

**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, June 23, 2014 at 2:00 p.m.**, at the **Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134.**

**For Bayside Improvement CDD:**

Walter McCarthy	Chair
Marvin Hancock	Vice Chair
James Patterson	Assistant Secretary
John Crew	Assistant Secretary
Bernie Cramer	Assistant Secretary

**For Bay Creek CDD:**

Frederick McAuley	Chair
Nelson Glueck	Vice Chair
James Janek ( <i>via telephone</i> )	Assistant Secretary
Robert Pritt	Assistant Secretary
Mary McVay	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Dan Cox	District Counsel
Carl Barraco	District Engineer
Wes Kayne	Barraco & Associates
Bill Kurth	LakeMasters Aquatic Weed Control, Inc.
Doug Kucera	Field Manager
Paul Kemp	Irrigation Manager
Dennis Anderson	Resident
Leigh Simmons	Lee County Division of Natural Resources
Howard Lowe	UOC Liaison
Ben Korbly	Las Palmas Residents Council

**FIRST ORDER OF BUSINESS**

**Call to Order/Pledge of Allegiance**

Mr. McAuley called the meeting to order at 2:00 p.m. All present recited the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS**

**Roll Call**

Mr. McAuley asked the Supervisors to state their names. For Bay Creek Community Development District, Supervisors Pritt, McVay, Glueck and McAuley were present, in person. Supervisor Janek was not present at roll call. For Bayside Improvement Community Development District, Supervisors Crew, Patterson, Cramer, Hancock and McCarthy were present, in person.

**THIRD ORDER OF BUSINESS**

**Public Comments**

Mr. Dennis Anderson, a resident, stated that, during the first two rains of the season, the new trenches around the courts at the tennis center filled with green water and topped off the holding tanks within ten minutes. The water immediately flowed out around the entire area. In the past, the water with the green material from the tennis courts flowed into the holding area, toward the maintenance section. Mr. Anderson concluded that the work that was performed at the tennis center changed nothing.

**\*\*\*Mr. Janek joined the meeting at 2:03 p.m., via telephone.\*\*\***

**JOINT MEETING ITEMS**

▪ **Landscaping and Irrigation Reports**

**\*\*\*This item was an addition to the agenda\*\*\***

Mr. Doug Kucera, Field Manager, indicated that, since the last meeting, he reminded the crew to remove the weeds from the landscaping when they observe it, not just when it is trimmed.

Mr. Kucera reported that, this week, Gator Landscaping will install three silk floss trees, seven pink tabebuia, two royal poincianas, three jacarandas and two crape myrtles, at the south entry. He also noted that the Blue Sage cul-de-sac was cleared of native landscaping which will be replaced with xeriscape material and Davie Tree is scheduled to remove three trees in the cul-de-sac, as well.

Mr. Kucera stated that, in the next few weeks, following irrigation modifications, 84 ten-gallon plants will be installed at the new pickleball courts. This week, selected landscaping will be removed at the tennis center and the landscaping around the community center will be trimmed. Mr. Kucera noted that the medians, trees and replacement of grass have not been completed. He indicated that the street sweeper will be taken in, tomorrow, for painting and an overhaul.

Ms. McVay advised that she received a call from a resident at The Ridge asking when their monument will be painted. Mr. Kucera stated that Florida Painters will schedule the painting in the next few weeks.

Mr. Cramer noted the continued discussion regarding pickleball court plantings, on the agenda. Mr. Adams stated that, pursuant to discussion with PLCA management, the PLCA will pay for the plants and the CDD will install them, at the pickleball and tennis courts.

Mr. Kucera announced that a foreman who has worked at The Colony for 16 years is retiring. He has been a dedicated employee and will be missed.

Mr. McCarthy was in favor of presenting the employee with a letter or plaque. Mr. Cramer suggested a gift card. Mr. McCarthy offered to deliver the card, on behalf of the CDDs, and made a motion to give the employee a gift card for \$250. Mr. Hancock seconded the motion.

Discussion ensued regarding whether the gift card should be considered a bonus for work performed or a retirement bonus. The consensus was that card should be for work performed.

Mr. Patterson amended the motion to include a plaque.

**On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Pritt, with all in favor, presenting the foreman who is retiring from The Colony, after 16 years, with a \$250 gift card and plaque, for work performed, was approved.**

**On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Hancock, with all in favor, presenting the foreman who is retiring from The Colony, after 16 years, with a \$250 gift card and plaque, for work performed, was approved.**

Mr. Paul Kemp, Irrigation Manager, reported that staff is modifying irrigation at the pickleball courts to support new plants, as well as carefully monitoring the water levels of the lakes. Mr. Kemp advised that an aggressive lockout schedule was adopted for the pumps, to limit access during daylight hours. He noted that several inches of rain are required to significantly increase water levels.

Mr. Kemp indicated that, on or around July 7, ground will be broken for the new, lower Hawthorne well, which will help replenish water that was lost from the original lower Hawthorne well, which currently produces 30% to 35% of its original capability.

Mr. Cramer asked whether the entire community is included, when the pumps are in the lockdown position, or if certain can still use irrigation water. Mr. Kemp explained that there are two pump stations, one for Bayside and one for Bay Creek; therefore, the entire community is affected at the same time.

Mr. Hancock requested a report regarding the meeting at Longlake Village. Mr. Kemp advised that Longlake Village residents expressed concerns regarding water pressure and recommended changing to a master meter or installing filters throughout the community. Mr. Kemp explained that Longlake Village has 22 residential meters. Previously, there was a meter for each door; currently, each building has one meter. Prior to incurring the expense of installing another meter or filters, which may become clogged, Mr. Kemp suggested that the District remove, inspect and flush the existing 22 meters.

Mr. Patterson inquired about whether water quality testing was performed for salt content since the saltwater intrusion into the lower Hawthorne. Mr. Kemp reported that chlorides were elevated; however, there is no way to determine the water content until drilling commences.

Mr. Patterson recalled that the golf course could not successfully use the water obtained from the lower Hawthorne. Mr. Kemp explained that the golf course pumps more water than the Districts. The Districts are permitted for a lower allotment; therefore, saltwater intrusion is less of a concern.

Mr. McCarthy asked if water pressure is down. Mr. Kemp reported that one pump had not been functioning, so the pressure was lower, at high flow, for a period of time. The motor was replaced last week. Mr. Kemp also indicated that one of the four main pumps will be replaced to increase pressure during high flow.

**FOURTH ORDER OF BUSINESS****Staff Report: Engineer (Both)**

Mr. Wes Kayne, of Barraco & Associates, reported that an inquiry was received, several days ago, regarding the depth of Lake D-6. He stated that the original permit and design indicate a depth of about 14'; however, the geometry of the lake is about 65' to 70' wide and, based on the aerial photos and its age, the lake is approximately 8' deep. Mr. Kayne recalled that the permit was modified, about four years later, and the control elevation was lowered from 10' to 8.5,' so it may be slightly lower, perhaps 7', at control.

Mr. Kayne indicated that inspectors verified the location of the interconnect for Lakes E-11 and E-16. On June 9, Mr. Kayne, Mr. Barraco, Mr. Gavin and Mr. McCarthy attended a meeting with Mr. Dan Waters, of South Florida Water Management District (SFWMD), to discuss the emergency stormwater weir gate modification. SFWMD is receptive to the proposed emergency system and has permitted comparable systems in similar developments and circumstances. The District Engineer will be prepared to submit the permit modification to SFWMD prior to the next Board Meeting; a copy of the package will be provided to the Boards prior to submittal. Mr. Kayne advised that the package will include the exhibit that was previously viewed by the Boards, as well as the model, a schedule, the elevations of Heron Marsh and the protocol. In the meantime, SFWMD will allow the use of a pump if an event, similar to last year, should occur. A temporary pump protocol for this year will be provided to SFWMD.

Mr. McCarthy noted that a discussion took place with regard to lowering the control elevation. Mr. Kayne stated that lowering the control elevation is unlikely, especially since a portion of Heron Marsh is a wetland.

Mr. Kayne advised that the application fee for the permit modification is \$1,200.

Mr. Hancock asked if the ten sluice gates can be installed over a period of several years. Mr. Kayne stated that he will research the possibility; the gates would be installed downstream, first, to alleviate some of the existing issues and to spread the costs out, over time. Mr. Hancock explained that he raised the question because the cost is \$1.5 million. Mr. Hancock expressed concern regarding Lake C-4 and asked if sluice gates can be installed there first. Mr. Kayne reiterated that gates would be installed, downstream, first.

Mr. Crew noted that temporary pumping can be performed at the upper end, in subsequent years, as needed.

Mr. Pritt voiced his opinion that pumping should only be used in emergency situations, as a last resort; the system should be working as naturally as possible. He indicated that pumping is very costly and it difficult to obtain a permit. Mr. Pritt stated that, every time a pump is turned on, another area is flooded.

Mr. Crew clarified that pumping will only be utilized until the permitted structures are constructed. If the CDDs cannot afford to install the gates, all at once, measures must be taken to protect the properties. Mr. Crew explained that the protocol of lowering the wetland preserve area and moving the water downstream, in advance of a storm event, would be followed.

**FIFTH ORDER OF BUSINESS**

**Update: Drainage System Performance Review/Modifications Status Update (Both)**

This item was discussed during the Fourth Order of Business.

**SIXTH ORDER OF BUSINESS**

**Lake Maintenance Activities Report: LakeMasters (Both)**

Mr. McAuley commented that Lake D-7 looks good and he received a compliment from a resident.

Mr. Bill Kurth, of LakeMasters Aquatic Weed Control, Inc., (LakeMasters), indicated that the lake has been problematic and he is happy to see that it remains in good condition; LakeMasters will monitor it to ensure that it does not worsen.

Mr. Kurth advised that the next round of submersed weed treatments were performed and results were observed almost everywhere. He saw no major submersed weed problems in the lakes that he inspected. LakeMasters is attempting to control weeds prior to the rainy season.

Mr. Kurth noted that he observed more algae than he would have liked. He pointed out that heavy fertilization occurred in late May and the community only received one or two major rainfalls, which was enough to cause nutrient loading. He explained that water levels are low, the water temperature is hot and nutrient levels are up, all of which contribute to algae growth.

Mr. Kurth reported that Lake E-2 was raked on Friday; however, oftentimes, algae on the bottom cannot be seen. When the lake is raked and algae is removed from the top, the material on the bottom floats up. Ms. Crismond remarked that the lake appearance was very good this

morning. Mr. Kurth noted that he spoke with the applicator to ensure that follow up treatments are performed.

Mr. Crew indicated that he lives on Lake B-6 and received questions from the neighbors about the amount of aquatic vegetation and algae in the lake. Mr. Kurth explained that the lake is particularly problematic because it is tied to Lake B-4 and it is an outfall lake; he will inspect it after the meeting. Sonar applications should have resulted in good control.

Ms. Crismond indicated that the appearance of the Chara, in Lake C-3, is terrible. She asked to have it inspected and treated.

**SEVENTH ORDER OF BUSINESS**

**Discussion: Recent Illicit Discharge  
Pelican Landing Tennis Courts**

Mr. Adams stated that he has not received a response from Ms. Martel or Mr. Richardson regarding the email and photos that were forwarded to them; however, he spoke with Mr. Craig Schopf, the new PLCA liaison, and who felt that there was nothing more that the PLCA needed to do because another layer of brick was installed. Mr. Adams advised that he educated Mr. Schopf on the National Pollutant Discharge Elimination System (NPDES) program and the “chain of command” for moving an issue through the process. He explained to Mr. Schopf what an illicit discharge is and the importance of reacting and bringing it under control. Mr. Schopf indicated that he will revisit this issue with Ms. Martel, Mr. Richardson and the PLCA board.

Mr. Adams stated that he visited the tennis center this morning to view the landscaping. Bricks were added but only on the edge, toward the golf maintenance facility; therefore, water builds up, flows off the ends and circles around to the ditch. In the interim, Mr. Kucera’s crew installed silt fencing until the situation is rectified.

Mr. Adams suggested allowing the PLCA an opportunity to react. He indicated that limited cleanup is being performed. Photos reveal areas where clay built up three to four inches thick, leading directly to control structures. Mr. Adams instructed Mr. Kucera to have his crew clean out the clay adjacent to the control structure on the east end of the parking lot immediately and install filter fabric and rip rap in the area to prevent further clay migration.

Mr. Adams advised that the PLCA has a dumpster in the middle of the parking lot, which is part of the cleanup efforts. A ramp was built to move the clay into the dumpster; however, the

clay is sitting in the parking lot, uncontained. Woven cloth covers the catch basin that received most of the clay last summer.

Mr. Adams felt that he “got Mr. Schopf’s attention” and that a more serious approach will be taken, once he returns from his trip.

Mr. McAuley asked about the PLCA’s idea to trench around the courts, like The Colony did. Mr. Adams stated that the plan “fell by the wayside”. He recalled emailing Ms. Martel and Mr. Richardson, several months ago, asking them to provide written correspondence with regard to trenching the areas where the high end collection system was not installed and adding stone; however, he received no response.

Mr. Adams reiterated his suggestion to delay action until the July meeting, in the hopes that the PLCA will take the initial step; if not, the local municipalities will be alerted.

Mr. Hancock asked if the Districts have an illicit discharge inspector. Mr. Adams advised that the lake maintenance company is certified for erosion and illicit discharge, as are two staff members; two additional staff members will become certified in the coming weeks.

Mr. Hancock pointed out that a resident reported an illicit discharge and asked if the Districts are obligated to do anything. Mr. Adams indicated that the first step is to work with the offending party to remediate the issue.

Mr. Adams was asked if uncontrolled runoff is a common occurrence on Har-Tru tennis courts. Mr. Adams explained that tennis courts should be safeguarded against runoff and the most common and least expensive approach is to trench around the outer edge of the court, with cloth and stone placed inside the trench. Every five years, the stone must be removed and the particles that have gathered in the trench, must be removed, which slows down the flow and allows the clay to settle out. He also indicated that, when the brick edge is installed, the Har-Tru is below it by about 2” to 2½”. Over time, as more Har-Tru is added, it becomes flush with the brick and the smallest rainfall will carry the Har-Tru clay off the courts, since there is nothing to contain it. Mr. Adams recalled that The Colony committed, in writing, to lower the Har-Tru level; however, that has not been done. Mr. Adams will follow up.

Mr. McAuley suggested reintroducing the topic of scraping off some of the clay to lower the level. Mr. Adams advised that he discussed this with Mr. Schopf, explained the rationale and that the entire perimeter must be addressed.



Mr. Cramer felt that it was not the CDDs' responsibility to tell the PLCA how to conduct their business on the tennis courts. He recalled that, about one year ago, the PLCA was presented with a proposal from an engineering company advising how to remediate the problem. Mr. Cramer conveyed that he wants to work with everyone and acknowledged that Mr. Schopf is new but it makes no sense for the Districts to continue to address the issue when nothing will be done. He expressed the notion that the PLCA should be charged; the Districts should not wait any longer. Mr. Adams explained that he discussed the issue with Mr. Schopf because he felt that he had "an audience that was listening", unlike previous liaisons.

Mr. Cramer commented that he is appalled by the PLCA's inaction. He stated that the PLCA spends money and the CDDs are blamed for it. Mr. Cramer advised that the CDDs are enabling the PLCA by having CDD staff do the work when, in the end, the PLCA will allege that it was not done properly. Mr. Cramer remarked that the CDD Board Members are good citizens; they live in the community and care about it. Mr. Adams is doing what he must do and the District Engineer has done what he must do; however, the PLCA board has "done nothing".

Mr. Crew stated that the PLCA board took action by building a system, which may not have been the best solution but it was an attempt to control the runoff; therefore, to state that "nothing has been done" is a mischaracterization.

Mr. Cramer disagreed. He explained that the engineering report specified what needed to be done but the PLCA disregarded the report and found someone to do what they wanted to do.

Mr. Crew's position was to let the cognizant authority address this tennis court and every other tennis court in Southwest Florida.

Mr. Glueck recalled that the plan called for 150 trees to be removed and the barrier was to be removed from Palm Colony and the golf course, leaving no buffer. The PLCA did not want to remove the trees and determined that the issue could be solved by building up the bricks around the perimeter, which is what was done; however, that system is inadequate.

Mr. Anderson commented that he does not like hearing that "it is only clay." Clay can be very destructive to any sewage system, especially those with low areas that have drainage entering them. When water dries, the clay dries and it affects the sewer system. Mr. Anderson noted that not all tennis centers have the problem where the water flow, with the contaminant, goes directly into the sewer system.

Mr. Anderson stated that, during the rains, he heard water running underground at the tennis courts. One year ago, this was addressed at a CDD meeting and everyone agreed that the water should not be running when it rains because drainage from the surface of the courts begins immediately. The PLCA agreed that the water would be turned off during the rainy season and Mr. Anderson questioned what happened to that agreement.

**On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Cramer, with all in favor, delaying action against the PLCA, until the July 28, 2014 CDD meeting, was approved.**

**On MOTION for Bay Creek by Mr. Pritt and seconded by Ms. McVay, with all in favor, allowing the PLCA until the July 28, 2014 CDD meeting, was approved.**

**EIGHTH ORDER OF BUSINESS****Continued Discussion: Planting of Tract H Adjacent to 23750 Tuscany Way**

Mr. Adams referred to an email that he received on Friday, from Dr. Ahlberg's brother, who is an attorney, advising that Dr. Ahlberg is offering to pay for additional upgrades to have Tract H developed the same as the tract that is across the street and adjacent to 23750 Tuscany Way. Mr. Adams indicated that he has not heard from the Foundation as to whether they are receptive to Dr. Ahlberg's proposal. He noted that Mr. Hancock attended a Foundation meeting, a week or two ago, at Mr. Ribble's invitation, and asked Mr. Hancock if he received any feedback from Mr. Ribble.

Mr. Hancock stated that he was told that the Foundation denied the request and asked the Districts to proceed with the original development orders and plans for the property; however, he has not received anything in writing.

Mr. Adams stated that he will follow up with the Foundation manager and ask her to provide written verification regarding how they want the Districts to proceed.

With regard to Dr. Ahlberg's request, Mr. Adams conveyed that Dr. Ahlberg cannot pay for upgrades unless the property owner is willing to allow him to take all steps necessary and a

maintenance agreement is in place. He recalled that the original plan was approximately \$25,000, to be paid from The Colony 002 Fund.

Ms. McVay asked if Dr. Ahlberg's request was reasonable. Mr. Adams explained that the issue is the inconsistency with which the Tuscan neighborhood was developed. Upon entering the community, Tract H is to the left and Tract I is to the right. Tract I was in the same condition as Tract H but, when the home site was developed and the boulevard was poured, Tract I was filled. The homeowner extended the sprinklers and installed floratam grass and shrubs and it is not maintained by the District. Tract I has similar dedication language as Tract H but it is being maintained differently because of how it was developed. Mr. McCarthy located the development order, which shows the area to be lower than the control elevation, which is why it has standing water. The plan is to bring in enough fill to raise the area and create a pitch so that, when water enters the area, it flows naturally toward the lake.

Ms. McVay asked if the Districts can support Dr. Ahlberg's request. Mr. Adams replied "it is not the Districts' fight". Mr. McCarthy pointed out that the Districts do not own the property; therefore, Dr. Ahlberg's discussion and agreement should be with The Colony Foundation. The Districts are only required to maintain the vegetation within the tract. Mr. McCarthy expressed that a simple solution would be for the Foundation to convey the property to Dr. Ahlberg and let it become part of his lot.

Mr. Pritt stated that he did not realize that the tract was not CDD property. He suggested redirecting Dr. Ahlberg to the property owner.

Mr. Adams reiterated that he will follow up with The Colony Foundation manager to obtain their official position, in writing.

Mr. Patterson referred to Dr. Ahlberg's brother's memorandum, which was also sent to the chairman of The Colony Residents Committee (CRC) and to The Colony Foundation manager, indicating that Dr. Ahlberg is seeking authorization from the Foundation and the CRC for the Tuscan Isle HOA to work with the CDD to remediate the west end of Tract H.

Mr. Hancock voiced his opinion that the project must be completed and paid for by September 30. He also pointed out that the Board has an obligation to Tuscan residents, who are complaining that the property is a mess.

Mr. Ben Korbly, of the Las Palmas Residents Council, advised that, at The Colony Foundation Board of Directors meeting, on June 4, the board voted to discontinue involvement

with the project. He expressed that the CRC and the Design Review Committee are “done with this”. The Colony Foundation wants the Districts, to follow the development order, as they are responsible for maintaining the property,.

**NINTH ORDER OF BUSINESS**

**Consideration of Pickleball Plantings**

This item was addressed during the Third Order of Business.

**BAY CREEK CDD ITEM**

**TENTH ORDER OF BUSINESS**

**Consideration of Right of Entry Agreement with the City of Bonita Springs**

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

Mr. Pritt advised that he works with the City of Bonita Springs and the right of entry agreement is with the city; therefore, he will abstain from voting, due to the appearance of a possible conflict.

Mr. McAuley explained that the mangroves are beginning to cover Spring Creek and the city was contacted because kayakers are having difficulty getting through the area. The city wants to legally trim back the mangroves and the Districts would not be held responsible for any incurred costs.

Mr. Adams clarified that this is a routine maintenance item. The city is incurring the cost and responsibility and it is requesting the right to enter the District’s conservation areas to reach the mangroves and keep the waterways trimmed back. District Counsel and counsel for the City of Bonita Springs collaborated on the agreement and staff recommends approval.

Mr. Cramer suggested that the city notify homeowners, in the area, of what will take place and advise them not to be concerned about someone working in their yards. There are security issues in the community and he wants to ensure that residents are notified.

Mr. Cox pointed out that his edits were not included in the form of agreement; therefore, he suggested that the Board approve the agreement, in substantial form, to include the edits agreed to with the city’s attorney.

**On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with Mr. Glueck, Ms. McVay, Mr. McAuley and Mr. Janek in favor and Mr. Pritt abstaining, the Right of Entry Agreement with the City of Bonita Springs, in substantial form, to include District Counsel’s edits, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Irrigation High User Report (Both)**

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

- A. Bayside Improvement CDD**
- B. Bay Creek CDD**
- C. Penalty Usage Summary: *Bayside Improvement CDD***

In response to a comment by Mr. Crew, Mr. Adams noted that much of the penalty revenue is generated in May and, often, into early June. Mr. Crew noted that many of the associations are on the current list.

Mr. McAuley pointed out that the tennis court usage is over this month. Mr. Adams explained that, historically, the tennis courts are over in April, May and June, since the clay dries out quickly and must be kept wet. He indicated that he suggested that they check their bubble controls because water should not be flowing.

With regard to the Penalty Usage Summary, Mr. Patterson noted the \$4,000 difference between the total cost for water and the revenue amount in the current month financial report. Mr. Adams advised that he will address this with the utility billing department.

**BAYSIDE IMPROVEMENT CDD ITEM**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2014-6, Vacating the Dedications Contained in the Plat of Pelican Landing, Unit 22, Related to Tract D Therein, As Described and Contained on the Plat Recorded at Plat Book 58, Pages 17-21 of the Public Records of Lee County**

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

Mr. McCarthy presented Resolution 2014-6 for the Bayside Improvement Board’s consideration.

In response to a question from Mr. Patterson, Mr. Adams indicated that Tract D is Walden Center Drive, south of the Elks. He noted the location on the plat and advised that it is “no man’s land”; the District’s interests are contained within the road right-of-way, where the stormwater and irrigation utilities are located and would not be affected by the request to vacate the tract.

Mr. Adams recalled discussion, at the last meeting, that the parcel will be developed into a day care center and that this will allow the property owner to build a safer ingress and egress.

Mr. McCarthy stated that the Board is consenting to vacating the easement; however, since it is a platted easement, it must be replatted or vacated through the municipality. Mr. Cox explained that the District never installed improvements so it never accepted dedication; the District is vacating the dedication. Mr. McCarthy commented that the problem is that the easement is on a plat. Mr. Cox expressed that it is not a problem.

**On MOTION for Bayside Improvement by Mr. Hancock and seconded by Mr. Cramer, with all in favor, Resolution 2014-6, Vacating the Dedications Contained in the Plat of Pelican Landing, Unit 22, Related to Tract D Therein, As Described and Contained on the Plat Recorded at Plat Book 58, Pages 17-21 of the Public Records of Lee County, was adopted.**

**THIRTEENTH ORDER OF BUSINESS**

**Approval of May 19, 2014 Joint Regular Meeting Minutes (Both)**

Mr. McAuley presented the May 19, 2014 Joint Regular Meeting Minutes for the Board’s consideration.

The following change was made:  
Line 296: Change “front” to “side”

**On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Glueck, with all in favor, the May 19, 2014 Joint Regular Meeting Minutes, as amended, were approved.**

**On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Hancock, with all in favor, the May 19, 2014 Joint Regular Meeting Minutes, as amended, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Other Business (Both)**

• **Action Items**

Items 1, 2, 3, 4, 5, 6, 7, 8, 15 and 19 were continued.

Items 9, 10, 11, 12, 13, 14, 16, 17, 18 and 20 were deleted.

With regard to Item 1, Ms. Crismond stated that the cul-de-sac assessments are in process.

With regard to Item 4, Mr. McAuley asked when the Lake Health Assessment report will be received. Mr. Adams advised that Dr. Thomas is out of the country and will return on July 21. The plan is for him to attend the July 28 meeting to present his findings.

With regard to Item 8, Mr. Adams reported that he has not received documentation from Mr. Sabatino. Mr. Cox pointed out that the issue has been pending for three or four months. The Boards authorized Mr. Cox to send a more aggressive letter to Mr. Sabatino.

Regarding Item 13, Mr. Adams explained that the District has dedications for easements and pipe work. On many of the streets, a pipe runs down the side lot lines, to the back lot line. An inlet box is intended to receive flow that runs from the back half of the lots to the back property line and flow into the catch box, which carries the water to the catch box in the street, down the street and into Longlake, through a headwall.

Mr. Adams stated that the District is responsible for the pipe work and has an easement, which includes the pipe work. Homeowners have pool areas that back up to one another and, for privacy, hedges were planted on the back property lines; over time, mulch and leaves are building up and disrupting the natural flow.

Mr. Adams noted that a homeowner living on a corner lot expressed a concern regarding flooding, claiming that it is being caused by the material planted along the back of his neighbors' lots. The homeowner wants the District to enforce modifications to the landscaping; however, the District has no enforcement powers. Mr. Adams advised that an easy fix is for the homeowner to install a yard drain.

Mr. Adams stressed that keeping the system clean is important. Mr. Kucera recently implemented a program to inspect and clean out the rear drains every May and October.

Mr. Cramer noted that Lot 16 belongs to the resident who attended several CDD meetings to discuss the problem and her area was cleaned out. Mr. Adams stated that he viewed the back edge of the lot and there is a hedge along the back. He noted that Ms. McGraw may be able to help herself by cleaning it out or installing a yard drain system that bypasses the hedge.

Mr. Cramer recalled that Ms. McGraw attended the last meeting and requested direction to alleviate the problem. Ms. McGraw is his neighbor and he feels that, as a community, Longlake needs to address the issue. Mr. Cramer suggested meeting with the DRC to discuss a resolution. Mr. Adams concurred.

Mr. Adams confirmed that the pipe location and drainage will be added to the asset map. He also indicated that the GIS provider will add them as another layer to the GIS program, which will show all interconnecting pipes, roadway culverts, etc.

With regard to Item 14, Ms. Crismond recalled discussion, at the last meeting, to install aeration to Lake D-6. LakeMasters provided a proposal for \$7,300. Ms. Crismond noted that the lake is approximately 8' deep. LakeMasters feels that aeration will improve the quality of the lake.

Mr. Kurth stated that, based on his inspections, Lake D-6 has become very problematic. He recalled major improvement in Lake D-4 when aeration was added. He explained that the recommendation was made because the lake had a better population of littoral plants around the edge and the spraying activities are beginning to impact the plants.

Mr. McCarthy asked Mr. Kurth to have the depth of Lake D-6 measured.

Mr. Hancock suggested that Mr. Kurth research floating aerators, for Lake D-6, if it is shallow enough. Mr. Kurth indicated that LakeMasters has them available but they are not as efficient. He noted that they are propellers that move water sideways.

**On MOTION for Bayside Improvement by Mr. Patterson and seconded by Mr. Hancock, with all in favor, the LakeMasters proposal to install aeration in Lake D-6, in the amount of \$7,300, was approved.**



**On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, the LakeMasters proposal to install aeration in Lake D-6, in the amount of \$7,300, was approved.**

Mr. Kurth requested boat access into Lake E-2 and suggested removing about 6' of the Viburnum hedge for easier access to the edge of the lake to perform effective algae treatments.

In response to a question from Mr. Crew, Mr. Adams advised that the District has an access easement around the lake, which abuts the right-of-way. Mr. Crew recommended making the residents of Palm Colony aware of what will take place.

Regarding Item 20, Mr. Crew reported that he met with Mary Alice, of the Garden Club, to address concerns about the overall health and appearance of the landscaping in common areas, cul-de-sacs, entrances, the flower choices, etc. The Garden Club offered to serve as the Districts' "eyes and ears" and he volunteered to be the liaison. Mr. Crew stated that, in the future, the CDDs need to be more aggressive with replacement options and noted that he is in favor of a budget increase.

Ms. McVay suggested adding ferns in the triangle at the traffic circle going to the roundabout. Ms. Crismond will review the area.

**FIFTEENTH ORDER OF BUSINESS**

**Old Business (Both)**

Mr. Adams introduced Ms. Leigh Simmons, Lee County Division of Natural Resources, who handles the NPDES report for Lee County.

Ms. Simmons advised that Lee County has fee presentations available to help fulfill their permit obligations, under the NPDES permit, including PowerPoint presentations, brochures and stencils for problem storm drains. Ms. Simmons stated that the Division of Natural Resources is available to assist with public education and outreach and she requested a list of HOAs or clubs that may be interested in a 15-minute PowerPoint presentation.

Mr. Cramer noted that Mr. Howard Lowe, UOC Liaison, was in attendance. He explained that the UOC is a Unit Owners Committee that provides representation at monthly meetings for approximately 40 communities.

Mr. Lowe stated that he would like to learn more and was open to a presentation. Ms. Simmons stated that she will provide the presentation to Mr. Lowe, for review. She indicated

that it explains what a watershed is and what neighborhoods can do to protect them, in hopes that residents will take more ownership.

Mr. Cramer conveyed that communication is being prepared for the community and this presentation may be something that could be added. Ms. McVay suggested asking the PLCA to add it to their website. Mr. Cramer and Ms. McVay indicated that they will work with Ms. Simmons.

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports (Both)**

**A. Attorney**

There being nothing additional to report, the next item followed.

**B. Manager**

Mr. Adams reported that, at the last PLCA meeting, discussion was held regarding disappointment with the level of service of the landscape program. The focus of the discussion was the community center, the tennis facility and the parks. Mr. Adams confirmed that he inspected the areas and maintenance is not up to the desired standards. It was not inspected as often as it should have been and the crews were directed to do what is necessary. Mr. Adams and Ms. Crismond created a list of items that need to be completed and will follow up with Mr. Kucera, on a monthly basis.

Mr. Adams stated that he discussed the expectations regarding the level of service with Mr. Schopf. Mr. Adams noted that the current operating specifications have not been updated in about 15 years. He and Mr. Schopf will review the specifications, the frequency of when the maintenance is performed and make recommendations to increase the level of service.

Mr. Adams stated that, based upon today's inspection, greater focus on details is required. Plant replacement and canopy tree clean up are necessary.

Ms. Crismond advised that she and Mr. Adams want to introduce new plant material into the program. There are many plant types that they feel would grow well in this location. Ms. Crismond and Mr. Adams toured the property and outlined areas on the maps. Mr. Kucera will obtain pricing and Management will present to the Boards at the next meeting, for consideration.

Mr. McAuley agreed that more color is necessary.

Mr. Adams stressed that a higher level of turf at the immediate entries is needed. He encouraged the Boards to view the entry to Pelican Sound, off of US 41, as it makes a significant impact.

Mr. Hancock recalled that a suggestion was made at the PLCA board meeting for Phase 1 to look like The Colony. He asked Mr. Adams if he will be able to provide an estimate during budget discussions. Mr. Adams noted that Staff is working on the specifications update. Once completed, the only difference will be the turf type. He suggested focusing on the entrances with Celebration grass, in Phase 1, and keeping floratam in the other areas.

Mr. Adams explained that the greatest impact will be frequency of trimming, which will involve increased personnel and a slight increase of equipment and horticulture. He advised that an additional flower change out will have a major impact.

Ms. McVay requested a change on the right-hand side of the south entrance, which has a massive amount of mulch. Mr. Adams discussed several options.

Mr. Patterson asked if Mr. Adams is planning to remove some of the live oaks that are causing the shade issues. Mr. Adams indicated that he does not plan to remove any of the live oaks on the corridors; however, some will be harvested in other neighborhoods. He pointed out that oak trees are growing underneath other trees in the parking lot of the PLCA and will not survive.

**i. Approval of Unaudited Financial Statements as of May 31, 2014**

Mr. McAuley asked for questions or comments regarding the Unaudited Financial Statements as of May 31, 2014. There being none, the next item followed.

**ii. Savings & Money Market Account/Investment Snapshot as of 06/17/14**

This item was provided for informational purposes.

**iii. Monthly Status Report: Field Operations**

Ms. Crismond noted that the \$67,000 cost estimate for lake bank restoration, on the resident side of Lake E-7 (Messina Court), was information for the residents.

**iv. NEXT MEETING DATES**

- **July 25, 2014 at 9:00 A.M. (Budget Workshop)**
- **July 28, 2014 at 2:00 P.M.**

Mr. McAuley advised that the budget workshop is scheduled for July 25, 2014 at 9:00 a.m. and the Regular Meeting will be held on July 28.

With regard to catch basins, Ms. Crismond recalled that, at the last meeting, the Boards were presented with a proposal from M.R.I. Underwater Specialists (M.R.I.), approved a not-to-exceed amount of \$23,480 to clean and remove debris from stormwater drains and asked that she obtain an additional quote. Ms. Crismond contacted Sewer Viewer, who performed the inspection and submitted the report through Pelican Landing, and they provided a quote. Ms. Crismond requested additional details, as well as the cost for video documentation and Sewer Viewer withdrew their quote, due to time constraints. Ms. Crismond contacted M.R.I. and asked them to lower their price and they agreed to perform the work for \$15,000. M.R.I. started the project today.

**SEVENTEENTH ORDER OF BUSINESS                      Supervisors' Requests (Both)**

Ms. McVay advised that she was one day late in qualifying for her seat. The Supervisor of Elections indicated that the Board will have to appoint her in November.

Mr. Crew stated that Lee County has a hazardous waste collection day twice per year, in Bonita Springs. Mr. Adams indicated that he will ask the PLCA to post the information on their website and it will be added to the CDD website, as well.

Mr. Crew expressed appreciation to the Board Members for their input regarding landscaping.

Mr. Hancock asked if the CDDs are maintaining anything at the marina. Mr. Adams stated that the Districts have maintained the landscaping from Day 1. Mr. Hancock noted the large amount of man-made trash in the mangroves. Mr. Adams indicated that the CDDs do not enter the mangroves; they maintain the grass strip down both sides, trim branches that extend into the road and maintain the material in the planters at the marina.

Ms. McVay recalled that a resident attended the last meeting, asking why his dog could not run around; she advised that she copied the applicable pages of the Pelican Landing Community Documents for Ms. Crismond to disseminate to the resident.

**EIGHTEENTH ORDER OF BUSINESS                      Public Comments: *Non-Agenda Items***

There being no public comments, the next item followed.

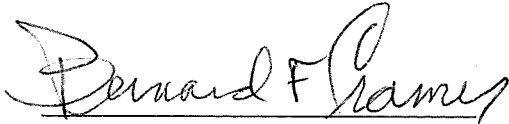
**NINETEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to discuss, the meeting adjourned at 4:30 p.m.

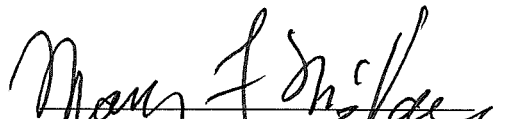
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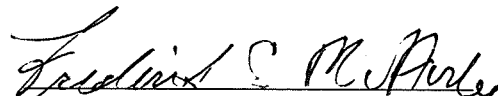
**FOR BAYSIDE IMPROVEMENT:**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair

**FOR BAY CREEK:**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair