

**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, December 8, 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
James Patterson	Assistant Secretary
John Crew (<i>via telephone</i>)	Assistant Secretary
John Kaiser	Supervisor-Elect

For Bay Creek CDD:

Fred McAuley	Chair
Nelson Glueck	Supervisor-Elect
James Janek (<i>via telephone</i>)	Assistant Secretary
Mary McVay	Assistant Secretary
Jesse W. Lawrence	Supervisor-Elect

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Carl Barraco (<i>via telephone</i>)	District Engineer
Jeff Dever	LakeMasters Aquatic Weed Control, Inc.
Craig Schopf	PLCA
Howard Lowe	UOC Liaison
Adam Slater	Clarke Aquatic Services
Lori Clemence	Clarke Aquatic Services
Bill Ribble	Resident
Charlotte McCarthy	Resident
Jack Lienesch	Resident
Kathy Lienesch	Resident
Renata Da Gourda	Resident
Residents	

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 Bayside Improvement Community Development District, Supervisors Patterson, McCarthy and Supervisor-Elect Kaiser were present, in person. Supervisor Crew was attending via telephone. Supervisor Cramer was not present. For Bay Creek Community Development District, Supervisors McVay, Glueck, McAuley and Supervisor-Elect Lawrence were present, in person. Supervisor Janek was attending via telephone.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Patterson, with all in favor, authorizing Supervisor Crew’s attendance and full participation, via telephone, due to exceptional circumstances, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Mr. Crew, with all in favor, authorizing Supervisor Janek’s attendance and full participation, via telephone, due to exceptional circumstances, was approved.

THIRD ORDER OF BUSINESS

Public Comments: *Agenda Items*

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

BAYSIDE IMPROVEMENT ITEM

FOURTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Bayside Improvement CDD Supervisors, John S. Kaiser [Seat 2], and Bernie Cramer [Seat 4] (*the following to be provided in separate package*)

Mr. Adams advised that two Board Members of the Bayside Improvement CDD Board were recently elected; Mr. John Kaiser, a new Supervisor, and Mr. Bernie Cramer, an incumbent. He noted that Mr. Cramer was unable to attend today’s meeting, due to a family emergency.

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Kaiser.

The following items were provided and explained during the Sixth Order of Business:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - **Form 1: Statement of Financial Interests**
 - **Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - **Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2015-1, Electing the Officers of the Bayside Improvement CDD

This item was presented following the Sixth Order of Business.

BAY CREEK ITEMS

SIXTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Bay Creek CDD Supervisors, Jesse W. Lawrence [Seat 2] and Nelson S. Glueck [Seat 5] (the following to be provided in separate package)

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Jesse Lawrence, a new Board Member, and Mr. Nelson Glueck, an incumbent.

****This item, previously part of the Fourth Order of Business, was presented out of order.****

Mr. Adams provided and briefly explained the following items to all new Supervisors:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - **Form 1: Statement of Financial Interests**
 - **Form 1X: Amendment to Form 1, Statement of Financial Interests**

- **Form 1F: Final Statement of Financial Interests**

D. Form 8B – Memorandum of Voting Conflict

BAYSIDE IMPROVEMENT ITEM - Continued

- **Consideration of Resolution 2015-1, Electing the Officers of the Bayside Improvement CDD**

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

Mr. Adams advised that the Oath of Office was previously administered to Mr. Cramer, a copy of which will be provided for the public record.

Mr. Adams presented Resolution 2015-1 for the Board’s consideration. He explained that, following an election or appointment, the Board is required to consider its slate of officers. Mr. Adams indicated that, currently, Mr. McCarthy serves as Chair, Mr. Hancock served as Vice Chair and the remainder of the Board serves as Assistant Secretaries.

Mr. Adams requested nominations.

Mr. Patterson nominated Mr. McCarthy for Chair. No other nominations were made.

Mr. McCarthy nominated Mr. Patterson for Vice Chair. Mr. Patterson declined the nomination and nominated Mr. Crew for Vice Chair.

Mr. McCarthy nominated Mr. Cramer for Vice Chair. No other nominations were made.

Upon further discussion, Mr. Kaiser, Mr. Patterson and Mr. McCarthy were in favor of Mr. Crew serving as Vice Chair.

Based on the nominations, Mr. Adams stated that Mr. McCarthy will serve as Chair, Mr. Crew will serve as Vice Chair, the remainder of the Board will serve as Assistant Secretaries, he will serve as Secretary and Mr. Wrathell will serve as an Assistant Secretary and Treasurer.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Patterson, with all in favor, Resolution 2015-1, Electing the Officers of the Bayside Improvement CDD, as nominated, was adopted.

BAY CREEK ITEMS – Continued

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2015-1, Appointing a Qualified Elector to Fill the Vacancy in Seat 4

Mr. Adams presented Resolution 2015-1 for the Board’s consideration. He recalled that the vacancy in Seat 4 was previously announced, as no one qualified for the seat.

Mr. Glueck nominated Ms. McVay to fill the vacancy in Seat 4. No other nominations were made.

On MOTION for Bay Creek by Mr. Glueck and seconded by Mr. Lawrence, with all in favor, Resolution 2015-1, appointing Ms. Mary McVay to fill the vacancy in Seat 4, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2015-2, Electing Officers

Mr. Adams presented Resolution 2015-2 for the Board’s consideration. He indicated that, currently, Mr. McAuley serves as Chair, Mr. Glueck serves as Vice Chair and the remainder of the Board serves as Assistant Secretaries. The Board may retain the current slate of officers or make nominations.

Ms. McVay nominated the current slate of officers.

Mr. Adams confirmed that Mr. McAuley will serve as Chair, Mr. Glueck will serve as Vice Chair, the remainder of the Board will serve as Assistant Secretaries, he will serve as Secretary and Mr. Wrathell will serve as an Assistant Secretary and Treasurer.

On MOTION for Bay Creek by Mr. Glueck and seconded by Mr. Lawrence, with all in favor, Resolution 2015-2, Electing Officers, as nominated, was adopted.

JOINT MEETING ITEMS

NINTH ORDER OF BUSINESS

Staff Report: Engineer (Both)

Mr. Barraco reported that drainage improvement plans regarding flood control were submitted to the South Florida Water Management District (SFWMD) for review and approval. A response is anticipated in the next few days.

Mr. Barraco advised that a cost estimate for drainage remediation was prepared, a hard copy of which was provided to both Boards. He explained that the project is not subject to the sealed bidding process; the Boards have the option to select one or more contractors and

negotiate a contract. A separate cost estimate was prepared for the sluice gate structures, which will be purchased directly by the District, as it is more cost effective.

Mr. Adams stated that purchasing the gates directly will eliminate the opportunity for markup by the contractors. A request for proposals (RFP)/request for quotes (RFQ), versus sealed bids, will be utilized to save time and advertising costs.

Mr. Barraco indicated that the next step was to select two or three contractors and begin negotiating or prepare for a competitive bid. Mr. McCarthy expressed a preference to obtain proposals from a number of contractors, rather than two or three.

In response to a question from Mr. McAuley, Mr. Adams confirmed that the cost estimate was \$251,340, for work other than the sluice gates. The preferred contractor specializing in sluice gates is located in California.

Mr. McAuley asked about funding for the project. Mr. Adams recalled that the Boards discussed paying for the project with reserves. Once the amount is determined, the intention is to meet with WCI to request an offset contribution of at least 50%.

Mr. Howard Lowe, UOC Liaison, recalled that, at a previous meeting, Mr. Barraco advised that Lakes C-1 and C-2 would also be considered and asked for confirmation. Mr. Barraco referred to the next exhibit and recollected that he was asked to provide an exhibit that could be used to educate residents about the project. Mr. Barraco stressed that the surface water management system remains unchanged. A system of gates will be added, which can be opened, in anticipation of a flood event, to lower the water surface elevations in the lake and in the ground, creating more storage. With regard to Mr. Lowe's question, Mr. Barraco explained that all lakes drain to the same outfall; therefore, lowering those that are downstream will benefit everyone. Staff will have the ability to open certain gates to alleviate areas of greater concern.

Mr. Barraco noted that the resident exhibit depicts where the structures will be placed, areas where water flows, the location of the new drainage pipes and a photo of an actual gate.

Ms. McVay reported flooding in a Bay Creek storm sewer and asked if the modifications will affect it. Mr. Barraco replied no; however, if flooding occurred during a normal rain event, it was probably the result of a dirty or clogged pipe. Ms. Crismond indicated that she will provide a contact and telephone number to Ms. McVay.

Mr. Craig Schopf, of the PLCA, asked when the project will be operative. Mr. Barraco stated that it is expected to be operative during the next rainy season. Mr. Schopf stressed the importance of a target date for completion.

Mr. McCarthy asked if Mr. Barraco applied for local permits. Mr. Barraco stated that he will apply for the Development Order.

Mr. Barraco indicated that he was comfortable with setting a target date at this time. Mr. McCarthy suggested a target date of June 30, 2015.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Patterson, with all in favor, a June 30, 2015 target date for substantial completion of the drainage remediation project, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, a June 30, 2015 target date for substantial completion of the drainage remediation project, was approved.

With regard to SFWMD's concerns about Mr. Sabatino's bocce ball court, Mr. Barraco advised that he met with SFWMD and the initial discussion was related to Mr. Sabatino's lot. There is a berm, bocce ball court, wall and other items in the buffer and conservation easements which SFWMD will allow to remain, if proper mitigation is provided. Mitigation would consist of low level native plantings and grasses beyond the berm; a permit modification will be required. Mr. Barraco felt that Mr. Sabatino was willing to pay for mitigation for the bocce ball court portion of the permit modification but does not believe he is responsible for mitigation of the berm. Mr. Barraco pointed out that the berm is not located within the berm easement. The required mitigation is related to the bocce ball court, stone walls, sidewalks and the berm placement.

Ms. McVay asked if the concrete pad was removed. Mr. Barraco replied no; he met with SFWMD regarding Lot #9, which is Mr. Sabatino's residence. During the meeting, SFWMD brought up Lot #8, which has a concrete pad in the conservation area. SFWMD's recommendation was to remove the pad and replant, which may be done without a permit modification. Mr. Barraco advised that he had not contacted with the owner of Lot #8.

Ms. McVay indicated that she knows the renters and, recently, they experienced tragedies, which may be why the pad was not removed. She offered to speak with the renters again, in this regard. Ms. McVay explained that the owner has been an absentee owner for many years. Mr. McAuley noted that permission is required from the owner prior to any work being

performed. Mr. Barraco commented that, as long as SFWMD is aware that the issue is being addressed, they will allow time for removal.

Mr. McCarthy voiced his opinion that the Districts should immediately place the property owner on notice of SFWMD’s requested remediation and ask the owner to respond in a reasonable period of time.

Mr. McCarthy asked if the Districts have the ability to perform the work on Lot #8 and assess for the costs, if the property owner refuses to cooperate. Mr. Adams replied affirmatively and indicated that he will mail a letter to the property owner.

Mr. Barraco explained that, thus far, SFWMD has not discovered the violation. If the issue is not addressed, it could lead to a violation but there is no violation at the present time.

Mr. Barraco referred to a photo of Pointe Creek Court and noted where the canoe launch is located. He pointed out that the problem is similar to Lot #9, as there are improvements within the conservation area. SFWMD indicated that, if the canoe storage is moved back, it will no longer be in an area of violation. Mr. Barraco explained that, in order to keep the launch, plantings will be necessary, which will require a permit modification. He suggested submitting a permit modification for both items together.

Mr. Janek advised that he has the approvals from the county and SFWMD related to the work. When he returns home, at the end of December, he will email the information to Mr. Adams.

TENTH ORDER OF BUSINESS

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

This item was discussed during the Ninth Order of Business.

ELEVENTH ORDER OF BUSINESS

Lake Maintenance Activities Report: LakeMasters (Both)

Ms. Crismond indicated that Mr. Bill Kurth, of LakeMasters Aquatic Weed Control, Inc., (LakeMasters) was not present; however, a representative was attending in his behalf. She noted that the Lake Maintenance Activities Report was emailed to the Board Members after the agenda was completed.

Mr. Jeff Dever, of LakeMasters, reported that there were no major events in the past month. Routine algae and grass treatments were performed. He noted that the flow stopped but began again on November 1 and continues; therefore, the crew was unable to perform fall sonar treatments for submersed weeds.

- **Presentation by Mr. Jack Lienesch Regarding the Formation of a Resident Landscape Committee to Address Common Area Landscaping in Pelican Landing**
****This item was an addition to the agenda.****

Mr. Jack Lienesch, a resident, gave a presentation regarding the condition of the common area landscaping in Pelican Landing.

Mr. Lienesch recalled that the PLCA approached the Boards to request improved maintenance of common area landscaping. As a result, the Districts budgeted for increased replacement programs, flowers, turf, etc. Mr. Lienesch advised that the landscaping is over 20 years old and the palette, designed at that time, is inconsistent with neighboring communities. He noted that color has disappeared in many areas. Mr. Lienesch pointed out that most plants have a natural lifespan and require replacement every five to seven years.

Mr. Lienesch recently became aware that no organization is responsible for the master plan for common area landscaping inside Pelican Landing, which residents believe is a problem.

Referring to a slide, Ms. Renata Da Gourda, a resident, noted various problem areas. She discussed issues on Greenview Drive and Pennyroyal, which is a main thoroughfare, and has sparse greenery, much of which is dead. Ms. Da Gourda expressed resident concerns regarding the lack of maintenance.

Mr. Lienesch presented a proposal to form a resident landscape committee with the PLCA. He suggested that the Districts and the PLCA identify funding in their Fiscal Year 2015 budgets to hire a landscape architect to review the common area landscaping and provide a proposal for improvements.

Mr. Lienesch noted that Pelican Landing is assessed \$358 for common grounds landscape maintenance by the CDDs. He advised that the PLCA budget does not include any funding for landscape improvements.

Mr. Lienesch asked the Board Members if they would support a resident landscape committee, under the PLCA jurisdiction, to view the situation on a long-term basis, knowing that an agreement will be necessary with PLCA to specify responsibilities. He felt that the issue was

important enough that funds could be identified to hire an expert to determine what should be done.

In response to a request from Mr. McAuley, Mr. Adams indicated that he would email Mr. Lienesch's presentation to the Boards.

Mr. Bill Ribble, a resident, advised that a landscape committee was formed in The Colony, about two months ago, and he felt it would be a waste of money to hire a landscape architect. Mr. Ribble explained that, when the committee was formed, the members met with Mr. Adams and Ms. Crismond and developed a plan. Within six weeks, the main problem areas had greatly improved and positive comments were received from residents. Mr. Ribble voiced his opinion that Mr. Adams and Ms. Crismond have the necessary experience to work with the committee.

Mr. Schopf stated that several meetings took place with Mr. Adams and Ms. Crismond and a "new prescription" was created for the Pelican Landing landscaping. A portion of the program has begun to unfold and many compliments were received. Mr. Schopf noted that some of the areas depicted in the slides are scheduled to be changed now, such as the island on Gold Crest.

Mr. Schopf indicated that residents would like landscaping in Pelican Landing that is similar to Bonita Bay and Shadow Wood. He questioned the long-range issues referred to by Mr. Lienesch.

Mr. Glueck advised that, when projects were completed under the PIC Program, a landscape architect was hired for the entrance ways, central fountain and the bocce ball courts and the Boards proposed consulting with him for the south entrance way. Mr. Glueck expressed disappointment with that architect's suggestions and price and, therefore, he would not be Mr. Glueck's first recommendation.

Mrs. Da Gourda clarified that residents were not criticizing the plans or qualifications of the current staff; what is lacking is consistent oversight. She felt that it would be beneficial to establish a group to review the landscaping and work hand-in-hand. Mrs. Da Gourda reiterated the importance of maintaining standards in the common areas.

Mrs. Kathy Lienesch, a resident, referred to a newspaper article by Mr. Michael Spencer, a practicing landscape architecture engineer, in which he made comments about what was being discussed. Mr. Spencer noted that a master plan should be followed and that plant replacement is not a master plan. The article suggested hiring a professional landscape architect to walk the

property and make suggestions. The article indicated that mulch was not a design material; however, mulch has taken over the landscape in the community. Mrs. Lienesch felt that the landscaping budget should be increased.

Mr. Lienesch felt that much of the landscaping improvements could be completed by doubling the budget for Pelican Landing.

Mr. McAuley advised that the Boards will consider what was presented and will not “let it die”. He noted that great progress was made in the last two or three years and the results of the work at the south gate are beginning to show.

Mr. McCarthy indicated that Mr. Lienesch’s suggestion was a good idea but, first, the costs must be identified. He recalled that many live oak trees were planted in a small area and, over the past 20 years, the trees created shade, which dramatically limits the number of plants that can be introduced to provide color. Mr. McCarthy noted that, if the suggestion is to reduce the amount of shade to add color, it will be very expensive; therefore, the cost must be determined, as well as how it would be funded.

Mr. McCarthy pointed out that there is a difference between what lies inside the gates and what Bayside Improvement’s jurisdiction covers and, if the money is to be spent inside the gates, an entity such as the PLCA will be necessary. He stressed that the magnitude of the project, the entity that will raise the money and how it will be raised are significant items.

Mr. McCarthy advised that, if the project moves forward, he would like to be Bayside’s liaison, if the committee is created. He assumed that the Districts were being asked to support the group’s efforts to approach the PLCA and request permission to form a committee in order to move forward with the study. Once the research was completed, if the committee chose to hire a landscape architect and the Boards felt it wise, funds would be identified to assist with the project.

Mr. Schopf confirmed that the PLCA Board will consider what is being discussed.

Ms. McVay expressed agreement with Mr. Lienesch and Mrs. Da Gourda. She voiced her opinion that a professional was needed because what is being considered will not be completed in one year; a professional will be aware of new techniques and ideas for landscaping.

Mr. Crew agreed with Mr. McCarthy’s comments but was adamant that input from the Pelican Landing community was vital, especially if the area inside the gates will be addressed.

Mr. Patterson stressed that the problem with the oak trees must be addressed. He recalled discussion, during the lake study, regarding the buildup of organic matter in the lakes as a result

of leaves washing into the catch basins and the lakes, which is very detrimental to lake health. Mr. Patterson indicated that the Design Review Committee (DRC) is adamant about protecting the oak trees; however, action must be taken to remove some of the shade and reduce the amount of fallen leaves.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Kaiser, with all in favor, providing support and consent to the resident group to approach the PLCA about forming a committee to devise a master plan for plantings in Pelican Landing, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, providing support and consent to the resident group to approach the PLCA about forming a committee to devise a master plan for plantings in Pelican Landing, was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Aeration Proposals

- A. LakeMasters Aquatic Weed Control, Inc.**
- B. Aquagenix**
- C. Lake & Wetland Management**

Ms. Crismond recalled that she was asked to obtain additional quotes for aeration. LakeMasters’ proposal was the lowest; therefore, she requested approval to proceed with the first phase of the project.

Mr. McCarthy asked how much was appropriated in the Fiscal Year 2015 budget for aeration. Mr. Adams replied \$40,000.

Ms. Crismond reported that LakeMasters’ proposal was \$50,000, the Aquagenix proposal was \$60,000 and the Lake & Wetland Management (Lake & Wetland) proposal was \$80,000.

Mr. McCarthy proposed allocating \$40,000 for the lakes, in priority order; \$4,800 for E-1, \$17,000 for A-13, A-2, which may be bypassed, and \$17,000 for E-7. He stressed the importance of following Dr. Thomas’ suggestions and implementing the solutions that were recommended. Within one year, the level of improvement from additional aeration in the worst lakes will be determined.

Mr. Patterson pointed out that there would be no funds remaining for aeration maintenance. Mr. McCarthy offered to modify his suggestion, as \$10,000 for testing is also necessary. He stated that Lake E-1 is the worst, followed by Lake A-13. Mr. Adams suggested proceeding with those two lakes, in an amount not-to-exceed \$25,000.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Kaiser, with all in favor, the LakeMasters aeration proposal for Lakes E-1 and A-13, in an amount not-to-exceed \$25,000, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Mr. Lawrence, with all in favor, the LakeMasters aeration proposal for Lakes E-1 and A-13, in an amount not-to-exceed \$25,000, was approved.

THIRTEENTH ORDER OF BUSINESS

Presentation/Consideration of Lake C3 Lake Bank and Cul-de-Sac Enhancement Proposal

Mr. Adams recalled discussion, at the last meeting, about addressing several items together. He advised that, for several years, the amount of beneficial plantings along the Lake C3 perimeter was an issue, predominantly with spikerush. Mr. Adams had discussed reducing the spikerush in different locations, introducing other types of plants to add diversity and color in the deeper zones of the littoral shelf and incorporating the program with a cul-de-sac replanting program. He noted that the pilot program initiated on Blue Sage Court will be continued on six or seven cul-de-sacs along Pennyroyal. Mr. Adams understood that the Boards wished to implement xeriscaping on the cul-de-sacs and use them as a promotional tool to the community.

Mr. Adams stated that each street on the cul-de-sac is named after a plant. He suggested incorporating the associated plant, such as Cassia trees on Cassia Court. Referring to an aerial of Cassia Court, he discussed the lake edge improvements that would be integrated.

Mr. Adams indicated that, on Fiddlehead Court, turf will be removed and a combination of fiddlehead fern, beach sunflower and weeping bottlebrush will be installed. A similar package will be incorporated along the lake's edge.

Mr. McAuley inquired about the cost. Mr. Adams replied between \$25,000 and \$30,000. He pointed out that there is no cost for labor and the work will be performed in the March and

April timeframe. Mr. Adams advised that the Fiscal Year 2015 plant replacement budget is \$65,000.

Ms. McVay expressed concern that the Districts are not allowing the PLCA to provide input. Mr. Adams clarified that the PLCA’s focus is on the main thoroughfares. The cul-de-sacs are stand alone areas and will not have an impact on the master plan. Ms. McVay inquired about the dollar value creating an issue. Mr. Adams reiterated that the Districts have a \$65,000 budget and the program will cost less than 50% of that amount.

Mr. Crew noted that the Districts have been discussing the cul-de-sac program for the past 18 months and the proposal is to proceed. He stressed that the Board Members made a commitment to complete the cul-de-sac enhancements; therefore, he was in favor of moving forward.

Mr. McCarthy stated that he was also in favor of moving forward. He explained that this is an opportunity to perform the type of enhancements that were discussed by Mr. Lienesch and his group. In the open areas with sunlight, xeriscaping and the introduction of color will complement one another. Mr. McCarthy expressed his desire to introduce variety, particularly with respect to hardscape. Referring to photos of the small cul-de-sac in the middle of Mystic Ridge, he noted that a seating area was installed, pavers were expanded and color was introduced. He stressed that the Districts have an opportunity to make the cul-de-sacs an integral part of the small communities.

Mr. McCarthy showed a photo of the main entrance to Spring Run, where Florida boulders, color, hardscape and trees were utilized. He stressed that the Districts must continually improve their product and level of service, which is what this enhancement project will do.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Kaiser, with all in favor, the proposal for Lake C3 Lake Bank and Cul-de-Sac Enhancements, in a not-to-exceed amount of \$30,000, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Mr. Lawrence, with all in favor, the proposal for Lake C3 Lake Bank and Cul-de-Sac Enhancements, in not-to-exceed amount of \$30,000, was approved.

FOURTEENTH ORDER OF BUSINESS

Consideration of Proposals for Application of Black Lake Dye

- A. Aquagenix**
- B. LakeMasters Aquatic Weed Control, Inc.**
- C. Lake & Wetland Management**

Ms. Crismond indicated that Mr. Kurth advised against dying three of the lakes that were included in the quotes; therefore, this item was deferred to the next meeting.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Patterson, with all in favor, deferring the proposals for the application of black lake dye, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, deferring the proposals for the application of black lake dye, was approved.

FIFTEENTH ORDER OF BUSINESS

Consideration of Proposal for New Truck to Replace 1997 Chevy S-10

Mr. Adams presented a proposal to replace the 1997 Chevy S-10 truck. He felt that no surplus bids would be received.

Mr. Adams suggested replacing the S-10 with a 2014, F-150 4x2. He pointed out that the Districts are eligible for federal government pricing. The retail price of the truck is \$27,880, the invoice is \$26,337 and the Districts' price would be \$20,439.

Mr. Adams indicated that Mr. Kucera's truck has about 230,000 miles on it and that vehicle will be rotated to the working group. The new truck will be Mr. Kucera's vehicle.

In response to a question from Mr. McAuley, Mr. Adams advised that funding will come from "Capital outlay", which is budgeted at \$47,000.

On MOTION for Bayside Improvement by Mr. Patterson and seconded by Mr. Kaiser, with all in favor, the proposal to replace the 1997 Chevy S-10 with a 2014 F-150, in the amount of \$20,439, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, the proposal to replace the 1997 Chevy S-10 with a 2014 F-150, in the amount of \$20,439, was approved.

SIXTEENTH ORDER OF BUSINESS

Irrigation High User Report (Both)

- A. Bayside Improvement CDD**
- B. Bay Creek CDD**

Mr. Adams noted that this is the same report that was provided last month.

Mr. McAuley requested darker copies.

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

This item was presented for informational purposes.

SEVENTEENTH ORDER OF BUSINESS

RFQ/P for Lake Health Testing, Analysis and Reporting Services

Mr. Adams recalled that, several months ago, the Boards authorized preparation of an RFP/RFQ for lake health services. He stated that the RFP/RFQ utilizes the parameters outlined in Dr. Thomas’ report and requests qualifications from the respondents in terms of experience in other communities and locations for this type of service. The information is presented in a “per lake, per parameter” pricing requirement, which will provide the Districts with a list to “pick and choose” from, based on a minimum of ten lakes and help reach a conclusion regarding whether the activities that were implemented are resulting in a positive change, i.e., aeration. Testing certain parameters in Lakes E-1 and A-13 will be continued as aeration is installed.

Mr. McAuley asked if the RFP/RFQ will be provided to Florida Gulf Coast University. Mr. Adams replied affirmatively.

Mr. Patterson recalled that the study identified two or three critical parameters, such as floc and the use of a Secchi Disc. He stated that, at the time, he understood that the rest of the lakes would be studied in order to evaluate which were good and which required action.

Mr. Adams clarified that the “menu” pricing will be provided and the Boards will then be able to select certain lakes, testing criteria, review the budget to determine how many more lakes can be studied and whether to prioritize or evaluate all of the remaining lakes.

Mr. Patterson preferred to study all remaining lakes for critical parameters.

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Kaiser, with all in favor, the RFQ/P for Lake Health Testing, Analysis and Reporting Services, was approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, the RFQ/P for Lake Health Testing, Analysis and Reporting Services, was approved.

EIGHTEENTH ORDER OF BUSINESS

Discussion: Common Area Landscape Maintenance

This item was discussed during Mr. Lienesch’s presentation.

NINETEENTH ORDER OF BUSINESS

Approval of October 27, 2014 Joint Regular Meeting Minutes (Both)

Mr. McAuley presented the October 27, 2014 Joint Regular Meeting Minutes.

The following changes were made:

Line 38: Remove “John Kaiser, Resident”

Lien 357: Change “Castleflower” to “Tasselflower”

On MOTION for Bayside Improvement by Mr. McCarthy and seconded by Mr. Kaiser, with all in favor, the October 27, 2014 Joint Regular Meeting Minutes, as amended, were approved.

On MOTION for Bay Creek by Mr. Glueck and seconded by Ms. McVay, with all in favor, the October 27, 2014 Joint Regular Meeting Minutes, as amended, were approved.

TWENTIETH ORDER OF BUSINESS

Other Business (Both)

- **Action Items**

Mr. McAuley presented the Action Items.

Items 1, 2, 3, 4, 7, 8, 10 and 12 were continued.

Items 5, 6, 9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 will be deleted.

With regard to Item 9, Mr. Patterson stated that Mr. Kucera should be congratulated for completing the work on the North Gate.

Regarding Item 12, Mr. Adams stated that he sent an email regarding the medallions for each of the storm drains.

TWENTY-FIRST ORDER OF BUSINESS Old Business (Both)

There being no old business, the next item followed.

TWENTY-SECOND ORDER OF BUSINESS Staff Reports (Both)

A. Attorney

There being no report, the next item followed.

B. Manager

i. Approval of Unaudited Financial Statements as of October 31, 2014

Mr. Adams presented the Unaudited Financial Statements as of October 31, 2014. He noted that the financial statements were the same as those presented last month.

ii. Savings & Money Market Account/Investment Snapshot as of 12/01/14

This item was provided for informational purposes.

iii. Monthly Status Report: Field Operations

This item was presented for informational purposes.

iv. NEXT MEETING DATE: January 26, 2015 at 2:00 P.M.

Mr. McCarthy noted that the next meeting is scheduled for January 26, 2015 at 2:00 p.m., at this location.

TWENTY-THIRD ORDER OF BUSINESS Supervisors' Requests (Both)

Mr. McCarthy reported that Mr. Kucera will be undergoing surgery on Thursday. He asked everyone to keep Mr. Kucera in their thoughts and prayers. Mr. Adams stated that he will provide updates as they are received.

Mr. McCarthy advised that Mr. Cramer's sister passed away last Thursday and asked everyone to keep Mr. Cramer and his wife in their thoughts and prayers.

Mr. Crew noted that the irrigation system will be flushed on Saturday and Sunday, at 10:00 a.m. He asked Mr. Adams to contact the tennis center with regard to maintenance. Mr. Adams indicated that Mr. Kemp will coordinate with Mr. Dave Richardson.

TWENTY-FOURTH ORDER OF BUSINESS Public Comments: *Non-Agenda Items*

There being no public comments, the next item followed.

BAY CREEK CDD ITEMS

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

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

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

On MOTION for Bay Creek by Mr. Lawrence and seconded by Mr. Glueck, with all in favor, the Bay Creek CDD meeting adjourned at 3:54 p.m.

BAYSIDE IMPROVEMENT ITEMS

TWENTY-SIXTH ORDER OF BUSINESS Consideration of Award of Contract – Lake Maintenance

****This item, previously the Twenty-Fifth Order of Business, was presented out of order.****

Mr. McCarthy presented the contract for lake maintenance and advised that four bids were received.

Ms. Crismond recalled that, at the last meeting, the Bayside Improvement Board chose to re-bid for this contract. Mr. McCarthy made suggestions and several changes were implemented; as a result, the bids were properly submitted. Ms. Crismond stated that Mr. McCarthy invited several other contractors to bid the project and all attended the pre-bid meeting; however, the only bids received were from the four original bidders, including Clarke Aquatic Services (Clarke), Aquagenix, LakeMasters and Lake and Wetland Management (Lake and Wetland) but all of the requirements were met.

Ms. Crismond indicated that, based on the information provided, all four contractors have the necessary qualifications. She pointed out that LakeMasters has been on site for many years and Mr. Kurth and his crew know the project. Mr. Kurth reduced the LakeMasters bid by about \$13,000.

Ms. Crismond advised that Clarke was the low bidder; however, while their projects are not at the same level as Bayside, the contractor has a presence in Fort Myers and Naples.

Mr. Crew pointed out that all bids were comparable and, for consistency between Bay Creek and Bayside, he recommended awarding the contract to LakeMasters.

Mr. Patterson asked for reasons why the low bidder should not be accepted. Mr. McCarthy noted that representatives from Clarke were in attendance and asked how the company intended to staff the project and whether they grasped the magnitude of the project.

Mr. Adam Slater, Operations Manager for Clarke, indicated that two full-time people would be on site three to four days per week, depending on the season. He noted that the company has two storage depots, in Fort Myers and Naples, and offices throughout Florida.

Mr. McCarthy inquired about Clarke's use of Sonar herbicide. Mr. Slater indicated that Sonar works well on submersed vegetation, particularly in late winter, and in areas where there is not much irrigation.

Mr. McCarthy asked if Mr. Slater had an "open mind" to work with the Board regarding applications and the timing of the applications. Mr. Slater replied affirmatively. Mr. McCarthy asked if Mr. Slater was aware of the requirement to attend CDD meetings and make presentations. Mr. Slater replied absolutely.

Ms. Lori Clemence, of Clarke, advised that Clarke has an employee with a PhD from the University of Florida, on staff, who will assist with assessing the lakes and he is willing to work with Dr. Thomas.

Mr. McCarthy asked if Clarke's staff reviewed Dr. Thomas' report and whether they were aware of the issues and Dr. Thomas' conclusions. Mr. Slater replied affirmatively.

Mr. Patterson asked if Clarke could arrange for teams to hand rake serious algae problems. Mr. Slater replied affirmatively. Mr. Patterson asked if staff was available to perform the work required. Mr. Slater replied yes.

On MOTION for Bayside Improvement by Mr. Patterson and seconded by Mr. Kaiser, with all in favor, the Clarke Aquatic Services lake maintenance proposal, in the amount of \$186,660, was approved.

Mr. McCarthy welcomed Mr. Kaiser to the Board. He stated that he will miss Mr. Hancock, immensely, as he was a great contributor. Mr. McCarthy requested that Management order a plaque for Mr. Hancock and he will be invited to attend the next meeting.

Mr. McCarthy explained that the Board has tried to act as liaison for various elements in the communities and he would like to continue these efforts.

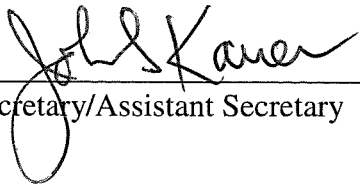
TWENTY-SEVENTH ORDER OF BUSINESS Adjournment: *Bayside Improvement*

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

There being no further business to discuss, the Bayside Improvement CDD meeting adjourned at 4:02 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

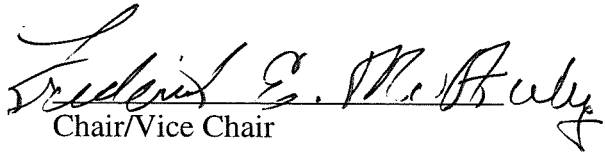
FOR BAYSIDE IMPROVEMENT:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BAY CREEK:


Secretary/Assistant Secretary


Chair/Vice Chair