

**MINUTES OF MEETING  
BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

A Joint Regular Meeting of the Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District was held on **Monday, March 26, 2012 at 2:00 p.m.**, at the **Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134.**

**For Bayside Improvement CDD:**

James Patterson	Chair
Walter McCarthy	Vice Chair
Jack Lienesch	Assistant Secretary
Bernie Cramer	Assistant Secretary
T. Marvin Hancock	Assistant Secretary

**For Bay Creek CDD:**

Nelson Glueck	Vice Chair
Keith Huffman	Assistant Secretary
Robert Pritt	Assistant Secretary
James Janek	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Frank Savage	Barraco & Associates
Jim Murphy	PLCA Liaison
Bill Kurth	Lake Masters

**FIRST ORDER OF BUSINESS**

**Call to Order/Pledge of Allegiance**

Mr. Patterson called the meeting to order at 2:00 p.m., and all present recited the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS**

**Roll Call**

Supervisors Pritt, Huffman, Janek and Glueck were present, in person, for Bay Creek CDD. Supervisor McAuley was not present. Supervisors Cramer, Hancock, Lienesch, McCarthy and Patterson were present, in person, for Bayside Improvement CDD.

**THIRD ORDER OF BUSINESS****Public Forum**

Mr. Patterson asked if any members of the public wished to address any issues on the agenda. Mr. Jim Murphy, PLCA Liaison, recalled that Mr. McAuley asked why the PLCA was not posting CDD meeting minutes. He stated it is the PLCA's policy that all approved minutes be posted and all have been posted, to date.

**JOINT MEETING ITEMS****FOURTH ORDER OF BUSINESS****Staff Report: Engineer**

Mr. Frank Savage, of Barraco & Associates, reported that the District Engineers are working on the NPDES 4 permit. A requirement of the new permit is the creation of a Total Maximum Daily Load (TMDL) prioritization report. Mr. Savage explained that the Environmental Protection Agency (EPA) and the Department of Environmental Protection (DEP) identify TMDLs for all water bodies in Florida. The District Engineer is required to identify the water bodies into which the CDDs discharge, identify any adopted TMDLs for the Districts' water bodies and, if necessary, create a prioritization list. Upon review, it was determined that the Districts do not discharge into any such water bodies. The information was summarized and submitted to the DEP.

Mr. Pritt recalled previous discussion regarding the U.S. District Court case and stated the water quality standards and the Clean Water Act will have to be implemented by the DEP. Mr. Adams noted that Mr. Cox is of the opinion that the existing guidelines should be followed. Mr. Pritt indicated, according to a federal judge, the DEP is incorrect and he feels that further discussion is necessary, prior to expending additional monies for submittals that may not be valid.

Mr. Savage reported that Barraco & Associates is drafting standard operating procedures for the inspection and maintenance protocol of the stormwater facilities, in coordination with District Counsel and the District Manager.

Mr. Savage stated the process of completing the certifications to the South Florida Water Management District (SFWMD) for the environmental resource permit applications is in progress. He advised there are a significant number of outstanding applications which, according to SFWMD were never accepted for certification. Mr. Savage indicated that WCI, as the developer, is working with the Districts, in this regard; however, about 50 outstanding permit applications must be accepted. With regard to the most recent applications, SFWMD is working with WCI to determine the most reasonable method for acceptance.

Mr. Patterson inquired about the control structures that were not built in conformance with the existing plans. Mr. Savage indicated that Barraco & Associates is coordinating with WCI to determine why some of the control structures appear to be out of compliance. He stated it may be that the structures were constructed outside of the tolerance levels or there may have been a subsequent ERP application which modified the structures and was accepted, so it was not flagged by the search.

Mr. Patterson advised Mr. Savage that, two months ago, Mr. McCarthy offered to conduct an additional search of the Lee County records to locate added changes that may have been approved by Lee County but were not available to Barraco & Associates when their study was performed. He asked Mr. Savage to ensure that Mr. McCarthy receives the information on all of the outstanding control structures so he can assist with the search. Mr. Savage advised he will coordinate with Mr. McCarthy within the next few days.

**FIFTH ORDER OF BUSINESS****Discussion: Water Quality Rules**

This item was discussed previously.

**SIXTH ORDER OF BUSINESS****Lake Maintenance Activities Report - Bill Kurth**

Mr. Kurth reported that LakeMasters is on site every Thursday. He indicated that he has observed a significant change and the lakes look very good. Mr. Kurth stated the slender spikerush has been the real problem with control submersion. It grows as a root plant and has a very fine, almost hairlike leaf that branches out and it can be cumbersome when there is a huge mass growing in the bottom of the lake. Mr. Kurth recalled that the Sonar application was scheduled for October; however, due to a major rainfall, it was delayed until almost December.

One of the negatives of using Sonar is that the plants should be actively growing and, by December, the active growth could not be determined. Mr. Kurth noted that heavy Sonar applications will begin in April. The plants are beginning to actively grow and water temperatures are higher than usual. He stated, as far as submersed weed control is concerned, other than the few lakes listed in the report, the lakes are in good shape.

Mr. Kurth discussed the problem lakes. He noted that the entire bottom of Lake F-7 is covered with slender spikerush. The Sonar was not working quickly enough so a contact herbicide was used. The same process was used on Lakes F-1 and F-16, last week.

Mr. Kurth indicated that Lake E-1 was raked three or four weeks ago, on a Friday. After it was raked, multiple applications were applied to the slender spikerush and algae. The following Tuesday, it looked twice as bad. Mr. Kurth noted that he met with Mr. Bob Sontag, Palm Colony, several times, regarding Lake E-1. Last week, a treatment was applied using the new Captain XTR, at the maximum label rate and, this morning, the lake looked twice as bad as it did last week. Mr. Kurth pointed out that it does not mean the treatment did not work and noted much of the algae is dying. Lake E-1 will be raked this Thursday and the same treatment will be applied. It is monitored every week.

Mr. Kurth conveyed that the water testing has been very helpful and changed the way the lakes are treated. He feels this has worked in most of the community. He indicated that Lake A-1 has similar problems but there are two alligators in the lake so it has not been raked.

In response to a question from Mr. Patterson, Mr. Kurth discussed bladderwort and chara, which is an algae. Mr. Patterson asked where black algae comes from. Mr. Kurth stated any time there is a nutrient, water and sunlight, some type of algae usually grows. The white algae are very resistant and, typically, grow on the good spikerush.

Mr. Hancock reported that he met with Mr. Jason Zimmerman, Operations Manager of Pelican's Nest, and presented the Districts' work to him. Since their meeting, Mr. Hancock has been copying Mr. Zimmerman with the results of the water testing. Mr. Hancock asked Mr. Zimmerman about the fertilizer applications on the golf course. Mr. Zimmerman indicated that fertilizing occurs on two dates and the entire golf course is fertilized at one time. Mr. Hancock advised there are no other fertilizer programs other than those dates.

Mr. McCarthy asked if nutrients are added to the irrigation water. Mr. Patterson expressed his understanding that they are. Mr. Kurth advised that Mr. Zimmerman was probably

discussing a granular fertilizer application. Mr. Kurth stated most of the golf courses in the area tend to run liquid fertilizer in the irrigation almost continuously, which is why some of the lakes that get a lot of coverage from the irrigation heads tend to have more fertilizer.

Mr. Huffman recalled an insert that was placed in the Pelican Landing Briefing, last September, regarding fertilizer application and felt it was time to remind the residents not to use excessive fertilizer in their yards. He requested the Boards' permission to approach Pelican Landing about placing a similar insert in the Weekly Briefing. Mr. Patterson pointed out that the landscapers make the decisions regarding fertilization. Mr. Hancock was asked to give a presentation in May.

**On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Lienesch, with all in favor, placement of an insert regarding fertilizer applications in the PLCA Newsletter was approved.**

**On MOTION for Bay Creek by Mr. Pritt and seconded by Mr. Glueck, with all in favor, placement of an insert regarding fertilizer applications in the PLCA Newsletter was approved.**

Mr. Kurth asked if the water-testing program will be continued. Mr. Hancock noted his understanding that the program would remain active until the results are analyzed by an expert. Mr. Adams asked if the Boards wished to have another testing of Lake E-1. Mr. Hancock felt it was a good idea to continue for another month. Mr. Pritt suggested extending it into June, to see if there is a spike. Mr. Adams advised the results will be discussed further in June and, hopefully, they will have a review and a report by then.

**On MOTION for Bay Creek by Mr. Pritt and seconded by Mr. Glueck, with all in favor, extending the water testing for all lakes, through June, was approved.**

**On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Lienesch, with all in favor, extending the water testing for all lakes, through June, was approved.**

Mr. Pritt asked Mr. Kurth if phosphorous is a large part of the problem with the lakes, more so than nutrients. Mr. Kurth indicated they must control the nutrient loading to prevent the growth of algae because everything must be balanced. Mr. Kurth noted that another factor is the species of algae growing; some lakes have very resistant forms of algae and some of them may not be huge nutrient consumers.

**SEVENTH ORDER OF BUSINESS**

**Update: Water Quality Analysis Proposal**

***\*\*\*This item, previously the Tenth Order of Business, was presented out of order.\*\*\****

Mr. Adams reported on his conversation with Dr. Ken Langeland, of the University of Florida (UF). He stated there is tremendous interest in looking at the Districts' data and perhaps analyzing their program. Mr. Adams explained that UF wants to take a teamwork approach. Dr. Langeland's specialty is agronomy, Professor Cannonton is a soil specialist and a representative in the Weed Treatment Division, in Fort Lauderdale, is particularly knowledgeable. Mr. Adams indicated they may make this a graduate student project. He was asked if funds are available to offset housing and the costs of having someone there for a few weeks to conduct analyses and review the system. Mr. Adams informed Dr. Langeland of the cost to have a lab analyze their results and Dr. Langeland felt the amount would be more than sufficient.

Mr. Adams noted that Dr. Langeland will be in the area from April 10 through 12, working on a project involving invasive grasses with Lee County Extension. Mr. Adams sent him a packet of information, including the analysis package, as well as a copy of the report completed for the Grand Haven CDD by David Clark, which concluded that Grand Haven's phosphorus was coming from the soil. With regard to the Bayside Improvement and Bay Creek CDDs, Dr. Langeland indicated that nitrogen might be their issue; however, this will be reviewed more closely. Mr. Adams anticipated meeting with Dr. Langeland during his visit and hoped to provide a proposal at the April meeting.

Mr. Huffman recommended inviting the team to meet with the Boards and present a proposal. Mr. Adams will ask if they are available to attend. Mr. Kurth noted the need for a soil expert. Mr. Lienesch asked Mr. Kurth to attend the meeting when the team is present.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolutions Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expeditiously as Possible and Providing for an Effective Date**

*\*\*\*This item, previously the Seventh Order of Business, was presented out of order.\*\*\**

- **Resolution 2012-6 (Bayside Improvement)**
- **Resolution 2012-5 (Bay Creek)**

Mr. Patterson presented Resolution 2012-6 for Bayside Improvement and Resolution 2012-5 for Bay Creek for consideration. He indicated that Exhibit "A" is the list of surplus equipment. Mr. Adams stated two carts and a trailer have exceeded their useful life, resulting in a requirement to surplus sell them, under governmental laws. They must advertise and will look for the highest bidder. If no bids are received, this resolution authorizes Staff to properly dispose of the items.

**On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Hancock, with all in favor, Resolution 2012-6, Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expeditiously as Possible and Providing for an Effective Date was adopted.**

**On MOTION for Bay Creek by Mr. Huffman and seconded by Mr. Janek, with all in favor, Resolution 2012-5, Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expeditiously as Possible and Providing for an Effective Date was adopted.**

**NINTH ORDER OF BUSINESS**

**Results of Water Quality Testing - February**

*\*\*\*This item, previously the Eighth Order of Business, was presented out of order.\*\*\**

This item was discussed previously.

**TENTH ORDER OF BUSINESS****Discussion: Neighborhood Flower  
Outline**

***\*\*\*This item, previously the Ninth Order of Business, was presented out of order.\*\*\****

Mr. Adams recalled a request from Mr. McCarthy to review the neighborhood entries. He advised that, for a number of years, the Districts have been maintaining entry monuments, landscaping and flower packages, primarily for the single-family neighborhood entrances.

Mr. Adams referred to the spreadsheet located behind Tab 9, noting that it provides a complete inventory and identifies those neighborhoods that the Districts does not already maintain and applies a cost for a flower program for each of the entrances. He advised it does not include the capital cost of switching over the irrigation zone that currently services the flowerbeds to a standalone system that the Districts would manage. Mr. Adams explained that most of the areas can be switched to a single zone and it is not a major investment. He stressed that the Districts want to be in control of the water once the flowers are planted.

The cost of setting a separate service to cover the flowerbed is probably excessive, in comparison to the benefit. Mr. Adams suggested looking at the average usage on any one of the setups and multiplying it by three to four times per week, as an average, to get the monthly gallonage; the neighborhoods would receive a credit to their monthly allocation for the usage that the Districts will be responsible for.

Mr. McCarthy suggested charging a one-time fee for the change over, similar to what would be charged for a meter. Mr. Adams pointed out that some communities do not currently have flowers. After hearing about this program, they may choose to have them. Mr. Adams stated that, if it is a simple changeout, with the hockey puck configuration, a flat fee of \$100 per zone would be appropriate.

Mr. Adams advised he will draft a letter to the communities outlining the program, discussing the changeout and the cost, allocation of water and the fact that the Districts will assume the cost, as well as the flowerbeds, in their existing condition, and reserve the right to augment them, as appropriate. Mr. Glueck suggested including an effective date. Mr. Adams noted they will encourage the neighborhoods to reply by a specific date coinciding with the preparation of the upcoming budget. He recommended a deadline of July 1 for responses. Mr. Lienesch recommended they make it clear that the flower choices are the Districts', not the communities.



**On MOTION for Bay Creek by Mr. Huffman and seconded by Mr. Glueck, with all in favor, accepting Mr. Adams' plan, including the hockey puck configuration, notifying the communities and setting a deadline of July 1 to accept or reject, was approved.**

**On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Cramer, with all in favor, accepting Mr. Adams' plan, including the hockey puck configuration, notifying the communities and setting a deadline of July 1 to accept or reject, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Update: Potential Refinancing Activities**

Mr. Adams reported that approximately one week after the last Board meeting, a policy was passed down from corporate SunTrust stating they will not loan money to CDDs until further notice. He stated, in many cases, the banks have been the mortgage holders for developers who have failed and, as a result, districts have foreclosed on those holdings; the districts have the superior lien position and took the assets.

Mr. Adams reported on another possibility through a broker he has been working with and who has a strong relationship with Wells Fargo. After a conference call last week, Mr. Adams forwarded the requested information and should receive a response next week. He advised that, if the response is positive and time sensitive, a special meeting may be required to authorize certain actions, moving forward. Mr. Adams emphasized that it may be difficult to obtain refinancing for Bayside Improvement because of the concentration of risk, with the developer owning such a large percentage. He indicated that there is an opportunity to save 300<sup>+</sup> basis points if the refinancing is approved. Through private placement, the overhead costs would be between \$10,000 and \$15,000.

In response to a question from Mr. Patterson, Mr. Adams explained that Ms. Carlson will draft the estoppel letter, which will identify the exact amount necessary through a certain date. The estoppel letter will be used as notice to the bondholders of the intention to pay off within 30 to 45 days. The proceeds from the refinance will be transferred into the prepayment account and the trustee will execute the process, on the Districts' behalf.

Mr. Adams stated there is an opportunity to save a tremendous amount on interest. He felt that Bay Creek would have no problem refinancing because it is secure; the question is

whether they want to refinance for \$740,000, which is the principal outstanding after the mail-in payments. Mr. Patterson asked about the term of the loan from Wells Fargo. Mr. Adams advised him that it would not change; the maturity date stays the same. He noted that for Bayside Improvement, he would like to reduce the term to 60 months or less. Mr. Adams felt that the payments would be about the same, or slightly increased, but for a shortened period.

**TWELFTH ORDER OF BUSINESS**

**Approval of February 27, 2012 Joint Regular Meeting Minutes**

Mr. Patterson presented the February 27, 2012 Joint Regular Meeting minutes and asked for any additions, corrections or deletions. The following changes were made:

Line 36 and throughout: Change “MacFay” to “McVay”

Line 86: Change “1,119,313” to “\$2,119,313”

Line 261: Change “documents” to “publications”

Line 316 and 319: Change “Costello” to “Castella”

Line 350 and 351: Change “he felt he” to “Mr. Adams felt Mr. Caldwell”

Line 379 and throughout: Change “SWFWMD” to “SFWMMD”

Line 396: Add “storm” before “sewer”

Line 541: Change “per milliliter” to “ppm”

Page 21: Add “**ACTION ITEM**” 20. Follow up with PLCA regarding posting meeting minutes on PLCA website

Page 21: Add “**ACTION ITEM**” 21. Investigate possibility of having SFWMMD pay for cost of connecting CDD water to the five towers

**On MOTION for Bay Creek by Mr. Pritt and seconded by Mr. Huffman, with all in favor, the February 27, 2012 Joint Regular Meeting Minutes, as amended, were approved.**

**On MOTION for Bayside Improvement by Mr. Lienesch and seconded by Mr. McCarthy, with all in favor, the February 27, 2012 Joint Regular Meeting Minutes, as amended, were approved.**

**THIRTEENTH ORDER OF BUSINESS****Old Business**

Mr. Lienesch reported on the landscaping at the entrances and the monuments. He and Ms. Crismond discussed fixing up the existing landscaping at the entrances and making suggestions for replacement of landscaping that is not doing well. The monuments will be reviewed as a separate entrance enhancement project. Mr. Lienesch referred to a handout and stated the first subtotal column totals about \$5,117, the subtotal on the right is \$3,900 and the grand total is \$9,000. He advised everything on the right side, existing plant replacement, can be funded through the plant replacement program. Discussion of the first column, totaling \$5,100, can be deferred to another meeting. The assessment of the Garden Club was that some of the material is doing well while some is not and they had some suggestions for improvement.

Mr. Glueck commented that he had no problem with replacing the landscaping that is in poor condition but noted how often the Boards have discussed enhancements, mostly at the North gate.

Mr. Adams acknowledged Mr. Glueck's comment and pointed out that the Districts are beginning to lose the original look and feel that was drafted by their original architect. Although Mr. Adams was not aware of any negative comments regarding the look of the entrances, he recommended hiring a landscape architect to review the gates and, if the Boards were happy with the original look, he suggested hiring their original architect.

Mr. Pritt agreed with having a landscape architect review the entrances and with hiring someone who would maintain the original look. Mr. Adams suspected it would be a \$3,000 or \$4,000 investment. He felt that the architect could make a drawing of one entrance, which would reduce the cost, and identify certain specific plant materials, their locations, the conditions and replacement recommendations for the same palate and installing plants that will survive and thrive in those conditions. The same recommendations will be applied to the other two entrances.

Mr. Patterson pointed out that Mr. Lieber, the original architect, was fond of ornamental grasses, which were not popular, and suggested advising Mr. Lieber that they did not want any ornamental grasses at the entrances.

**On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Huffman, with all in favor, retaining the original architect to render a drawing of one entrance, identifying specific plant materials, their locations and the conditions, for an amount not-to-exceed \$5,000, was approved.**

**On MOTION for Bayside Improvement by Mr. Lienesch and seconded by Mr. Hancock, with Mr. Patterson and Mr. Cramer in favor and Mr. McCarthy dissenting, retaining the original architect to render a drawing of one entrance, identifying specific plant materials, their locations and the conditions, for an amount not-to-exceed \$5,000, was approved. (Motion passed 4-1)**

**FOURTEENTH ORDER OF BUSINESS**

**Other Business**

**a. Action Items**

Mr. Patterson reviewed the Action Items. Items 2, 7, 8, 11, 15, 17, 18 and 19 will be deleted. With regard to Action Item 15, Mr. Adams explained that, from the beginning, the methodology has always been applied to multi-family parcels and it is based on the number of units for a particular parcel. There is no strong correlation between the number of units and the amount of green space to be watered.

Mr. Adams discussed considering an amendment to the methodology for the Connection Fee program as it relates to high rises and, perhaps, viewing them the same as commercial and right-of-way. From a legal perspective, the District Attorney will have to provide an opinion with regard to the legalities and abilities to undo the current methodology.

Mr. Pritt recalled that, when the most recent rate study was completed, the Boards committed to revisiting the rates, later this year. Mr. Adams felt Mr. Pritt was referring to the future development plan for the Colony, as it mixes in with the current usage and how it applies to the cap usage. Mr. Lienesch recalled that, when the allocation rates were set for the amount to be placed on the tax bill and how much is paid, the Boards agreed to revisit this in one year. Mr. Adams felt that was a separate topic. Mr. Patterson pointed out that the purpose of the connection fees was to cover the cost of installing the system. He asked if that cost has been

recovered through collections. Mr. Adams indicated much of the cost was recovered but not all. Mr. Patterson confirmed that there is a need to continue the cost of connection.

Mr. Patterson discussed the high-rise connection issue with Mr. Warren Minor, of Treviso, who is anxious to know what is happening regarding the possibility of reducing the connection fees. Mr. Patterson indicated to Mr. Minor that if he is interested in pursuing it, he should speak to his representative on the Foundation committee and ask them to put pressure on WCI to pay for them. Mr. Adams explained that the only possible change to the current methodology is that perhaps there should be segregation between a standard multi-family versus the tower type of multi-family unit. Mr. Hancock offered to discuss this with the ULC co-chair.

For Item 16, Mr. Adams clarified that the agreement for the parcel neighborhoods comes after the agreement is executed between the Districts and the PLCA, which puts the Districts in the position where they are operating and maintaining roadside catch basins. The Districts can then offer to add the common roads in the parcel neighborhoods to the program by separate agreements, indemnifications, etc.

Discussion ensued regarding ownership of the catch basins and culverts. Mr. Adams stated the culverts were never conveyed to the District. He advised that the culverts and roadside catch basins are not a part of the SFWMD stormwater permit; they are separate and distinct and go with the roadway infrastructure. The Districts cannot begin operating them without some ownership or authority.

Mr. Jim Murphy, PLCA Liaison, indicated that the PLCA is willing to give ownership to the CDDs. Mr. Patterson noted he is assuming that they have ownership. Mr. Adams felt that the PLCA does own the culverts and the roadside catch basins. Mr. Pritt asked if the PLCA were to grant ownership of the property to the CDDs, would it be by quit-claim deed or will they have the accompanying title opinion. He indicated that title opinions were already given; it is a matter of interpretation of who owns what.

Two items will be added to the Action Items: Follow up on CDD meeting minutes on the PLCA website and the possibility of having SFWMD pay for the cost to connect CDD water to the five towers.

**FIFTEENTH ORDER OF BUSINESS****Staff Reports****a. Attorney**

There being no report, the next item followed.

**b. Manager**

**i. Unaudited Financial Statements as of February 29, 2012**

Mr. Adams presented the Unaudited Financial Statements as of February 29, 2012. Mr. Patterson questioned why 'Audit', on Page 2, under Expenditures, is at 142%. Mr. Adams advised he will research this.

**ii. Savings & Money Market Account/Investment Snapshot as of 3/15/12**

This item was included for informational purposes.

**iii. Irrigation High User Report**

- o **Bayside Improvement CDD**
- o **Bay Creek CDD**

Mr. Lienesch inquired about the bill for Mr. Bergstrom, noting that last year, he used 34,000 gallons; this year, for the same month, he used 144 times as much. Mr. Lienesch felt this is the result of a leak.

**iv. NEXT MEETING DATE: April 23, 2012 at 2:00 P.M.**

Mr. Patterson noted that the next meeting is scheduled for April 23, 2012. Mr. Pritt advised he will not be able to attend the April 23 meeting.

**v. Operations Report**

Ms. Crismond reminded the Boards that, commencing the first week of April, she will conduct the annual lake audit, which includes an extensive review of all lakes and structures; thus, the regular bi-weekly lake review will be placed on hold until the audit has been completed.

**SIXTEENTH ORDER OF BUSINESS**

**Audience Request**

**Comments/Supervisors'**

Mr. Adams discussed a request received from the tennis center facilities, through Supervisor Cramer, outlining the fact that they are reviewing the facilities for landscaping. Mr. Adams noted that the Districts participate in management of the landscape program around that facility, which is owned by the PLCA. They are looking at upgrading and enhancing some of those facilities and, once the plan is finalized and approved, they would like to present this to the Boards to see if they have an interest in participating. Mr. Adams advised this will primarily be a capital improvement program and all property owners in Pelican Landing will participate in the

cost. He stated there may be an opportunity to run the program through the Districts to purchase, tax exempt, and install, in order to save the community money. The plans are not anticipated to be finalized for two or three months.

Mr. Cramer explained that after the parking issue occurred, a large contingency of people from Palm Colony approached the Board of Directors to stop the project. In turn, they appointed a group of four to a special task force, designed to gather the information regarding what the tenants would like done within the community. The information will be reported to the Board of Directors and, they, in turn, will decide what can or cannot be done. At the same time, a tennis group formed to take surveys and make recommendations, in a similar fashion. On Friday afternoon, the tennis group made a presentation to the task force and found that most of the items discussed were similar. Mr. Cramer stated the task force will give a presentation to the Board of Directors on April 13 or 18. If the Board of Directors decides not to move forward, there will be no involvement by the CDDs, other than the normal replanting. If they decide to proceed, the committee has asked the Supervisors to assist with putting together an RFP.

**SEVENTEENTH ORDER OF BUSINESS****Adjournment**

There being no further business, the meeting adjourned at 4:43 p.m.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair

**FOR BAY CREEK:**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair



***ACTION/AGENDA ITEMS:***

1. **ACTION ITEM:** 3,000 plants to be added in the Spring – plantings last year did not survive
2. **ACTION ITEM:** Mr. Barraco to email details on the control structures to Mr. McCarthy; Mr. McCarthy to look in county files to see if there is a plan that corresponds to what Mr. Barraco has
3. **ACTION ITEM:** Mr. Barraco to follow up with WCI regarding status of WCI looking into the records to help determine why the two (2) control structures do not match plans in SFWMD's files
4. **ACTION ITEM:** Mr. Kurth to follow up on grass carp permitting
5. **ACTION ITEM:** Mr. Hancock to meet with Mr. Zimmerman regarding the specifics of the fertilizer applications. He will also request copies of reports filed relative to dates of fertilizer applications over past year from Pelican's Nest and The Colony.
6. **ACTION ITEM:** Mr. Barraco to provide the status of certifications.
7. **ACTION ITEM:** Light Post Painting
8. **AGENDA ITEM:** Mr. Adams to obtain a proposal from the experts at UF & possibly FGCU
9. **ACTION ITEM:** GreenSpace to provide square footage calculations of green space to the number of units in Costa del Sol to justify a monthly allocation increase.
10. **ACTION/AGENDA ITEM:** Mr. Adams to work with Mr. Cramer regarding a proposal for a newsletter and report back at the April meeting; additional discussion to take place
11. **ACTION/AGENDA ITEM:** District Counsel to draft an agreement between the Districts and the PLCA for the operation and maintenance of the catch basins for the common roads and present to the Board for review
12. **ACTION ITEM:** Frank Savage to provide information to Mr. McCarthy regarding outstanding applications
13. **ACTION ITEM:** Remove alligator from Lake A-1
14. **ACTION ITEM:** Obtain supply list for annual plants and flowers from flower growers
15. **ACTION ITEM:** Follow up with PLCA regarding posting meeting minutes on PLCA website

16. **ACTION ITEM:** Possibility of having SFWMD pay for cost to connect CDD water to the five towers
17. **ACTION ITEM:** With regard to Unaudited Financial Statements, Mr. Adams to investigate why 'Audit', under Expenditures, is at 142%
18. **ACTION ITEM:** Mr. Adams to draft letter to the communities outlining the flower program, discussing the change over and the cost, the allocation of water and the fact that the Districts will assume that cost, as well as the flower beds, in their existing condition, and reserve the right to augment them, as appropriate