

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

The Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District held a Joint Regular Meeting on Monday, October 22, 2018 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
Bernie Cramer	Vice Chair
John Crew	Assistant Secretary
Jim Nicholson	Assistant Secretary
William J. Nicholson	Assistant Secretary

For Bay Creek CDD:

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

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Jason Olson	Assistant Regional Manager
Doug Tarn	District Engineer
Cheryl McFarland	PLCA Manager
Bill Kurth	SOLitude Lake Management
Jack Lienesch	Resident/Chair of Landscape Subcommittee
Cathy Avenatti	PLCA Property Manager
Amy Quaremba	Resident/Landscape Committee
Gail Gravenhorst	Resident/Landscape Committee
Marvin Hancock	Resident
Greg Keeley	Resident
Mac Corum	Resident

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.

Roll Call

Mr. McCarthy asked the Supervisors to state their names. For Bayside Improvement Community Development District, Supervisors McCarthy, Cramer, Crew, Bill Nicholson and Jim Nicholson were present, in person. For Bay Creek Community Development District, Supervisors McVay, Glueck, Travers, McBride and Janek were present, in person.

THIRD ORDER OF BUSINESS

Public Comments: *Agenda Items*

Mr. Mac Corum, a Long Lake resident, stated that the two entrance monuments off Pennyroyal and both ends of Woodsage Drive need a facelift and, in a previous neighborhood meeting, there was a lot of support to upgrade the monuments so that they appear modern and more welcoming to the community because they currently look dull and old. He inquired about the time frame for pressure washing and painting all the monuments and asked for District support, in terms of advice and guidance in the design so that they meet CDD, DRC and Landscape Committee standards. Mrs. Adams stated pressure cleaning for both Districts is scheduled for the following week but not necessarily commencing with the Longlake community. Mr. Adams stated that he previously discussed upgrading monuments with a group from the PLCA and adding LED lighting, etc., and suggested developing ideas for a community-wide plan, obtain pricing and proceeding from there. In the interim, Management arranged to have all monuments pressure washed and painted, as necessary. Discussion ensued regarding permitting, adding decorative Styrofoam, Pelicans Landing monuments, WCI and Lykins-Signtek. Ms. McVay concurred that the community could use a facelift and stated that Ms. McFarland, the PLCA Manager, is the perfect person to assist, as she oversees design review and she possibly could spearhead the project. Ms. Avenatti stated that she attended the meeting that Mr. Adams previously mentioned and could provide Mr. Corum with another person to contact. She offered her card and urged him to email so that she could forward additional information.

JOINT BOARD ITEMS

FOURTH ORDER OF BUSINESS

Staff Report: District Engineer: *Barraco & Associates, Inc. (Both)*

Mr. Doug Tarn stated that there was nothing to report but he was willing to participate in the NPDES Report presentation.

**Consideration: NPDES Cycle 4 Year 1
Report**

Mr. McCarthy stated that the NPDES Cycle 4 Year 1 Report is an annual requirement for the CDD, as a participant in the NPDES permitting process.

Mr. Adams highlighted the following items:

- He and Mr. Kayne collaborated on the report; Mr. Kayne handled the technical aspects.
- Section III of Page 2 outlines the water quality and assessments of those areas that are collected by the County, which is utilized as part of the Report and the CDDs' outlying waters.
- The Report is formatted differently from previous years; the checklist that is usually placed at the end of the report is now under Section V.
- The Report, itself, is mostly status quo, in terms of the BMPs, the license, certified people applying for aquatic herbicides and horticultural herbicides and pesticides, the frequency of street-sweeping for the removal of impurities, etc.
- There are no changes in the number of structures. All the systems have been inspected, portions have been cleaned and the logs and reports generated by MRI Underwater Specialists (MRI) related to those kinds of activities back up those reports.
- The Report is sometimes produced annually or twice annually; this is Cycle 4, Year 1, which is a full report.
- The Report is required to be transmitted to the County by October 26 and the County will then forward it to Tallahassee.

Mr. McCarthy noted the following typographical error:

Page 13, Section VII, Part B: Change "id" to "is" in the last sentence of the findings.

On MOTION for Bay Creek by Mr. Glueck and seconded by Mr. Janek, with all in favor, authorizing the Chairman to execute the NPDES Report for transmission to the County, was approved.

On MOTION for Bayside Improvement by Mr. Bill Nicholson and seconded by Mr. Jim Nicholson, with all in favor, authorizing the Chairman to execute the NPDES Report for transmission to the County, was approved.

Mr. Kurth presented the October 15 Monthly Lake Maintenance Report and highlighted the following items:

- The nano-bubbler device being used in Lake A-18 is very successful; only a slight amount of algae remains around the perimeter of the lake. The demo will remain in the lake a while longer as the company that produced the demo gave Mr. Kurth permission to do whatever he wants with the unit.
- The nano-bubbler is believed to have activity that oxidizes and eradicates algae; Staff will continue to utilize this technology.
- The cost for the nano-bubbler unit currently running in Lake A-18 is \$30,000.
- Lake F6, behind Las Palmas, was treated for slender spikerush; the resident side cannot be accessed and Mr. Kurth has scheduled a meeting with the golf course Superintendent tomorrow to resolve the issue.
- He toured the property and is unhappy with the current condition of the lakes; SOLitude has replaced the project manager. Mr. Chris Land will oversee the lake maintenance staff.

Ms. McVay commended Mr. Kurth on utilizing the nano-bubbler on the problem lakes and for doing a great job overall. In response to Mr. Bill Nicholson's question regarding the submission of a grass carp permit application, Mr. Kurth stated that he delegated the task to his sales manager and would double-check to make sure an application was processed.

SEVENTH ORDER OF BUSINESS

Updates: PLCA Landscape Committee

- **PL Phase 1**

Ms. Avenatti provided the following update on the landscaping projects and took questions from the Board:

- The landscaping project is almost completed; the turnover paperwork was submitted by Mr. Adams and copies were made for distribution.
- The turnover and walkthrough is scheduled for later in the week.

Ms. McVay stated that two trees, at the south gate entrance, damaged by Hurricane Irma, resemble bushes and should be replaced. Mrs. Adams would contact Mr. Kucera regarding the trees. With regard to end-of-life replacements, Mr. Bill Nicholson stated that the CDDs are not budgeted or responsible for them. He felt that the CDDs should send a letter to the PLCA affirming the position that the CDDs are not responsible for plant replacement and it

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is the PLCA's responsibility. Mr. Adams stated that Management recently met with three PLCA members and discussed plant life expectancy and which entity is responsible for replacement. Although a statement is not in writing, the PLCA agreed to take on replacement at the end of life expectancy. Reserves should be set aside to address the issue. Mr. Marvin Hancock, a resident stated that a final decision on the issue is pending from the Finance Committee. The PLCA Board is aware that rate-payers pay assessments to the CDD for plant replacement and not the PLCA and questioned if homeowners should pay both entities for plant replacement. Mr. Bill Nicholson stated, philosophically, one budget is annual maintenance operating costs and one budget is reserves; it is not the same category.

EIGHTH ORDER OF BUSINESS

Update: Hurricane Irma Recovery

Mr. Adams reported that requests for additional information from the Federal Emergency Management Agency (FEMA) are ongoing and the State continues having issues with its portal. He has been forwarding documents to Representative Martha Kudrow, who is gradually uploading items upon receipt; a quarterly report was recently uploaded. The fund disbursement process is in progress.

NINTH ORDER OF BUSINESS

Discussion: Draft Plant Replacement Policy

Mr. Adams stated that he and Mrs. Adams collaborated to produce the Plant Replacement Policy and solicited the Board Members' thoughts and feedback. Mr. Crew stated that it will become a question of scope, such as, when does replacing 2,500 linear feet of the hedge become plant replacement, as opposed to rejuvenation. Mr. McCarthy stated that the question of "useful life" is missing from the policy. Mr. Crew stated the issue is still being resolved; the Boards have decided who is responsible for useful life replacement. Going back to the originating documents and staying in line with their intent is a good thing but both parties have reiterated that those documents need to be changed. Discussion ensued regarding the policy, the process of plant replacement, a horticulturist, a landscape architect the CDDs and the PLCA. Ms. McVay stated that, as an individual who worked on the first study for the reserves, she felt that a life span for each type of plant should be set up, reviewed and adhered to and, if a plant deteriorates beforehand, it is the CDDs' responsibility and, if it needs replacing afterwards, it is the PLCA's responsibility. Mr. Adams stated that the maintenance

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specifications put out by Mr. Spencer, for each plant type, is the most useful guide he has ever seen; it sets the groundwork, in terms of life expectancy, and the CDDs will abide by it.

TENTH ORDER OF BUSINESS

Irrigation Reports (Both)

- A. High User**
 - i. Bayside Improvement CDD**
 - ii. Bay Creek CDD**
- B. Penalty Usage Summary**
 - i. Bayside Improvement CDD**
 - ii. Bay Creek CDD**
- C. Zero Consumption**
 - i. Bayside Improvement CDD**
 - ii. Bay Creek CDD**

These items were included for informational purposes.

ELEVENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of September 30, 2018**

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2018. Mr. McCarthy asked if the irrigation revenue was for 12 months. Mr. Adams stated that item does not include September. In response to a utility billing question posed at the previous meeting, Mr. Adams stated, upon review of the Agreement, they were over \$20,000 per year, in 2011, and the contract allowed for a 5% escalator, resulting in \$31,000, at the end of Fiscal Year 2018. Mr. Adams would adjust next year's budget. In response to Mr. Janek's question regarding when the increase in utility billing occurred, Mr. Adams stated that the increase was in place for the full year and there would likely be an adjustment to the rates. Ms. McVay asked Mr. Adams to help her HOA figure out what should be in the budget for next year. Mr. Adams would add 25% to the next fiscal year's budget. As to the reserves, Mr. Adams stated that the reserves are strong, for the size of the budget, and there will be a 20% to 25% increase, in the overall reclaimed water usage.

TWELFTH ORDER OF BUSINESS

**Approval of September 24, 2018 Minutes
(Both)**

Mr. McCarthy presented the September 24, 2018 Joint Regular Meeting Minutes. Edits were submitted to the District Manager.

On MOTION for Bay Creek by Mr. McBride and seconded by Mr. Travers, with all in favor, the September 24, 2018 Joint Regular Meeting Minutes, as amended to include edits provided to District Management, were approved.

On MOTION for Bayside Improvement by Mr. Jim Nicholson and seconded by Mr. Bill Nicholson, with all in favor, the September 24, 2018 Joint Regular Meeting Minutes, as amended to include edits provided to District Management, were approved.

THIRTEENTH ORDER OF BUSINESS

Action Items (Both)

Items 1, 2, 4, 8, 12, 13, 14, 16, 25, 27, 30, 33 and 34 were completed.

Items 3, 5, 6, 7, 9, 10, 11, 15, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 29, 31, 32, 35 remain ongoing.

Item 3: Mr. Adams would prepare the sample informational email for the December meeting.

Mr. Hancock stated that the plants in the Esplanade and the last 10' on Pelican Landing Parkway at the central fountain feature are dead as they were not watered; the sprinkler malfunctioned.

Item 24: Commenced November 1.

Item 29: Mr. Adams secured a package containing South Florida Water Management District (SFWMD) drainage documents and sent it to the PLCA. Per Mr. McCarthy request for a copy of the package, and Mr. Adams would send it via Dropbox.

Item 32: The area is currently being prepped for irrigation.

Item 35: Mr. Bill Nicholson clarified that this was the distribution or sharing of a draft template, not any action but just the sharing of a format for a monthly report to receive input and comment. Mr. Adams stated details, such as labor and budgeted landscape items, will not be included in the monthly report until the landscape software program is in operation. Discussion ensued regarding the software program and landscaping intangibles. Mr. Adams stated that he authorized Mr. Kucera to employ three short-term staffers for outside of The

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Colony and two additional positions for inside The Colony, to cover workers that do not return to work after the holidays. Mr. McCarthy commented that Pelican’s Nest is short-staffed and golf courses usually hire additional staffers at this time of year; therefore, it will be difficult to find people.

FOURTEENTH ORDER OF BUSINESS

Old Business (Both)

There being no old business to discuss, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Staff Reports (Both)

A. District Counsel: *Dan Cox, Esq.*

There being no report, the next item followed.

B. District Manager: *Wrathell, Hunt and Associates, LLC*

i. Monthly Status Report: Field Operations

Mrs. Adams presented the October 22, 2018 Monthly Status Report and highlighted the following:

➤ On Page 2, under “Roadway Lighting,” Staff was requested to consider changing out the streetlights to LED lighting where they are metered. It will cost \$18,000 to retrofit 90 streetlights.

In response to a Board Member’s question regarding cost savings by changing to LED lights, Mr. Adams stated the payback is four to five years. Mr. McCarthy asked Staff to circulate the pricing data to the Board Members and place Roadway Lighting on the next agenda.

ii. NEXT MEETING: December 3, 2018 at 2:00 P.M.

The next meeting will be held on December 3, 2018 at 2:00 p.m.

SIXTEENTH ORDER OF BUSINESS

Supervisor Requests

Mr. Janek stated that he was pleased that the Greenview berm is being replenished. A new one-way sign is needed at the traffic circle, as well as a new stop sign, as the current one is discolored. Mr. Adams stated that acquiring new traffic signs is the PLCA’s responsibility.

Mr. McCarthy stated that the December 3rd meeting will be a reorganizational meeting because of the election.

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Mr. Bill Nicholson stated that, in his two years on the Board, there have not been written objectives or a strategic plan; rather, issues are addressed on a month-to-month basis. He proposed that Board Members develop potential objectives and priorities for the next year and email them to Mr. Adams, for consolidation and remission to the Boards in the agenda for discussion on which objectives should be endorsed in the new year. He would like the objectives to be on the next agenda and suggested setting a mid-month date for all Board Members to submit their thoughts to Mr. Adams so that he can remit them to the Board Members so that everyone can come to the meetings with specific ideas of what should be accomplished. He also proposed inviting a Wrathell Hunt and Associates, LLC (WHA) executive to a Board meeting to address its corporate vision. As to whether the Boards could visit WHA's corporate office instead, Mr. Adams would confer with Mr. Cox and advise at the next meeting.

Mr. Cramer proposed establishing performance appraisals for District Staff and contractors and including it on the next agenda. Mr. Adams commented that the Board could evaluate Staff using Survey Monkey. Discussion ensued regarding preserving and maintaining good relationships with contractors who serviced the CDDs during the hurricane.

SEVENTEENTH ORDER OF BUSINESS

Public Comments: *Non-Agenda Items*

Ms. Gravenhorst stated that most residents do not have a good understanding of the CDDs' function and felt that Board Members should make more of an effort to explain the mission and vision to property owners.

Mr. Greg Keeley, a resident and member of the Landscaping Committee, stated that the landscaping asset is aging and, although the CDDs do a great job of maintaining the community, his Committee's goal is to continually update and refresh the community, so as to maintain property values and to work collaboratively with the CDDs.

Mr. McCarthy updated the Bay Creek Board about Mr. Rick Joyce's proposal for the Horticulturist position and discussed how and where he first met the candidate.

EIGHTEENTH ORDER OF BUSINESS

Adjournment (Both)

There being no further business to discuss, the meeting adjourned at 3:42 p.m.

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FOR BAYSIDE IMPROVEMENT:**

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Secretary/Assistant Secretary


Chair/Vice Chair

FOR BAY CREEK:


Secretary/Assistant Secretary


Chair/Vice Chair