

**MINUTES OF MEETING
PARKLANDS LEE
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Parklands Lee Community Development District's Board of Supervisors was held on **Thursday, January 9, 2014 at 1:15 p.m.**, at **The Renaissance Center, 28121 Palmira Blvd., Bonita Springs, Florida 34135.**

Present and constituting a quorum were:

John Gainey	Vice Chair
Robert Schwartz	Assistant Secretary
Emmet "Ben" Potter	Assistant Secretary
Harvey Fontaine	Assistant Secretary

Also present were:

Chuck Adams	District Manager
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FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:28 p.m., and noted, for the record, that Supervisors Gainey, Schwartz, Potter and Fontaine were present, in person. Supervisor Rupp was not present.

SECOND ORDER OF BUSINESS

**Consideration of Proposals for
Maintenance of Water Management
Areas Aquatic Management**

- A. Aquagenix**
- B. Clarke Aquatic Services, Inc.**
- C. Lake and Wetland Management**
- D. Lake Masters Aquatic Weed Control, Inc.**

Mr. Adams recalled conversation during the prior meeting regarding concerns with LakeMaster's level of service. As a result, Mr. Adams obtained four proposals for maintenance of water management areas aquatic management. The proposals include lake maintenance and quarterly aeration maintenance.

Mr. Adams reported that the current contractor, LakeMasters Aquatic Weed Control, Inc. (LakeMasters), submitted a proposal for \$39,840 for the first and second year options. Aquagenix's proposal was \$42,475 for the first and second year options. Clarke Aquatic Services, Inc., (Clarke), submitted a \$61,302.74 proposal, for the first and second year options.

With regard to Lake and Wetland Management (Lake and Wetland), Mr. Adams advised that the proposal in the agenda is not the latest version. He indicated that Lake and Wetland was not clear as to the areas of responsibility and, upon further discussion, a revised proposal was submitted in the amount of \$59,356, for each of the first two years.

Mr. Adams indicated that the statute requires the Board to consider the lowest responsible and responsive bidder that will best serve the interest of the District. With the concerns of the level of service currently received from LakeMasters, Mr. Adams noted that the lowest proposal is not in the best interest of the District. The next lowest proposal was from Aquagenix, in the amount of \$42,475.

Mr. Adams indicated that Staff has worked with Aquagenix in many locations, over the last 20 years. He stated that the quality of service will be contingent upon the branch manager assigned to the District. Mr. Adams advised that Aquagenix previously assigned a manager to several other projects and he had to cancel the contracts because of the quality of service. He will confer with Aquagenix's local vice president to ensure that a suitable branch manager is assigned to the District.

Mr. Adams conveyed that Staff's recommendation is to award the contract for the first year amount of \$42,475; at the end of that term, the Board can determine whether to exercise the second year option, at the same amount. He noted that the contract includes a 30-day termination clause.

Mr. Potter indicated that Aquagenix must be very careful in identifying what items will be sprayed. He clarified that, other than the torpedo grass, some of the weeds are the only things holding the lake banks together. Mr. Potter stated that weeds would normally be "sprayed out"; however, it was all that the District had to work with, at the time. Mr. Adams advised that Staff is slowly working towards correcting that situation with the installation of bahia sod and more beneficial plants.

On MOTION by Mr. Potter and seconded by Mr. Gainey, with all in favor, the Aquagenix proposal for Maintenance of Water Management Areas Aquatic Management, in the amount of \$42,475 for the first year option, was approved.

A Board Member recalled observing a contractor working on erosion repairs in Nuvella.

Mr. Adams explained that the contractor was hired last August but the water levels rose so rapidly that work was postponed until fall. Mr. Adams clarified that the repairs commenced on Tuesday and the contractor expects to be finished by the end of next week.

THIRD ORDER OF BUSINESS

Approval of September 12, 2013 Public Hearing and Regular Meeting Minutes

Mr. Adams presented the September 12, 2013 Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following change was made:

Lines 146 through 149: delete paragraph

On MOTION by Mr. Fontaine and seconded by Mr. Schwartz, with all in favor, the September 12, 2013 Public Hearing and Regular Meeting Minutes, as amended, were approved.

FOURTH ORDER OF BUSINESS

Other Business

Mr. Potter asked what the current planting budget is and recalled that plantings were below the budgeted amount last year and the prior year. Mr. Adams explained that the prior year amounts roll into the fund balance surplus.

▪ **Budget Amendment and Resolution 2014-1**

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

Mr. Adams disseminated copies of Resolution 2014-1 and the amended budget for the Board's consideration. He explained that this is a housekeeping item and clarified that, during the course of Fiscal Year 2013, the District's actual expenditures exceeded budgeted expenditures. Mr. Adams stated that the primary reason for the overage was payment of the cost of issuance for the bond refinancing out the operations account due to a lack of funds available in

the reserve account. He recalled that the reserve account was utilized during the foreclosure process.

On Page 1, of the Amended Budget, Mr. Adams advised that \$112,999 was utilized in “Cost of Issuance”. He noted that the District had \$35,000 in savings under “Water management” “Contractual services”.

Mr. Adams advised Mr. Potter that the \$35,000 was a surplus from the funds budgeted for plantings. He explained that \$90,000 was budgeted and approximately \$35,000 was expended for plantings.

Mr. Adams indicated that approximately \$82,896 was rolled out of the surplus funds to cover the additional expenditures. The budget amendment takes this under consideration and leaves a surplus balance of \$92,214.

Mr. Adams stated that the revenue from the sale of the Benecia right-of-way occurred on October 11; therefore, it will be reflected on the Fiscal Year 2014 budget. He noted that, the District has \$80,000, in addition, to the \$92,214 surplus, for a total of approximately \$170,000 in fund balance.

Mr. Adams summarized that the budget amendment is required because the District exceeded budgeted expenditures. He clarified that the overage was not due to a financial emergency. He concluded that Board action is necessary to recognize that additional revenue is required to offset the expenditures. This action will eliminate a note in the audit reflecting that the budget expenditures were exceeded. Mr. Adams indicated that a note in the audit is a red flag for creditors.

Mr. Adams stated that the amended budget is in order and recommended approval.

On MOTION by Mr. Potter and seconded by Mr. Schwartz, with all in favor, Resolution 2014-1 Amending the General Fund Portion of the Budget for Fiscal Year 2013; and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

B. Engineer

There being no report, the next item followed.

C. Manager

i. Approval of Unaudited Financial Statements as of November 30, 2013

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2013. He highlighted that approximately \$34,000 was received in assessment levy during November. He pointed out that the \$80,000 sale of the right-of-way was reflected in the “Sale of capital assets”.

Mr. Adams indicated that expenditures were low, approximately \$20,000, year-to-date. He noted that November invoices were accruals from the prior fiscal year, as they were for October activity.

In response to a Board Member’s inquiry, Mr. Adams confirmed that a motion was not necessary to approve the financials.

ii. NEXT MEETING DATE: May 8, 2014 at 1:15 P.M.

The next meeting will be held on May 8, 2014 at 1:15 p.m., at this location.

Mr. Adams advised that the Fiscal Year 2013 audited financial statements and Fiscal Year 2015 draft budget will be presented at the next meeting.

SIXTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors’

Mr. Potter asked if TerraCap has exercised their option on the remaining piece of the parcel, which includes the right-of-way.

Mr. Adams indicated that the District’s sale to TerraCap and their purchase went “hand in hand”. The verbiage for the second entrance requested by the District is included in their covenants/declarations.

Mr. Schwartz asked if the District is responsible for TerraCap’s lake banks. Mr. Adams advised that the District will be responsible after the lake banks are turned over.

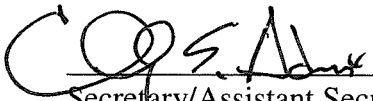
There being no audience comments, the next item followed.

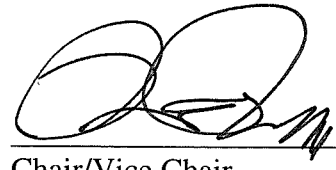
SEVENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Schwartz and seconded by Mr. Gainey,
with all in favor, the meeting adjourned at 1:40 p.m.**


Secretary/Assistant Secretary


Chair/Vice Chair