

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

Joint Public Hearings and a Regular Meeting of the Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District were held on **Monday, August 25, 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 ( <i>via telephone</i> )	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
Mary McVay	Assistant Secretary
Robert Pritt	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Dan Cox	District Counsel
Carl Barraco	District Engineer
Bill Kurth	LakeMasters Aquatic Weed Control, Inc.
Dr. Serge Thomas	FGCU
Joe Eberhardt	Resident, Tides at Pelican Landing
Wes Stillwaggon	Resident, Capri at Pelican Landing
Harry Boghigian	Resident, Florencia at The Colony
Dennis Anderson	Resident, Palm Colony at Pelican Landing
Howard Lowe	UOC Liaison
Roger Brown	Resident
Theodore Gravenhorst	Resident
Residents	

**FIRST ORDER OF BUSINESS**

**Call to Order/Pledge of Allegiance**

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

**SECOND ORDER OF BUSINESS**

**Roll Call**

Mr. McCarthy 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 attending via telephone. For Bayside Improvement Community Development District, Supervisors Patterson, Cramer, Hancock and McCarthy were present, in person. Supervisor Crew was attending via telephone.

**THIRD ORDER OF BUSINESS**

**Public Comments: *Agenda Items***

There being no public comments regarding agenda items, the next item followed.

**JOINT MEETING ITEMS**

**FOURTH ORDER OF BUSINESS**

**Staff Report: Engineer (Both)**

Mr. Barraco reported that, this week, he will meet with Mr. Sabatino to discuss the encroachment of the water management preserve area.

With regard to the water management system, Mr. Barraco recalled reporting, at the last meeting, an error that was discovered on the plan set regarding an elevation in the southwest corner of the watershed, which is actually at 13'. He indicated that another route was identified, which works better.

With regard to the gate structures, Mr. Barraco reported that Mr. Adams, Mr. McCarthy and he met with Mr. Caldwell, this morning. Mr. Caldwell will discuss funding participation with his colleagues and report to Mr. Adams or Mr. McCarthy.

Mr. Barraco referred to a slide presentation and called attention to the wetland. He indicated that there are two options for moving water to the lake, including through an existing drainage easement, in the rear of the yards, or through the road, which is more expensive and intrusive. Mr. Barraco suggested using the existing drainage easement and adding a pipe to move water from the wetland to the lake, in preparation for a significant rainfall. Installing the pipe and adding another inlet will improve drainage for the area abutting Black Rush Court, into Lake B-3.

Mr. Barraco called attention to the map and pointed to lake B-3 that was staging very high during a major storm event; he stated that the lake had 2’ of water on top of an inlet that was supposed to have unlimited flow. Mr. Barraco voiced his opinion that the structure is not large enough to allow the proper amount of water to flow into the pipe; therefore, the structure will be improved, to make it more efficient.

Mr. Barraco indicated that the plan will be provided to South Florida Water Management District (SFWMD) to obtain a permit; he will work with Mr. Adams with regard to the application and related fees.

Mr. Hancock conveyed that he was approached by residents of Longlake Village regarding Lakes C-1 and C-2, which tend to be “pulled down” by the adjacent wells. The neighbors proposed using either a gravity feed pipe or a pumped pipe, from C-3 to their lake, to back feed water and increase the lake levels. Mr. Barraco discussed using gravity with the existing pipes and structures, which will be submitted to SFWMD, as part of the permit.

Mr. McAuley asked if the water coming into Lake B-4 will be able to pass quickly to the tributary at both locations. Mr. Barraco replied affirmatively.

Mr. McCarthy clarified that there still might be water in yards because water will rise to the control elevation, which is quite high; therefore, the flows must be managed at the control elevations.

Mr. Hancock recalled that the Board discussed and approved installation of a staff gauge by the control structure on Lake C-2 and asked if the installation was scheduled. Mr. Barraco stated that his plan was to install all of the gauges at one time. Mr. Hancock conveyed the residents’ desire to install the gauge sooner versus later.

**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)**

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

Mr. Kurth reported a large amount of algae due to extreme heat and lack of consistent rainfall. Lake A-5, in Capri, and Lakes E-2 and E-3, in Palm Colony, were raked, with no benefit because of the large amount of algae on the bottom. Treatment will continue.

Mr. Kurth stated that the initial Ponder treatment application was completed on Lakes F-16 and E-2 and they are markedly improved. Ponder was also applied to Lakes F-1 and E-3, at no cost. Follow up treatments will be performed, in six weeks and 12 weeks.

**SEVENTH ORDER OF BUSINESS****Presentation: Lake Health Assessment Report, Dr. Serge Thomas (Both)**

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

Dr. Thomas reported that the ecology of 11 ponds was surveyed for one full year, from one dry season to the next. Measurements were made at high spatial resolution. The sediment and flocculent layer were assessed to determine whether the ponds were nutrient rich.

Dr. Thomas explained that the water column characteristics were monitored from 15 water quality stations that were visited every month. Basic lake assessments were performed for temperature, oxygen, conductivity, pH and oxidation reduction potential (ORP). Sediment was also assessed; 61 sediment cores were taken from the deepest portions of the lakes. In addition, weather was recorded from a weather station, as the weather is eventually linked to the ecology, which drives the pond's health.

Dr. Thomas stated that the goal of the study was to obtain a bathymetry, or map, of all the ponds to understand how they are related, in terms of volume surface and bed surface area, as a function of pond level elevation. This is a valuable tool to adequately dose chemicals such as algaecides and herbicides. In the deepest portion of the pond, the amount of light reaching the bottom was calculated to determine whether algae will grow.

Dr. Thomas advised that 12% of the ponds were surveyed, which represents 55 acres, or 25% of the surface area of all ponds combined, which was good because of the diversity of the ponds.

Dr. Thomas indicated that he factored the surface area, volume and what surrounded the ponds, such as roads, golf courses and houses. He noted that the ponds range in age from 17 to 28 years. Dr. Thomas advised that, normally, it is recommended that the ponds be dredged at 20 to 30 years of age.

Dr. Thomas discussed the characteristics of the water column. He noted erratic movement in Lake A-13, over time. Normally, a healthy pond will revolve in a predictable pattern and, if the lake is not healthy, the pattern will not show; either the lake was treated or it is very unstable. Lake E-11 is healthy and the characteristics changed over time and looped back after one full hydrological year. Over time, the characteristics in Lake C-4 changed, over time but not with great variations; therefore, the lake is very healthy.

Dr. Thomas concluded that Lakes A-2, A-13, A-8, E-7, E-1 and E-5 are not very healthy. Lakes A-2, A-8, A-13, B-4, C-4, E-1 and E-11 had issues with their oxygen levels.

Dr. Thomas explained the Trophic State Index (TSI), which is based on water clarity, nutrients and the amount of algae in the water. The Environmental Protection Agency (EPA) devised a new way to assess whether a water body is impaired and, based upon the new assessment criteria, only Lakes C4 and E-11 are not impaired.

Dr. Thomas advised that water temperature is the driving variable in the lakes. The amount of dissolved oxygen that water can hold is dependent on the water temperature. He explained that cool water can hold more dissolved oxygen than warmer water; therefore, when the temperature is high, the amount of dissolved oxygen is reduced. When the temperature increases, conductivity also increases. In Lakes B-4, E-1 and E-11, when the temperature was high, algae bloomed.

Dr. Thomas reported a correlation between the Secchi disk depth and the euphotic zone depth, the uppermost layer that receives sufficient light for photosynthesis and algae growth. He indicated that, to prevent algae from growing on the bottom of the lake, dyes may be used to make the water more turbid. A correlation was also found between the Secchi disk depth and the chlorophyll, which means that the light absorbing particles are linked to the algae found in suspension in the water column.

Dr. Thomas discussed the sediment and flocculent characteristics. He explained that the flocculent layer is a very oozy layer on top of the sediment. Lakes A-13, E-1, A-8 and E-7 have the highest sediment rates and are very organic and nutrient rich. Dr. Thomas stated that organic material is bad; it can suck up oxygen in the ponds.

Dr. Thomas advised that Lakes A-13, E-2, A-2 and E-1 have the highest nutrient content in the sediment. Pond A-8 has a high accumulation of organic, phosphorous and nitrogen rich sediment or floc. Ponds A-2, A-13, E-1 and E-7 also have sedimentation problems that should be addressed.

In conclusion, Dr. Thomas indicated that, overall, based on the water quality, 80% of the water bodies studied were classified as impaired. Lakes C-4 and E-11 are the healthiest and do not abut the golf course. He suggested using Lake E-11 as a model to determine why it is doing so well.

Dr. Thomas noted that there are problems in Lakes A-13, A-8, E-5 and E-1, in that order. Lakes E-7 and A-2 also have problems but not as drastic, basically because they have aerators. Aerators help to either mask the effect or to limit sedimentation on the bottom because they give oxygen to the bacteria and the bacteria digest the organic.

Dr. Thomas recommended the use of aerators, especially in Lakes A-13 and A-8. He noted that the lake conditions may worsen, immediately following installation of the aerator but, over time, with additional flushing, the condition will improve. Aeration did not appear to work for Lake E-5, which has twice the amount of aeration recommended; therefore, dredging may be a consideration, since a high aeration level does not provide satisfactory results. Dr. Thomas suggested the use of chemical treatments, such as Phoslock, although a recent study showed that alum treatment was a better and less expensive option.

Dr. Thomas discussed using plantings to limit the amount of nutrients in the lakes. He advised that the ponds with the most problems are surrounded by golf courses. Dr. Thomas recommended a nutrient analysis of the lawns surrounding the ponds. He explained that, when reclaimed water or groundwater is used, it contains an excess of nutrients. During the dry season, water is necessary for plants but not nutrients because, in the dry season, plants are dormant. If plants receive excess nutrients, the first rainfall will flush them into the lakes.

Dr. Thomas noted that trees surrounding the ponds provide shade, which is good because it decreases the water temperature; however, if the trees lose their leaves, the leaves enter the ponds and cause problems. He suggested removing trees that are close to the ponds and replacing them with trees that do not shed their leaves.

Dr. Thomas expressed that it would be ideal to continue the survey to determine the amount of muck and organic material on the bottom of the lakes. Now that the equations have been derived, it would be inexpensive.

Mr. McCarthy stated that he reviewed the report looking for cause and effect. He recalled that the main reason for Dr. Thomas' presence today was that the community experienced excessive algae in the lakes. He referred to Page 2 and indicated that Dr. Thomas concluded that Lake A-13, A-8, E-1, E-7, A-2 and E-5 are the worst lakes; the best lakes are C-4

and E-11. Mr. McCarthy questioned what makes Lakes C-4 and E-11 different from the others and concluded that Lakes A-13, A-8, E-1, E-7 and A-2 are on the golf course; Lakes C-4 and E-11 are nowhere near the golf course.

Mr. McCarthy explained that ponds are artificial and the objective is to try to mimic natural systems, making them as close to nature as possible. Lake C-4 is located in the middle of a marsh, making it the closest to a natural system. Mr. McCarthy pointed out that Lake E-11 is completely surrounded by homes.

Mr. McCarthy advised that the problems occur in summer, when the golf course receives intense treatment with fertilizer. He stressed the need to determine the cause of the problem and indicated that the data in the report points to golf course activity as one of the factors that must be studied. Dr. Thomas stated that the proposal suggests evaluation of the watershed after studying the ponds.

With regard to Lake A-2, Mr. McCarthy recalled that, when he became a Board Member, he and Mr. Patterson concluded that Lake A-2 was the worst lake in Pelican Landing; it was covered with scum. He stressed that, for the past 18 months, there have been virtually no algae on the lake, yet the scientific data indicates that it is one of the worst lakes.

Mr. Pritt noted that the dredging estimate of \$11,000 to \$22,000, multiplied by the 91 lakes in Pelican Landing, would be over \$2 million.

Mr. McAuley agreed with Mr. McCarthy that there is a problem with the "A" lakes along the golf course. He stated that Lakes E-1 through E-5 are another area of great concern and are near the two maintenance facilities and tennis courts. This problem has been reoccurring for years and the data confirms that Lake E-1 is one of the worst lakes. Mr. McCarthy pointed out that Lake E-1 is partially on the golf course.

Mr. Hancock recalled that, several years ago, Lake E-5 was tested for e-coli but the results were inconclusive. Mr. Hancock asked Dr. Thomas for a recommendation for broader testing and he pointed out that Lake E-5 receives clean water from Lake C-4, which is why it is baffling that it is so problematic.

Mr. Kurth recalled that Lake A-2 was a problem for many years and, although it is being sprayed, it is 80% better than it was three years ago. Mr. Kurth explained that better control of the submersed vegetation often changes the way a lake acts.

With regard to Lake E-5, Mr. Kurth indicated that LakeMasters only treated the lake for algae once and it was a minor spot treatment. He did not feel that a follow-up test for e-coli was warranted because the lake appears to be healthy.

Mr. Glueck asked how the Board will evaluate Dr. Thomas' recommendations. Mr. McCarthy stated that a discussion will take place, at another meeting, once the final summary is received from Dr. Thomas.

Mr. Patterson asked if Dr. Thomas had an interest in studying the remaining lakes. He inquired about taking core samples and using the Secchi disk for the primary measurements in the remaining lakes. Dr. Thomas explained that the Secchi disk is used to assess TSI. By measuring the thickness of the sediment on the bottom of the lake, the percentage of organic, total nitrogen and total phosphorous in the sediment may be determined. Mr. Patterson asked if Dr. Thomas was interested in having his classes perform additional work in the area. Dr. Thomas replied that he would like to continue.

Mr. Hancock asked Management to discuss future engagements with Dr. Thomas. Mr. McCarthy suggested that the Boards not make a commitment until the recommendations are discussed, as a whole.

**EIGHTH ORDER OF BUSINESS**

**Presentation of Annual Quality Assurance Audit: Lake Maintenance (Both)**

- A. Memorandum**
- B. Evaluation Sheets/Photos**
- C. Detailed Specifications**

With regard to the lake audit, Mr. McCarthy advised that the fish barrier on Lake A-2 was damaged and it was not included. He also asked Ms. Crismond to view the erosion on the embankment along the golf course on Lake A-2.

Referring to the memorandum, Ms. Crismond noted that Mr. Hancock participated in the lake maintenance audit, with Management.

**NINTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Adoption of the Districts' Final Budget(s) for Fiscal Year 2014/2015, Pursuant to Florida Law (Both)**



**A. Affidavit of Publication**

Mr. Adams referred to the affidavits of publication and indicated that today's meeting was properly advertised.

Mr. Adams noted modest increases in General Funds 001 and 101 and Irrigation Funds 401 and 451 and advised that mailed notices were sent to all affected property owners, notifying of the assessment increases and identifying not-to-exceed assessment amounts that were slightly higher than the actuals.

Mr. Adams reported that the increases in General Fund 001 and 101 were primarily related to an increase in the level of service in the common area, right-of-way and park landscaping programs. He recalled that Management spent time with PLCA representatives and identified areas needing improvement in the levels of service. Mr. Adams pointed out that the Districts had not evaluated the level of service in over 15 years and, in doing so, additional frequencies in services were identified.

Mr. Adams advised that the increase in expenses was primarily due to personnel costs, with minor adjustments for increased flower and mulch change outs. He indicated that colorful shrubs are being added at the three entrances and from the gatehouse to the first major intersection, or roundabout. The work is in progress and should be completed by the end of next week.

Mr. McCarthy conveyed that much of the logic behind the increase in the levels of service came from communication with the UOC and the PLCA board.

On Page 3, Mr. Adams noted a General Fund assessment increase of about \$31 per unit, and, on Page 21, an Irrigation Fund increase of about \$7.50 per unit. On Page 15, Mr. Adams advised that the assessment levels in The Colony General Fund 002 will be reduced by slightly less than \$1.

Mr. Adams referred to the assessment unit analysis, on Pages 33 through 40, and indicated that Ms. Carlson identified changes in the status of the assessable units. He called attention to "Coconut Point" "COM", which was previously a one-acre parcel with 5.8 equivalent residential Units (ERUs) and is zeroed out for Fiscal Year 2015. The parcel will be deeded to the association and the association applied for "common element" status; therefore, the property cannot be special assessed.

On Page 34, Mr. Adams indicated that "Ponza (former Pelican Landing Res)", "MF", had zero units in Fiscal Year 2014 and became 13 units for Fiscal Year 2015. "Cielo" had zero units

in Fiscal Year 2014 and became 96 units for Fiscal Year 2015. On Page 35, under “FUTURE UNITS”, “MF”, Mr. Adams pointed out that, in Fiscal Year 2014, “Cielo” had 75 future units assigned to it; the future units were moved to current units and the number of units increased by 21. Under “Pelican Landing Residential Assoc.”, 14 future units became 0.

In response to a question from Mr. McAuley regarding “Colony IV”, Mr. Adams explained that the density on the parcel will be decreased from 119 to 98. He surmised that four to six-story units will be built rather than the originally planned high-rise condominium.

In summary, Mr. Adams stated that the number of planned units is decreasing by about 20 units, year over year, and may decrease further, moving forward.

**\*\*\*Mr. McCarthy opened the Public Hearing.\*\*\***

Mr. Joe Eberhardt, a resident of The Tides at Pelican Landing, stated that he purchased a condo on December 1 and did not know what the CDD was, until last week, when he received his first Truth in Millage (TRIM) notice. Mr. Eberhardt contacted the Lee County Tax Collector’s office and was advised that his taxes are \$420. Mr. Eberhardt recalled that, last year, his taxes were \$600 and he is paying \$94 per month on his mortgage, which does not add up. Upon further investigation, the tax collector concluded that Mr. Eberhardt was missing a \$7.50 fee, in addition to \$475. Mr. Eberhardt contacted the District Office and Mr. Szymonowicz explained the fees to him.

Mr. Eberhardt stated that the sprinklers on Walden Center Drive were on in the rain and he questioned who was paying for the water. He now realizes that it is the residents. Mr. Eberhardt voiced his opinion that it is disproportionate for The Tides residents to pay \$475 per person when there are 280 units and they have the smallest amount of land.

Mr. Harry Boghigian, a resident of Florencia at The Colony, stated that he received a letter from the CDD indicating that the assessment, per ERU, is \$37.92. Mr. Boghigian asked if this amount is an increase over the previous year. Mr. Adams explained that there is a \$31 increase for the General Fund 001 and 101 and a \$7 increase for the Irrigation Fund; the two amounts equal the \$38.

Mr. Boghigian asked if the \$465 Operation and Maintenance (O&M) assessment cap is incremental. Mr. Adams stated that the cap is for noticing purposes; that amount cannot be exceeded. Mr. Boghigian asked if the buildings that are being built in The Colony are taken into consideration in the assessment calculations. Mr. Adams replied affirmatively and explained that the developer pays assessments on all unbuilt, future units.

**\*\*\*The Public Hearing was closed.\*\*\***

With regard to the Tides at Pelican Landing, Ms. McVay stated that the management company is in charge of watering. Mr. Eberhardt clarified that he was referring to the commercial area along Walden Center Drive, not at the Tides of Pelican Landing.

Mr. Hancock indicated that, this week, the irrigation crew is cleaning the rain sensors; therefore, watering when it is raining should cease.

**B. Consideration of *Bayside Improvement Community Development District Resolution 2014-7, Adopting the Final Budget for Fiscal Year 2014/2015***

Mr. McCarthy presented Resolution 2014-7 for the Bayside Improvement Community Development District Board's consideration.

**On MOTION for Bayside Improvement by Mr. Cramer and seconded by Mr. Hancock, with all in favor, Resolution 2014-7, Adopting the Final Budget for Fiscal Year 2014/2015, was adopted.**

**C. Consideration of *Bay Creek Community Development District Resolution 2014-6, Adopting the Final Budget for Fiscal Year 2014/2015***

Mr. McCarthy presented Resolution 2014-6 for the Bay Creek Community Development District Board's consideration.

**On MOTION for Bay Creek by Mr. Pritt and seconded by Mr. Glueck, with all in favor, Resolution 2014-6, Adopting the Final Budget for Fiscal Year 2014/2015, was adopted.**

**TENTH ORDER OF BUSINESS**

**Public Hearing to Consider the Imposition of Special Assessments to Fund the Districts' Proposed Budget(s) for Fiscal Year 2014/2015; Certifying an Assessment Roll; Providing for the Collection and Enforcement of Special Assessments; Providing for Amendment of the Assessment Roll; Providing A Severability Clause and Providing an Effective Date (Both)**

Mr. Adams explained that these resolutions are the assessment levying resolutions that take into consideration the budgets that were adopted, as well as the assessment levels, direct

Staff to certify and transmit the lien roll to the tax collector’s office for placement on the November 1 tax bills and direct the tax collector to direct bill those units that remain under the ownership of the master developer.

Mr. McCarthy confirmed that the General Fund assessment is proposed at \$451.28, The Colony Fund 002 assessment at \$478.73 and the Enterprise Fund assessment at \$60.82.

**\*\*\*Mr. McCarthy opened the Public Hearing.\*\*\***

There were no public comments.

**\*\*\*Mr. McCarthy closed the Public Hearing.\*\*\***

**A. Mailed Notices**

Mr. McCarthy noted, for the record, that copies of the mailed notices that were sent to the affected property owners were included in the agenda packages.

**B. Consideration of *Bayside Improvement Community Development District Resolution 2014-8, Imposing Special Assessments and Certifying an Assessment Roll***

Mr. McCarthy presented Resolution 2014-8 for the Bayside Improvement Community Development District Board’s consideration.

**On MOTION for Bayside Improvement by Mr. Patterson and seconded by Mr. Hancock, with all in favor, Resolution 2014-8, Imposing Special Assessments, as identified, and Certifying an Assessment Roll, was adopted.**

**C. Consideration of *Bay Creek Community Development District Resolution 2014-7, Imposing Special Assessments and Certifying an Assessment Roll***

Mr. McCarthy presented Resolution 2014-7 for the Bay Creek Community Development District Board’s consideration.

**On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, Resolution 2014-7, Imposing Special Assessments, as identified, and Certifying an Assessment Roll, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Irrigation High User Report (Both)**

**A. Bayside Improvement CDD**

**B. Bay Creek CDD**

**C. Penalty Usage Summary: *Bayside Improvement CDD***

Mr. McCarthy presented the Irrigation High User Report and Penalty Usage Summary asked for questions from the Board Members.

Ms. McVay pointed out that the details were not corrected. Mr. McCarthy indicated that the summary is correct but the detail of the identification of the individual users is not.

Mr. Patterson stated that the penalty portion is increasing, month by month, and he expressed surprise, since the community had so much rain recently. Mr. McCarthy advised that residents are watering more than one day per week and after severe rain storms and the rain sensors are not working. He commented that he viewed residents using the sprinkler system when the pumps were supposed to be off. Ms. Crismond indicated that staff changed the pump times and Ms. Gillyard sent an email to advise that the pump times changed.

Ms. Crismond reported that she had discussions with a resident who was upset about her water bill and, when the crew went to the property, they found that the resident was watering three days per week, five hours per day.

Mr. McCarthy recommended an aggressive public campaign to encourage residents to install new rain sensors or to repair the existing ones. He requested that this item be added to the next agenda.

**TWELFTH ORDER OF BUSINESS**

**Report: New Well Chlorides Test**

Mr. Adams recalled that there was some question regarding the chloride levels in the new deep water well, when it was originally built, in comparison to the original deep water well. The report indicates that there is no difference in the chloride levels.

Mr. Patterson stated that the chloride level is five times higher than the other well. Mr. Adams advised that it is a deep well, which is why there is a mixing ratio that must be adhered to in order to present water that is within acceptable chloride levels. The levels must be checked on a regular basis to ensure that the permit level of 250 mg/l is not exceeded.

**THIRTEENTH ORDER OF BUSINESS**

**Continued Discussion: Recent Illicit Discharge Pelican Landing Tennis Courts (Both)**

Mr. Adams stated that he continues to work with The Colony and The Colony continues to work toward implementing the rock filter to slow flow as water flows from the courts. The

PLCA is working with the developers of Floc Loc; District staff will be installing it this week. The fabric, with the Floc Loc Logs, will be fastened to the tops of the inlet grates so the water will be forced to run through it, to remove sedimentation and nutrients. It will also help with fertilizer runoff from the common area and tennis facility.

Mr. Cramer asked if the changes are similar to or the same as those projected by Q. Grady Minor and Associates (Grady Minor). Mr. Adams indicated that Mr. Schopf and Ms. Martel located a local Floc Loc Log dealer, sent photos of their installation application and the dealer devised this approach. He felt this to be a move in the right direction.

Mr. Cramer asked if the PLCA consulted with Mr. Barraco or Mr. Adams. Mr. Adams replied no. Mr. Cramer recalled that, at the last meeting, he asked Mr. Schopf to work with the District Engineer to devise an approach that was technically agreeable to all parties and Mr. Schopf agreed. Mr. Adams recommended that the District install Floc Loc Logs and measure the results.

In response to a question from Mr. Cramer, Mr. Adams explained that, if the PLCA does not remedy the illicit discharge, the CDDs must become a reporting agency. He stated that the PLCA's system discharges into the Districts' system and the PLCA is required to mitigate their issues.

Mr. McCarthy remarked that this is a positive action that is based on a suggestion originally made by Mr. Barraco.

Mr. Crew asked if The Colony is using the same system on the grates. Mr. McCarthy advised that The Colony built a stone filter around the tennis courts. Mr. Crew pointed out that The Colony has a storm sewer about 2' from the courts that will be unprotected and will drain directly into the same outlet.

**FOURTEENTH ORDER OF BUSINESS****Discussion: Proposed Locations for Dog Waste Stations**

Mr. Hancock provided a handout of a single pull bag dog waste station and advised that four locations were suggested. The dog waste station is made of aluminum and the pole is steel. The waste stations retail for about \$200 each. The current proposal is for the purchase of four stations.

Mr. McAuley expressed hope that the waste stations will not become trash cans. Mr. Adams commented that it does not matter because the cans will receive routine attention, on

Monday, Wednesday and Friday, at a minimum. He explained that the goal of the waste stations is convenience and will avert dog walkers from leaving bags beside the sidewalk or dropping them into the catch basins, which affects water quality. Mr. Adams advised that the ongoing cost is \$65 for 2,000 replacement bags.

**On MOTION for Bayside Improvement by Mr. Hancock and seconded by Mr. Cramer, with Mr. Hancock, Mr. Cramer and Mr. McCarthy in favor and Mr. Patterson and Mr. Crew opposed, the installation of four dog waste stations, in a not-to-exceed amount of \$1,000, was approved. (Motion passed 3-2)**

*\*\*\*Mr. Crew was not present for the Bay Creek CDD vote.\*\*\**

**On MOTION for Bay Creek by Mr. McAuley and seconded by Ms. McVay, with all in favor, the installation of four dog waste stations, in a not-to-exceed amount of \$1,000, was approved. (Motion passed 4-0)**

**FIFTEENTH ORDER OF BUSINESS**

**Approval of Minutes (Both)**

- **July 25, 2014 Joint Budget Workshop**
- **July 28, 2014 Joint Regular Meeting**

Mr. McCarthy presented the July 25, 2014 Joint Budget Workshop Minutes and July 28, 2014 Joint Regular Meeting Minutes for the Board’s consideration.

The following changes were made to the July 28, 2014 Joint Regular Meeting Minutes:

Lines 430 to 432: Change paragraph to read: “Mr. Cramer noted that the PLCA does not have a staff person with an engineering background; before they hire an engineering company from Tampa, he recommends that they use the District Engineer with the intuitional knowledge of the community, with the PLCA sharing the cost of the engineer with The Colony and Pelican Nest. Mr. Schopf agreed and stated that he would discuss this matter with the other board members and the Manager.”

Line 535: Insert “; there are dead shrubs outside the North Gate” after “August”

**On MOTION for Bayside Improvement by Mr. Patterson and seconded by Mr. Cramer, with all in favor, the July 25, 2014 Joint Budget Workshop Minutes, as presented, and the July 28, 2014 Regular Meeting Minutes, as amended, were approved.**

**On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Glueck, with all in favor, the July 25, 2014 Joint Budget Workshop Minutes, as presented, and the July 28, 2014 Regular Meeting Minutes, as amended, were approved.**

**SIXTEENTH ORDER OF BUSINESS**

**Other Business (Both)**

- **Action Items**

Items 1, 2, 4 and 7 were continued.

Items 3, 5 and 6 were deleted.

With regard to Item 2, Mr. McCarthy indicated that, this year, he would like to accomplish public education and outreach. He reported that PLCA is repairing and replacing the covers of the deteriorated catch basins and was advised that the repairs would be made throughout the community. Mr. McCarthy suggested initiating a decal program and advised that he obtained information from several sources, which he offered to share.

Mr. Cramer stated that he spoke with Ms. Simmons, today, and she is prepared to meet to set a date for a presentation. Mr. McCarthy recalled that Ms. Simmons already gave a presentation at a CDD meeting. His understanding was that the District representatives were to meet with Ms. Simmons and obtain decals to begin a decal program.

Mr. Adams explained that the decal program is a separate item; decals are placed on the catch basins to advise people that these are connected to a lake or water body. The public outreach program that Ms. Simmons was offering was a public education forum. She offered to come to the community center to give a PowerPoint presentation, which explains what a watershed is and what neighborhoods can do to protect them. Mr. Adams suggested that the presentation be in line with the season and the Districts announce the dates and times in the newsletter. Mr. McCarthy noted that the decal program may begin at any time, as long as PLCA is agreeable. Mr. Adams stated that he has information regarding the program and secured examples of several logos styles, which he will provide at the September meeting.



Mr. Cramer noted that he and Mr. Lowe discussed adding the decal program information to the UOC agenda. Mr. Adams indicated that he will provide the decal information to the Board Members.

With regard to Item 5, Mr. Adams indicated that the price secured from Bentley Electric, for installation of two streetlights in Bay Cedar, is \$6,200. Mr. McAuley noted that Bay Cedar was also asked to provide estimates. Mr. Adams stated that he did not receive any information from the Bay Cedar neighborhood or from Mr. Peter Kane but he will forward the cost estimate to him.

Regarding plant replacement at the North Gate, Mr. Patterson requested local input. He pointed out that, in addition to replacement, there are patches where the existing plants are not doing well or are dead. Mr. Patterson suggested installing different plant material in those locations. Mr. Adams advised that he and Mr. Kucera are developing a plan; inside the gate, they identified other beds that were deteriorated and were replaced with different material.

**SEVENTEENTH ORDER OF BUSINESS            Old Business (Both)**

There being no old business, the next item followed.

**EIGHTEENTH ORDER OF BUSINESS            Staff Reports (Both)**

**A.     Attorney**

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

**B.     Manager**

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

*\*\*\*This item, previously Item 18.B.iv., was presented out of order.\*\*\**

Ms. Crismond presented the Field Operations Monthly Status Report and indicated that the last item on the second page was incorrect; it was changed and emailed today by the District Office. She advised that, under “41 Entry’s Landscape”, the last line should read “Muhly Grass” rather than “Sand Cord Grass”.

Ms. Crismond stated that, during the audit of Lake F-3, Management noticed that the FPL transformer box appeared to be sinking and the interconnect pipe required review and possible cleaning and repair. M.R.I. Underwater Specialists, Inc., (MRI), completed an inspection of the pipe, located at 23981 Tuscany Court, and found that it was over 50% clogged with sand and

construction debris, which they cleaned out on Tuesday, August 19. Ms. Crismond is waiting for MRI's proposal to repair a breach in the pipe.

**ii. Approval of Unaudited Financial Statements as of July 31, 2014**

**\*\*\*This item, previously Item 18.B.i., was presented out of order.\*\*\***

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2014 for the Boards' consideration.

Referring to the check register, Mr. McCarthy noted the large number of items charged to "Miscellaneous Parts" and "Maintenance Parts", one of which was riprap. He requested that Mr. Adams introduce more discipline with regard to coding.

**iii. Savings & Money Market Account/Investment Snapshot as of 08/18/14**

**\*\*\*This item, previously Item 18.B.ii., was presented out of order.\*\*\***

With regard to investments, Mr. Janek advised that, until the end of the month, BB&T Bank is offering 1.5% to 4% interest, depending upon the amount invested. Mr. McCarthy indicated that BB&T is not a qualified public depository.

**iv. Consideration of Fiscal Year 2015 Proposed Joint Meeting Schedule**

**\*\*\*This item, previously Item 18.B.iii., was presented out of order.\*\*\***

Mr. McCarthy presented the Fiscal Year 2015 proposed joint meeting schedule and recommended changing the December 15, 2014 meeting to December 8.

**On MOTION for Bayside Improvement by Mr. Patterson and seconded by Mr. Cramer, with all in favor, the Fiscal Year 2015 Joint Meeting Schedule, as amended, was approved.**

**On MOTION for Bay Creek by Mr. McAuley and seconded by Ms. McVay, with all in favor, the Fiscal Year 2015 Joint Meeting Schedule, as amended, was approved.**

**v. NEXT MEETING DATE: September 22, 2014 at 2:00 P.M.**

Mr. McCarthy advised that the next meeting is scheduled for September 22, 2014 at 2:00 p.m., at this location.

Mr. Crew recalled that, during the summer, some of the branches surrounding the tennis court were trimmed, creating a “non screened environment”. Mr. Crew asked to have bushes added to the behind the cedar trees, about 10’ to 15’ away from the tennis courts, to re-establish the screening. Mr. McCarthy suggested that Mr. Crew view the area with Mr. Adams.

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

Mr. Roger Brown, a resident, stated that he has a rain sensor and was advised that the landscapers will repair them; however, no one in his neighborhood, or in other neighborhoods, is aware of that. He indicated that he has never received a newsletter and asked if it is on the website. Mr. Cramer explained that, last year, the Districts initiated a newsletter that is independent of any other information distribution method in the community. Ms. McVay, Mr. Adams and he are compiling topics for a newsletter that will be distributed in the near future.

With regard to the landscapers repairing the sensors, Mr. Cramer indicated that his neighbor’s over usage for water went from \$160 to \$280, on an incremental two-month basis. Mr. Cramer advised him to hire someone that knows how to install systems to ensure it was working correctly.

Mr. Wes Stillwaggon, a resident, stated that he has a culvert behind his home on Lake A-5. Mr. Stillwaggon’s lot was three-sided and he assumed that the drains went to Lake A-5. About five weeks ago, Grady Minor turned his three-sided Box into a four-sided box, which substantially reduced the amount of outflow. Mr. Stillwaggon asked why this was done. Mr. Adams explained that the culvert is likely one of the structures that was identified by Barraco and Associates as not in compliance with the permits. Mr. Stillwaggon advised that he asked the person from Grady Minor and he was advised that it was to eliminate flooding on the golf course and to raise the water level in the lake.

Mr. McCarthy felt that this was part of the amendment that WCI filed with SFWMD. He suggested that the resident contact WCI.

Mr. Theodore Gravenhorst, a resident, thanked the Board Members and Staff for their service. He indicated that the trees in Pelican Landing and in The Colony are encroaching on the Royal Palms. Mr. Gravenhorst noted that the tree trimming budget was doubled and voiced his opinion that the trees should be trimmed back far enough to prevent spending a lot during the following year. He stressed that Royal Palms cost \$5,000 to \$7,000 each and they cannot be seen.

Mr. Gravenhorst reported gaps in the landscaping along the fence line on Spring Creek Road, at the Addison boundary, across from the maintenance facility, that must be filled in. He reported line-of-sight issues at the intersections, where the hedges and shrubs must be trimmed. He stressed the importance of maintaining sight lines at intersections.

Mr. Howard Lowe, UOC Liaison, voiced his opinion that the dog waste stations are a good idea but expressed concern with the transparent receptacles that will look unsightly when filled with refuse. Mr. Lowe asked the Boards to consider purchasing solid sided receptacles. Mr. Hancock advised that solid sided cans are available but most are perforated, for ventilation.

**BAY CREEK CDD ITEMS**

**TWENTY-FIRST ORDER OF BUSINESS**

**Consideration of Resolution 2014-8, Declaring a Vacancy in Seat 4 of the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes**

Mr. McAuley presented Resolution 2014-8 for the Bay Creek CDD Board's consideration. He advised that several residents asked him if the seat is available and he is uncomfortable telling them that it is not. Mr. McAuley felt that the Board must be open with the residents and asked to post a notice in the bulletin.

**On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, Resolution 2014-8, Declaring a Vacancy in Seat 4 of the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes, was adopted.**

**TWENTY-SECOND ORDER OF BUSINESS**

**Consideration of Amendment No. 1 to Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement**

Mr. McAuley presented Amendment No. 1 to the Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement for the Board's consideration.

**On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, Amendment No. 1 to the Wrathell, Hunt and Associates, LLC, Management Advisory Services Agreement, as presented, was approved.**

**TWENTY-THIRD ORDER OF BUSINESS      Adjournment: *Bay Creek***

There being no further business to discuss, the Bay Creek CDD meeting adjourned.

**BAYSIDE IMPROVEMENT CDD ITEM**

**TWENTY-FOURTH ORDER OF BUSINESS      Consideration of Amendment No. 1 to  
Wrathell, Hunt and Associates, LLC  
Management Advisory Services  
Agreement**

Mr. McCarthy presented Amendment No. 1 to the Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement.

Mr. Patterson suggested a change to the verbiage in the third bullet point on Page 1.

Mr. Hancock requested the following changes:

- Add bullet point under “Management functions”: “Inform the Board, by email, of any significant events occurring between meetings.”
- Change “compliance with Florida statutes” to “Compliance with Florida and federal statutes.”
- New bullet point addressing NPDES
- Remove “Record all meetings of the District”
- Add bullet point under “Day-to-Day Management”: “Operate the District’s banking and investment accounts

Mr. Hancock inquired about written expenditure authorities for Management. Mr. Adams explained that Management operates under Florida Statute. He noted that Board approval is requested for items as low as \$2,000; however, for items that are within budget, as the budget is implemented, Management moves forward with completing those tasks. Mr. Hancock stated that, for the protection of Mr. Adams’ firm, expenditure authorities for Management must be defined. Mr. Adams indicated that he will develop a purchasing policy.

- Under “Levels of Service”, add new bullet points regarding the website and newsletter preparation and mailings

Under “Recording Services”, Mr. Hancock suggested adding “including the selection of independent auditors” to “Bid specifications”. Mr. Cox explained that the statute was changed, several years ago, with regard to audit selection. The Board must appoint an audit selection committee, which develops the RFQ for the proposals for solicitation; therefore, the task cannot

be delegated to Management. Mr. Adams explained that the Board usually sits as the auditor selection committee. He indicated that, at the September meeting, he will provide a form of RFQ and ask the Board Members to identify themselves as the selection committee, modify/approve the RFQ and direct Staff to move forward with circulating the RFQ on their behalf. At the October meeting, the Board Members will be asked to rank the proposals and award the contract for audit services. Mr. Hancock asked Mr. Adams to add a bullet point indicating that Management provides the draft RFQ/RFP.

**On MOTION for Bayside Improvement by Mr. Cramer and seconded by Mr. Patterson, with all in favor, Amendment No. 1 to the Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement, as amended, was approved.**

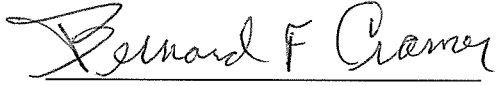
**TWENTY-FIFTH ORDER OF BUSINESS**

**Adjournment: *Bayside Improvement***

There being no further business to discuss, the Bayside Improvement CDD meeting adjourned at 5:01 p.m.


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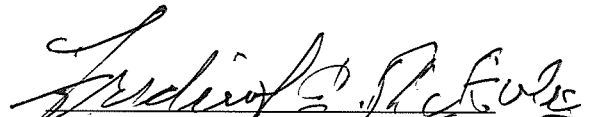
**FOR BAYSIDE IMPROVEMENT:**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair

**FOR BAY CREEK:**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair