

CELEBRATION CAPE HOMEOWNERS ASSOCIATION, INC.

**SPECIAL BOARD OF DIRECTORS MEETING**

*A Corporation Not-for-Profit*

Saturday, June 3, 2017 at 10:00 am

Held at: Celebration Cape Pavilion (203 Destiny Circle, Cape Coral, FL 33990)

**1. CERTIFY A QUORUM AND CALL TO ORDER:**

Kevin Sutton, Board Vice President, called the meeting to order at 10:01am. A Board quorum was established with Susan Dyszel, Linda Foreman, Kevin Sutton and Peg Holecek present. Jim Arnold was not present. (Tropical Isles Management did not have a presence at this meeting.)

**2. PROOF OF NOTICE OF MEETING:**

Notice in accordance with Section 8.3 and Section 8.5 of the Association's By-laws of a Special Board of Directors meeting was posted at the Pavilion signboard in accordance with Florida Statutes, Chapter 720 and the Association By-Laws, and emailed to all Homeowners.

**3. PRIOR MINUTES:**

Since this was a Special Meeting of the Board of Directors, no prior Board meeting minutes were referenced or approved.

**4. NEW BUSINESS:**

This Special Board of Directors Meeting has been convened to address and discuss the issues of landscaping within the Community and the services of our current vendor, American Allegiance.

LANDSCAPING REPORT (presented by Dick Dyszel, Grounds Committee Chair):

Last year, there was growing unhappiness with the landscaping services provided by Pinnacle.

People regularly complained about scalping, poor edging, damage by edging, damage to lamp posts from mowers, excessive weeds, fungus, infrequent mowing around the outside of the wall, damage to cage screening and general lack of communications from the management. It also turned out that in spite of monthly wet checks, for which we paid extra, several line breaks and leaks in our irrigation system were not found and/or ignored.

So, a small group of Grounds Committee members began looking for a replacement service. We got bids from four companies, eliminated one as being excessively expensive and then vetted the remaining three, touring properties and talking with HOAs that used them.

We took all the information, put it into a point by point comparison spread sheet and finally, the entire Grounds Committee went through intense discussion on each company's merits. The group finally voted to recommend American Allegiance to the Board, and after consultation with our management company and contract review by our lawyer, hired AA beginning March 1, 2017.

We gave the company lots of latitude to improve our landscaping but we did impose a few limitations, which included that all trucks and equipment be parked only in front of the pavilion and not in the alley, that various hedges and bushes be trimmed to specific heights and that the irrigation system be checked and set to meet Cape Coral code.

Almost immediately, problems were found with the irrigation system that included leaks and breaks that cost us over \$3,000 to repair. That system was also supposed to be programmed to meet code, but to this date we have yet to get an accurate schedule of that programming.

In the month of April, we got an ever-growing number of complaints about poor cutting, trimming and cleanup to the point we established a separate email address to track and forward these complaints to AA creating a paper trail.

We also had a continuing problem of vehicles parking in the alley blocking access to garages. This was in spite of repeated requests that this be avoided.

Several weeks ago, at the behest of the Board, a letter was sent to the owner of AA, through our management company on May 14, 2017, outlining our unhappiness, citing specific email complaints and asking for specific remedies including fertilization before the June 1st legal deadline. Although the lawn fertilization did take place, the other concerns such as property damage has gone unrepaired for more than a month. We did receive a notice through our property manager that AA will terminate our contract as of June 26, 2017.

#### BOARD COMMENTS AND OPEN FORUM:

Board: Just to be clear, Pinnacle terminated the contract with the Association, and now American Allegiance has terminated its contract as well. Of great concern is that the Association may develop a reputation among landscaping companies that we are a difficult client. We also need to be aware that with this being the beginning of June, we may also have a tough time finding a new company at this time of the year.

Dick Dyszel: We have reached back to two of the other landscaping companies who submitted bids last Fall: PCL Landscapes and Estate Landscaping. They both stated interest in submitting new proposals. The Grounds Committee is also reaching out to another company: Parsons Landscaping, and welcome suggestions of other companies to contact. With our last mowing from A.A. scheduled for June 26, we are in a huge time crunch. By early July (when we would be due for another mowing), we need to solicit proposals, conduct on-site walkthroughs, visit sample properties, compare services offered by each company, present recommendation to the Board, submit proposal for attorney review, and have the new company in place no later than July 7.

Q: Why did American Allegiance give us notice?

A: The main reason they cited was continued verbal abuse and lack of cooperation by Association Members. However, there was unprofessional and uncivilized behavior from both parties.

Q: Given that we have had inexperienced crews working on our property, how do we ensure that we are hiring professional, experienced people?

A: That's a big concern, and one of the criteria that we will stress with companies we interview.

Q: How is cost going to be factored into selecting the next company?

A: Keep in mind that we must work within our budget; and yes, there are some concerns with automatically opting for the lowest bid. Going with the highest bid isn't always the answer either, as was the case with American Allegiance.

Q: Is it possible to hire one company for mowing and trimming, one for pest and weed control and another for irrigation?

A: It would probably be more expensive to go this route, plus we would have to manage the contract and scheduling of the individual vendors.

Jack: We need to make sure that we hire a company who employs fully-trained, and properly licensed technicians, especially when it comes to the irrigation system. We need to insist that they have a knowledgeable person who really understands how our system works, have the right equipment for testing and performing wet-checks, and provide a report of their findings.

Q: Will the new contract include a 30-day opt-out clause benefitting the Association?

A: Yes, absolutely.

Q: Where are we going to allow landscaping vehicles to park?

A: We will direct the new landscaping company to park their vehicles in the street in front of the Pavilion area. Parking of these and other service vehicles (delivery trucks, pool maintenance, etc.) should never block driveways, mailboxes, or the main entryway.

Q: Can we request that the new landscaping service date be Thursday or Friday (so that it looks good on the weekends, when most folks are home to enjoy the finished product)?

A: We will make this request of the companies we interview.

Q: Can't the Homeowners take care of their own landscaping?

A: 1) When we have visited other communities that take this approach, the resulting look is very inconsistent. 2) Poses a problem for part-time residents who do not see their property on a regular basis. 3) The Homeowner would also have to take responsibility for the irrigation system. 4) Our governing documents direct that the Association is responsible for providing these services.

## **5. BOARD ACTION:**

The Grounds Committee petitioned the Board for permission to take the next steps in securing a new landscaping service for the community.

The motion was made, seconded, and all voted in favor of directing the Grounds Committee to start the search for a new landscaping service company.

## **6. NEXT MEETING(S):**

The next regular Board of Directors Meeting is scheduled for Sunday, July 30, 2017 at 3:00pm.

(The Board has the right to convene a Special Board Meeting—as needed—to address Association matters.)

## **7. ADJOURNMENT:**

There being no further business, a motion was made to adjourn the meeting. The motioned was seconded and all voted in favor to adjourn at 10:43 am.

Respectfully submitted,

Linda Foreman  
Secretary, Board of Directors  
Celebration Cape Association

***(The preceding minutes were approved by the Board of Directors on Sunday, July 30, 2017)***