

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

The Board of Supervisors of the Parklands Lee Community Development District held a Regular Meeting on May 9, 2024 at 1:15 p.m., immediately thereafter the adjournment of the meeting of the Parklands West CDD, scheduled to commence at 1:00 p.m., at the Renaissance Center, 28191 Matteotti View, Bonita Springs, Florida 34135.

Present were:

Elliott Erickson	Chair
Robert Schwartz	Vice Chair
Thomas Clemens	Assistant Secretary
Dwayne Radel	Assistant Secretary
Russell T. Rupp	Assistant Secretary

Also present:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via telephone)	District Counsel
Meagan Magaldi (via telephone)	Coleman, Yovanovich & Koester, P.A.
Andy Nott	Superior Waterways

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at 1:54 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Discussion: Paloma "Sweetscent" Proposal

Mr. Willis stated this item was discussed at the Parklands West CDD meeting held just before this meeting. Per the Board's request, the following excerpt from the Parklands West

CDD meeting regarding this matter is being included in the Parklands Lee CDD minutes for informational purposes:

“Mr. Percuoco noted that this item primarily pertains to the Parklands Lee CDD. Mr. Willis stated this item was included for informational purposes; while the CDDs share the costs of the water management system, expenses related to this proposal would be borne by the Parklands Lee CDD.

The Board and Staff discussed Paloma’s proposal to irrigate the Paloma pond banks to support the growth of “Sweetscent”, a native plant that grows in proximity to riprap and offers the potential to fortify the lake bank.

Mr. Willis stated the stormwater management system is governed by the South Florida Water Management District (SFWMD), not the Master Association’s documents.

Parklands Lee CDD Board Member Dwayne Radel stated that several environmentalists opined that the proposal would not affect water flow at all, as the pond in question is a stormwater collection pond and that none of them had an objection to native Florida plants growing among the riprap. He stated that his proposal is unique in that he does not propose spending money on plants but supporting the growth of a native Florida plant already growing on the pond banks. He discussed the suitability of Sweetscent, which has shallow roots that will not affect the root barrier, and voiced his opinion that it could grow into a beautiful landscape feature. Sweetscent propagates by rhizomes and by seeds and does well in low-nutrient, sandy soil such as what riprap provides. The plants are fragrant and attract bees and butterflies but it does not do well in drought conditions. The Paloma Board agreed to irrigate the bank to water the area; if the CDD will allow the Sweetscent to grow, Mr. Nott’s crew can still maintain the unsightly invasive weeds.

Mr. Nott stated that Sweetscent grows in all the ponds but it is generally treated as an undesirable weed. His technicians generally spray weeds; it is more time-consuming to selectively spray some weeds and not treat others. Mr. Percuoco noted that riprap was also installed at a small pond at the center of The Enclave, where littoral plantings and irrigation were considered, but it has not been successful so far.

Discussion ensued regarding the likelihood that high water will drown the Sweetscent, its ability to grow back by root and by seed, its designation as a broad leaf weed also called “camphor weed” and “stinkweed”, its comparison to littoral plants, the proposal to spend approximately \$11,000 to test Sweetscent, previous installations of riprap in Paloma, whether to proceed with the project and language in the Master Covenants.

Mr. Willis stated that the Parklands Lee CDD will consult with its aquatics vendor and vote on whether to proceed with the project; while the Community has rules and regulations included in the Master Covenants, those rules cannot impose restrictions on the CDD and the stormwater system. The Design Review Committee can make aesthetic rules but it cannot pass rules that force the CDD to alter the stormwater system or easement. The CDD is subject to State Law, the Department of Environmental Protection (DEP) and the SFWMD; those are the governing bodies whose rules apply to the CDD.

Mr. Adams stated the Master Covenants have no more bearing on the CDD than they have on the City of Bonita Springs or on Lee County; as a governmental entity, the CDD Board is in charge of CDD facilities. Although the SFWMD drawings restrict permitted plants in littoral areas, the proposed location for these plants is outside of the littoral area, as it is on the bank.

It was noted that the SFWMD gave permission to do the test. Mr. Adams stated that an email from the SFWMD indicated that it has no objection to these plants, as depicted in the pictures provided; the CDD has the final authority.”

Mr. Radel stated approximately ten years ago the Paloma pond had heavy riprap with an underlying weed barrier with sand and limestone around the entire pond. The pond looked good for the first three or four years but, due to wave action over time, the silt and sediment eventually deposited within the stones, the limestone turned brown and vegetation began to grow profusely among the riprap. Initially, Superior Waterways technicians treated the vegetation but residents complained about the aesthetics of dead brown plants.

Mr. Radel discussed Paloma’s proposal to irrigate the Paloma pond banks to support the growth of “Sweetscent”, a native plant that grows in proximity to riprap and offers the potential to fortify the lake bank. He discussed the suitability of Sweetscent, which has shallow roots that will not affect the root barrier. Sweetscent propagates by rhizomes and by seeds and

while it is not a littoral plant, it does well in low-nutrient, sandy soil such as riprap. The weakness that Sweetscent has is that it requires watering. The Paloma Board agreed to irrigate the bank to water the area to see if, over time, Sweetscent will grow to become the dominant plant. Mr. Nott's crew would still maintain unsightly invasive weeds.

Mr. Willis stated that, during the discussion during the Parklands West CDD meeting, it was noted that the HOA's governing documents do not override the South Florida Water Management District (SFWMD) policies and regulations. Mr. Adams stated that the governing documents do not dictate governmental regulations; the CDDs' systems are operated under the SFWMD and the City of Bonita Springs governmental regulations.

Mr. Willis stated the proposal included in the Fifth Order of Business is actually part of the discussion related to the Third Order of Business.

Mr. Radel stated that the Paloma HOA Board agreed to spend the \$1,876 to reconfigure its irrigation system to irrigate the banks and confirmed that there is plenty of water available under its water permit. He suggested this would be a good test to see the benefits of watering a lake bank and asked the CDD Board to support the proposal to improve the aesthetics.

Mr. Radel suggested Sorrento be reviewed for severe erosion and noted that the President of the HOA advised that the HOA will not invest in plants due to budget issues.

A Board Member asked what Paloma is seeking from the CDD. Mr. Radel stated that Paloma is seeking permission to water the lake banks and for the CDD to approve the expense for Mr. Nott's technicians to use backpack sprayers twice a year to spray the invasives.

Mr. Nott stated that the proposal cost is per event; he would recommend two treatments but frequency depends upon rate of growth and weather and, if it floods, spraying might be unnecessary at certain times. Mr. Willis stated the Board can specify the scope based on Staff recommendations and opinions.

Discussion ensued regarding management of the area and the option to let the area grow rather than spraying the lake bank.

Mr. Nott stated that, initially, he did not treat the lake because he did not realize it was part of the scope of work; if he had been treating it, it never would have grown as it has.

Mr. Adams stated that the property owner, Paloma, is responsible for maintaining the grass to the water's edge. Mr. Willis stated the language reads, "Maintenance activities within the lake shall be from the water's edge into the lakes only; this will adjust seasonally with the rise and fall of the water table."

Mr. Radel stated that Paloma might let the Sweetscent plants grow and engage Juarez Landscaping to weed whack the area when necessary. It was noted that Juarez can treat invasive weeds above the water level in non-submerged areas.

Mr. Willis stated that the Fifth Order of Business will be removed from consideration.

FOURTH ORDER OF BUSINESS

**Consideration of MRI Inspection, LLC
Inspection Report and Estimate #4564
[Cleaning Storm Water System per 2024
Inspection]**

The Board and Staff discussed the MRI Inspection, LLC Inspection Report and Estimate #4564 for cleaning the stormwater system. It was noted that the CDD can direct the scope of work by specifying which pipes will be cleaned according to condition.

Mr. Willis stated that, in the Parklands West CDD meeting, it was decided that MRI will provide additional proposals with cleaning at 40% and 50% thresholds.

It was noted that the information in the Report is not as detailed, as in the Report provided to the Parklands West CDD. Mr. Willis believed a spreadsheet column is hidden; he will ask for the Report to include greater detail and for it to be presented at the next meeting.

Discussion ensued regarding the Report, the need for repairs, budgeting, the strategy of scheduling inspections every three years and dividing cleanings over a three-year period.

With regard to roadside flooding, Mr. Adams stated that the system is designed to handle a 25-year storm event; the CDD experienced back to back 100-year storm events. While roadways flooded, the lots are graded to protect homes from flooding.

Discussion ensued regarding scheduling the cleanout and repairs.

The consensus was for Mr. Willis to request the 40% proposal and forward it to the Board Members when received.

On MOTION by Mr. Rupp and seconded by Mr. Clemens, with all in favor, authorizing MRI Inspection, LLC cleaning in a not-to-exceed amount of \$30,000, was approved.

FIFTH ORDER OF BUSINESS

Discussion/Consideration of Superior Waterway Services, Inc. Service Agreement – Lake Bank Spraying

This item was discussed in conjunction with the Third Order of Business.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-02, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Adams presented Resolution 2024-02. He reviewed the proposed Fiscal Year 2025 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes. Overall, expenditures and assessments decreased slightly compared to Fiscal Year 2024.

On MOTION by Mr. Schwartz and seconded by Mr. Rupp, with all in favor, Resolution 2024-02, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law on September 12, 2024 at 1:15 p.m., at the Renaissance Center, 28191 Matteotti View, Bonita Springs, Florida 34135; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

Mr. Willis presented Resolution 2024-03.

On MOTION by Mr. Clemens and seconded by Mr. Erickson, with all in favor, Resolution 2024-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2024

Mr. Willis presented the Unaudited Financial Statements as of March 31, 2024.

The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of January 11, 2024 Regular Meeting Minutes

Mr. Willis presented the January 11, 2024 Regular Meeting Minutes.

The following change was made:

Line 29: Change "1:00" to "2:00"

On MOTION by Mr. Rupp and seconded by Mr. Clemens, with all in favor, the January 11, 2024 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Other Business

Mr. Adams responded to questions regarding the ethics training requirement, online course options and filing Form 1.

Mr. Radel announced that he will not run for reelection.

Mr. Willis stated that, with regard to the candidate qualifying period that runs from noon on June 10, 2024 through noon on June 14, 2024, his statement that another Board Member was able to qualify early applies to a candidate in Collier County. Mr. Adams stated that, in general, candidates may qualify fourteen days prior to the start of the qualifying period.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Coleman, Yovanovich & Koester, P.A.

Ms. Magaldi reminded the Supervisors about the requirement to complete four hours of ethics continuing education by December 31, 2024 as described in the previously distributed Memos which include links to online courses. Form 1 must be submitted electronically to the Commission on Ethics no later than July 1, 2024.

Ms. Magaldi stated that newly passed legislation requires special districts to set and meet goals and objectives, develop performance measures and prepare an annual report at the end of the fiscal year.

Mr. Willis will forward the ethics training memorandum to all Board Members.

B. District Engineer: Johnson Engineering, Inc.

There was no report.

C. District Manager: Wrathell, Hunt & Associates, LLC

- **565 Registered Voters in District as of April 15, 2024**
- **NEXT MEETING DATE: July 11, 2024 at 1:15 PM, or immediately following the adjournment of the Parklands West CDD meeting scheduled to commence at 1:00 PM**
 - **QUORUM CHECK**

TWELFTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

Asked if the price for the stormwater system cleaning will change if the scope of service is reduced, Mr. Adams stated the proposal presented is only for the Parklands Lee CDD.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Radel and seconded by Mr. Clemens, with all in favor, the meeting adjourned at 2:42 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair