

**MINUTES OF MEETING
BAYSIDE IMPROVEMENT AND BAY CREEK
COMMUNITY DEVELOPMENT DISTRICTS
JOINT WORKSHOP with the PLCA BOARD**

A Joint Workshop with the PLCA Board and Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District was held on Monday, April 30, 2018 at 12:30 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134.

For Bayside Improvement CDD:

Walter McCarthy	Chair
Bernie Cramer	Vice Chair
John Crew	Assistant Secretary
Jim Nicholson	Assistant Secretary

For Bay Creek CDD:

Nelson Glueck	Vice Chair
Donald J. McBride	Assistant Secretary
James Janek	Assistant Secretary
Robert Travers	Assistant Secretary

For the PLCA Board

June Ricks	President
Clyde Knowles	Vice President
Tom Dryden	Secretary
Marvin Hancock	Treasurer
Joanne Ribble	Director
Bill Richardson	

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Jack Lienesch	Landscape Subcommittee
Michael Spencer	Landscape Architect
Peaches (<i>via telephone</i>)	Landscape Expert
Charlotte McCarthy	Resident
Gail Gravenhorst	Landscape Subcommittee

FIRST ORDER OF BUSINESS

Call to Order/Pledge of Allegiance

Mr. McCarthy called the workshop to order at 12:30 p.m.

All present recited the Pledge of Allegiance.

SECOND ORDER OF BUSINESS

Roll Call

For Bay Creek Community Development District, Supervisors Travers, Glueck, Janek and McBride were present, in person. Supervisor McVay was not present. For Bayside Improvement Community Development District, Supervisors McCarthy, Cramer, Crew and Jim Nicholson were present, in person. Supervisor William J. Nicholson was not present.

The PLCA Board Members identified themselves.

THIRD ORDER OF BUSINESS

Background [Jack Lienesch]

• **Review of 2016 Agreement (handout)**

Mr. Adams stated that, since this was a workshop, there was no CDD requirement to accept any public comments, make motions or take any actions.

Mr. Lienesch reported the following:

- December 8, 2014: CDD supported funding a Landscape Committee, under the PLCA.
- April 2015: The Boards approved funding the Landscape Committee but only under the direction of the Design Review Committee (DRC).
- May 2015: DRC approved the membership of the Landscape Subcommittee.
- July 2015: PLCA Landscape Subcommittee held its first meeting. The DRC appealed to the Boards to approve contracting two independent landscape architects to assess the situation and it was approved.
- November 2015: Two architects reported the results generated over the summer. At the same time but separately there were many CDD discussions regarding bollards and who was responsible for what. It was decided that the 20-year old PLCA/CDD Service Agreement should be resurrected but it was missing. It was a “gentleman’s agreement” since 2000. At Mr. Crew’s suggestion, a new agreement was drafted and both organizations commenced to redo a Service Agreement between the PLCA and the CDDs, with attorneys for both entities involved.
- September 27, 2016: The newly-reconstituted Landscape Service Agreement was executed by all three Boards. Parallel to that, a Request for Proposals (RFP) was publicized to find landscape architects to conduct a complete study of Pelican Landing Phase 1, with a budget estimate of several years of what was required. Several presentations were considered Mr. Michael Spencer’s company, MSA Design, Inc. (MSA), was selected.

➤ Fall 2016: The Boards approved funding for MSA to begin assessment and redesign of 1 million square feet of common area landscaping, which included PLCA-owned and CDD-maintained properties in Phase 1. MSA and the Landscape Subcommittee met monthly for 18 months to review the plans, etc.

➤ February 2017: A strip area, from Southgate to the north side, was pinpointed for a demonstration project, which was approved by the Board; the CDD said it could provide the labor and the project was ready to commence.

➤ February 26, 2018 CDD meeting: Mr. Bill Nicholson suggested that, in projects other than the demo, commercial prices, tear-outs and installs should be utilized in the proposed project budget.

➤ April 2018: One Board Member asked that the Landscape Subcommittee propose projects to be completed this year with capital funds.

➤ Of the five projects that the Landscape Subcommittee proposed, the Board approved three to commence, as soon as possible, at a not-to-exceed price of \$430,000. Mr. Lienesch presented handouts for examination prior to proceeding with projects, including:

- Signed Landscape Maintenance Agreement
- Question and answer dialogue between Mr. Knowles and the CDD Board
- A letter to Management from Mr. Bill Nicholson, dated April 12, 2018

Mr. Lienesch stated that today's goal was resolve these by going over certain issues and discussing the next steps. He and others responded to questions, as follows:

➤ Regarding the Finance Audit Committee (FAC): The projects were presented to the FAC and, of the three suggested projects, the FAC approved one, based on finances. The FAC advised the Board, who took everything into consideration and approved the projects.

➤ Regarding the typical lifespan was for trees and shrubs: Mr. Spencer stated that, in general, invasive plants, such as ferns, grow underground or continually refresh themselves and are eternal. The woody ornamentals or shrubs with woody parts underneath have life spans ranging from five to ten years. Determining when a plant requires replacement is a judgment call but, by 80% of its life span, the plant would start to look bad, prompting replacement.

Mr. Lienesch stated, going forward, funds must be reserved to complete a project. It was noted that, as each phase is completed, there should be a maintenance program and reserve program passed on to the CDD. In response to the question of how to address future replacement of plants that are well in excess of five to ten years old and some 25 years old, which still look decent, Mr. Adams stated that ten years was the shortest period to replace plant material; every

ten to 15 years was more practical. Plant material with longer life spans are trimmed on a regular basis so it refreshes itself; the maintenance approach is a factor. Mr. Spencer would help identify that, as the project commences, and to maintain it, as he visualizes it, going forward.

Discussion ensued regarding the lack of PLCA reserves, the long process for the PLCA to establish reserves, building up reserves, guarantees or warranties for various types of vegetation, maintenance plans, how maintenance disputes should be handled, etc.

Regarding his Question and Answer (Q&A) document response about tree thinning or removal to open up certain areas, Mr. Adams stated, if part of Mr. Spencer's plan is to open the view and remove material to create a totally different appearance and feel, it could be categorized as a capital improvement. Discussion ensued regarding notifying affected property owners, lowering the plant levels at the north gate to ensure public safety, budgeting for tree removal, stump grinding and tree-marking criteria, potential resident opposition to removal of certain tree and clearly distinguishing maintenance versus a capital improvement.

Mr. Knowles had multiple discussions with Mr. Spencer and Mr. Lienesch and was very comfortable with the project. Mr. Crew was concerned about recognizing ownership of the Sanctuary, which is a CDD-owned parcel behind Capri, the houses that border Pelican Colony Boulevard, the easement and maintenance. Mr. Adams stated that the goal was to maintain continuity and examine the few CDD-owned areas, which were previously planted, as a part of the bond issue, mostly in The Colony; therefore, he recommended upholding the Plan to facilitate the continuity that the community deserved. Discussion ensued regarding inspecting the irrigation system and whether it had the ability to sustain the project, phasing, irrigation modification, field coordination and maintaining the "Old Florida" style of the community.

Mr. Lienesch stated that Areas 1, 3 and 5 were selected for improvement. Mr. Spencer did not anticipate any issues, as the site is easily accessible and, plant materials are easily removed but he was unsure how long the resident notification process would take. Mr. Lienesch stated that the project will commence in summer and be completed by October 31; the three phases would be in stages. Discussion ensued regarding the demolition, street maintenance, refurbishment, competitive bids and the not-to-exceed budget.

Mr. Spencer provided the following responses to questions:

- The bids would be submitted to the Landscape Committee and, aside from removal, the new construction is bid based on unit prices for each individual plant; mulch was not included in the unit price.
- MSA would monitor the project.

➤ MSA's fee was not part of the existing agreement but was approved by the PLCA Board. If competitive bids were required, MSA would obtain them from other companies. MSA did not have a pecuniary interest in the cost of material.

➤ Sales tax is not applied to most subcontracted work; they are lump-sum contracts, with an addendum that has unit prices for add and deduct purposes.

In response to a question, Mr. Knowles stated that approximately \$500,000 flows into the Capital Fund, each year,. Regarding the long-range plan, Mr. Lienesch stated that Phases 1, 3, 5, 2 and 4 will be completed over three years, followed by work on the entrances; all improvements will be completed within five years, at a cost of \$2.6 million.

Mr. Lienesch asked Mr. Adams to clarify a few of Mr. Bill Nicholson's concerns in his letter to Management. Mr. Adams stated that the issues raised involved plug-ins, irrigation, subcontractors and cost. Mr. Lienesch stated, with the exception of the contractors and Staff, everyone resides in Pelican Landing and shared the same goal of improving the appearance of the community. In response to a Board Member's question, Mr. Lienesch stated that he reported to the Landscape Committee Chair. Regarding staffing, Mr. Adams stated that the Districts were currently fully staffed and the numbers were revised because the seasonal programs required a lot of additional outsourced labor. Mr. Richardson asked if a schematic could be sent for placement on the website or e-blasted to residents. Mr. Lienesch replied affirmatively.

FOURTH ORDER OF BUSINESS

**Discussion of Roles and Responsibilities
for the Planned Landscape Update [All]**

- **Pre-meeting Handout Summarizing Dialogue to Date**
- **Unresolved Issues**

This item was not discussed.

FIFTH ORDER OF BUSINESS

Summary

Mr. McCarthy hoped that the Boards would partake in additional workshops and thanked the PLCA Board for attending.

SIXTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the workshop adjourned at 1:55 p.m.

**BAYSIDE IMPROVEMENT CDD, BAY CREEK CDD
AND LANDSCAPE SUBCOMMITTEE**

April 30, 2018

FOR BAYSIDE IMPROVEMENT:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BAY CREEK:


Secretary/Assistant Secretary


Chair/Vice Chair