLICATION

Mr. Pierman presented proof of publication that notice of the Special Board Meeting was published in the Sarasota Herald Tribune on October 16, 2012, and October 17, 2012, as legally required.

C. ESTABLISH A QUORUM

Mr. Pierman determined that the attendance of Chairman Tom Jones, Vice Chairman Jerry Jasper and Supervisors Marshall Turner, Mike Craychee and Barry Snyder constituted a quorum and it was in order to proceed with the meeting.

Also present were: District Manager Jason Pierman of Special District Services, Inc.; General Counsel Andy Cohen of Hankin, Persson, McClunathan, Cohen & Darnell; HOA Manager David Liston; and River Club WCI General Manager Josh Grant.

Please see attached Sign-In sheets for additional attendees.

D. ADDITIONS OR DELETIONS TO THE AGENDA

Mr. Jasper requested that a discussion regarding Lake #40 aerators be added under New Business.

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. PUBLIC HEARING

1. Proof of Publication

Mr. Pierman called the Public Hearing to order, and presented proof of publication that notice of the Public Hearing was published in the Sarasota Herald Tribune on October 16, 2012, and October 17, 2012, as legally required.

2. Receive Public Comment on Proposed Rules Regarding Usage of the Venetian River Club and Setting Fees Related to Such Usage of the Venetian River Club
Mr. Pierman opened the floor for Public Comment, noting that Mr. Snyder had prepared a PowerPoint presentation on the proposed River Club rules. Mr. Snyder encouraged residents to ask questions as he went along, and began his presentation. Mr. Snyder noted that the proposed rules were based off of the existing WCI rules, but had been changed, where needed, to comply with the State and District. Mr. Snyder also noted that comments would be heard and taken into account when the Board deliberated on the final rules after the Public Comment portion of the meeting had been closed.

Residents voiced concerns about several items, including the requirement for residents to wear identification badges. Mr. Snyder responded, explaining that this was the most cost-effective way to ensure unauthorized people were not using the facilities. Mr. Grant further noted that his staff could most likely identify residents that use the facilities regularly, but would use the badges as a way to check those that they did not know.

Questions also arose concerning the ban on denim in the River Club; the use of water shoes in the pool; the ban on club-issued towels in the pool area; and the ability of tennis players to dine in the River Club after matches. A lengthy discussion ensued regarding guest and houseguest user fees, with the majority of those present in favor of doing away with guest fees.

A motion was made by Mr. Snyder, seconded by Mr. Turner, and unanimously passed to close the Public Comment portion of the meeting at approximately 3:48 p.m.

Following a short recess, Mr. Bill McCullough asked to speak. He noted that he was denied the chance to speak about club membership during the Public Hearing. The Board responded that the Public Hearing was not on his topic, and asked Mr. McCullough to explain his proposal. Mr. McCullough proposed breaking out the memberships into three parts, feeling that the entire community should not subsidize individual programs, such as tennis and fitness.

A discussion ensued regarding the fact that the amenities are bundled, with the exception of golf. Mr. Snyder apologized to Mr. McCullough for giving him the incorrect time of the last meeting and again emphasized that this topic was not applicable to the Public Hearing. Mr. Snyder further stated that this proposal added a level of complexity to the budgeting and assessment process that was not worth the added cost. The attendees of the last meeting were very vocal in their opposition to this proposal. The Board consensus was that breaking out the amenities would add cost and be too divisive within the community.


Mr. Pierman presented Resolution No. 2012-14, entitled:
RESOLUTION 2012-14
A RESOLUTION OF THE BOARD OF SUPERVISORS OF VENETIAN COMMUNITY DEVELOPMENT DISTRICT IMPLEMENTING THE DISTRICT’S RULES AND REGULATIONS FOR UTILIZATION OF ITS RIVER CLUB FACILITIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Snyder recapped the residents’ concerns. In regards to ID tags, Mr. Turner reiterated that the requirement for them is to address the issue of non-members using the facilities in the most cost-effective manner. Following discussion, the Board consensus was to not alter the ID rule. Mr. Snyder noted that the badges should have a date printed on them, with which Mr. Grant agreed, noting they would need to have a transition period.

Mr. Snyder noted the current policy on denim. Following a brief discussion, the Board consensus was to not alter the denim rule. It was noted, however, that there is nothing in the rule that would prohibit tennis players from dining in the River Club following matches. Their attire would almost certainly fall within the rules.

Concerning pool shoes, the Board consensus was that “proper swimming attire” covered pool shoes. It was further noted that an item #10 should be added to Pool Rules, stating that “Club-issued towels are not allowed in the pool area.”

It was also noted that strollers had been an issue in the fitness area, and that an item #8 should be added to Fitness Area Rules, stating that “Baby stroller/carriers are not allowed in the fitness area.”

Mr. Grant stated that there was a conflict in what the rules stated that what their bill states in regards to billing. He noted that accounts should be “due and payable on the 25th of the month” under item #2 of Member Identification and Member Accounts. The Board agreed with the change.

Mr. Jones wished to note that residents have been very observant of staff using club facilities. Following discussion, the Board consensus was that the tennis professional cannot invite other professionals to the River Club to play.

Mr. Snyder noted that the implementation of guest fees seemed to be the biggest issue that residents had with the proposed rules. Mr. Jones commented that household guests would have the largest potential to add congestion to the River Club facilities. Mr. Jasper reiterated that the fees were proposed as a means of crowd control, not a revenue source, and suggested waiving the fees for a year and then reevaluate. Mr. Cohen stated that the Board could adopt the fee and not implement it until and if it is need, of which Mr. Turner was in favor. Following a lengthy discussion regarding their options, the Board consensus was to delete both the houseguest and day guest fees.
A motion was made by Mr. Snyder, seconded by Mr. Jasper, and unanimously passed to adopt Resolution 2012-14, as amended, with the following changes:

- Member Identification and Member Accounts, Item 2, amended to: “each account shall be due and payable on the 25th of the month.”
- Fitness Area Rules, add Item 8: “Baby strollers/carriers are not allowed in the fitness area.”
- Pool Rules, add Item 10: “Club-issued towels are not allowed in the pool area.”
- River Club Fee Schedule: Add “annually” to the River Club Membership Fee for more than four Members. Change River Club Household Guest and River Club Day Guest Fees to $0.

G. OLD BUSINESS
1. Update Regarding Sales Tax Refund

Mr. Cohen stated that things are still moving forward. The initial invoice format has been approved and Samantha is running preliminary invoices.

H. RIVER CLUB
1. Status of Enviro-Tech Roofing Contract

Mr. Craychee stated that the work is ongoing, but he is happy with the results. He also stated that he will have them obtain lien waivers before submitting their bills, and that he is asking them for an addition 100-150 tiles.

2. Discussion Regarding Tennis, Pool & Fitness; Social; and Grounds/Facilities Committees

Mr. Snyder stated that he is in the process of creating a data request from committee members, to which Mr. Jasper responded, saying he had already created a document. Mr. Jasper agreed to send the document to the District Manager for distribution.

Mr. Cohen noted that he will resend the River Club Declaration and bring it for the December 10th meeting.

3. Discussion Regarding Quotes for Pool Heaters

Mr. Grant stated that he would send a capital request to Mr. Jones tomorrow.

4. Fire Protection Service/Status

Mr. Grant noted that the motherboard had been installed. Mr. Craychee requested that the system be monitored monthly to identify any possible system issues, noting that the last issue was first discovered months ago, but did not resurface until recently.
I. NEW BUSINESS
   1. Discussion Regarding Lakes #40 Aerators

   Mr. Jasper explained that WCI is installing aerators in Lake #40 to help prevent fish kills, and that the District will maintain them after the lake turnover, noting that the annual operations cost is under $1,000. The Board was agreeable to taking on that responsibility. Mr. Craychee questioned who is purchasing the aerators: the POA or WCI? Mr. Cohen noted that it should be a WCI expense, but that the District did not really have a say in the matter. Mr. Craychee agreed to speak with Mr. Phillips, who is on the POA Board, to suggest he notify WCI that this is a WCI issue and the POA should not fund it.

J. ADMINISTRATIVE MATTERS

   Mr. Cohen noted that there was nothing further on the garnishment issue.

   A motion was made by Mr. Snyder, seconded by Mr. Jones, and unanimously passed to cancel the November 26th Regular Board Meeting.

K. BOARD MEMBER COMMENTS

   This being his last meeting, Mr. Turner thanked the Board and staff for their hard work, noting that they had accomplished a lot in the time he served on the Board.

L. ADJOURN

   There being no further business to come before the Board, a motion was made by Mr. Snyder, seconded by Mr. Jones and unanimously passed to adjourn the Special Board Meeting at 5:48 p.m. Upon being put to a vote, the motion carried unanimously.

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Secretary/Assistant Secretary

Chair/Vice-Chair
River Club Rules - Proposed Amendments
Israel Gopstein

General Rules:
6. Any River Club Manager personnel not rendering prompt and courteous service should be reported to the River Club [Manager] OWNER immediately.

8: "Reasonable timeframe" needs to be defined - e.g., 2 or 3 business days?

Member Identification and Member Accounts:
1. After 1st sentence, insert: "The River Club Owner shall establish such identification cards, user identification badges, or other mechanisms in a manner to differ from and be easily distinguishable from any such cards, badges or mechanisms established prior to the date of adoption of these Rules, and shall promptly deliver such cards, badges or mechanisms to each resident owner prior to implementation of these Rules."

The Member identification card may not be used by any person other than the person to whom it is issued.

Last "[Person]" should be "member".

2. Change 15 to 30 and 30 to 60.

3. Too harsh. Does FL have a usury law? At what interest rate?

4-5: insert "reasonability" language

6. No need for security deposit as collected by tax collector.

9. No provision for mail loss. Require traceable mail be used.

Guests:

1. The definitions of Household Guests and Day Guests properly belong in Rule 7 of GENERAL rules.
   line 2: "REASONABLE discretion..."
   line 9: "services incurred by [the] A Guest REGISTERED BY A MEMBER will be the responsibility of the REGISTERING Member."

2. Line 3 "[the] THEIR Guests..."

3. line 2: "[and absolute] REASONABLE discretion...";
   line 3: "given TO THE REGISTERING MEMBER..."

4. line 5: "per year" is superfluous and confusing, and should be eliminated.
Children:
1. lines 1-2: "[For safety and liability reasons, all] **ALL**...[only]... **ONLY** if accompanied..."

Services and Activities
2. line 4 "sole and **absolute** **REASONABLE**..."
3. line 4 "sole and **absolute** **REASONABLE**..."

River Club Manager Personnel Use of the River Club
1. Last line "[will] **ARE** such personnel..."
2. line 1 "[gratuitous]"?

Credit Card convenience fee:
eliminate