

CELEBRATION CAPE HOMEOWNERS ASSOCIATION, INC.

SPECIAL BOARD OF DIRECTORS MEETING

A Corporation Not-for-Profit

Saturday, June 23, 2017 at 9:00 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 9:00am. A Board quorum was established with Susan Dyszel, Linda Foreman, Kevin Sutton and Peg Holecek present in person; Jim Arnold was present by phone. Mark Rudland, CAM (Tropical Isles Management) was also present.

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 several urgent Grounds issues.

GROUND'S COMMITTEE REPORT (presented by Dick Dyszel, Grounds Committee Chair):

[The Grounds Committee met on Thursday, June 22, 2017]

Three weeks ago, we started the process of finding a new vendor to care for our landscaping. We learned a lot from the recent experience with AA and applied it. One lesson was to interview all the important players with each company and not just the sales rep. This we have done this time around.

With very little time to come up with candidates, we started with the two companies who bid last Fall. We then added companies suggested by residents such as Larry, Linda and Maureen. We also took a look at an unsolicited proposal we got on Facebook.

We also took into account comments from residents about considering smaller companies who might be hungry and care more.

The very first thing we did was search the Internet, using a variety of search terms to find information on the companies, their performance, their owners and of course customer reviews. At that point, we had five candidates who came out, toured the property, made important observations (all of which were meticulously recorded by Linda).

We got proposals from four of the five...Parson's Landscaping declined to offer a proposal.

Because the bid from Buena Vista Landscaping was almost \$100,000 a year more than what we are currently paying, we eliminated them from further consideration.

That left us with PCL Landscaping, Shaw Does It All and Paul Holmes Landscaping.

At this point members of the community toured properties...where available...and even met with one HOA president.

Linda then took all this information and spent way too many hours creating a comparison spreadsheet so we could try and compare apples with apples. We have 8 copies of this to spread around.

Jack spent a lot of time talking with the head of each company's irrigation department asking specific questions relating to our unique system.

Let me quickly summarize each company:

PCL Landscapes is the largest of the group with about 100 employees working in the Cape and Ft. Myers. They've been in business since 1952 and seem to have a low property turnover rate. Pest control and irrigation are all done in house. We looked at two properties, one of which—Heritage Palms—was similar in size and grass and plant types. We talked with the HOA President and he claims they've had not problems with the company in the two years they've been on the job.

Shaw Does It All is a small owner/operated firm. Jeff Shaw has 5 employees and works both the Cape and Ft. Myers. He seems very knowledgeable about horticulture and seems to truly care about the properties he maintains. I'm not sure how long he's been in business, but would guess less than 10 years. We toured two properties: one in which he only mowed and another that he is renovating.

Paul Holmes Landscaping came to us only this week. He has decades experience working for other companies and has decided to go out on his own. I don't know how many employees he has but he sub-contracts out both pest management and irrigation. We have not had the time to tour any properties.

We did check with Tropical Isles and Mark Rudland sent this:

"The only one I have any real knowledge of is PCL. They work with another manager in our office on a couple of HOA's in Heritage Palms Golf and Country Club. He says they do a good job. They aren't perfect, but he doesn't get a lot of owner complaints and he feels those other two communities are a bit of high maintenance."

Lastly, because of the price quoted, I asked our Treasurer how this fits into our current and possible future budgets. We have 8 copies of her summary to hand out.

Since this year we budgeted \$68,000 for landscaping, PCL comes in under that, giving us a little pad for unexpected costs. Shaw at \$86,000 would put us in a deficit situation for the remainder of the year and require and the HOA fees to go up \$121 per house per quarter for 2018.

With Paul Holmes coming in at \$93,000, we would also be in deficit for the remainder of 2017 and the HOA fees would need to go up \$163 per house per quarter for 2018.

After much discussion, the Grounds Committee voted to recommend that the Celebration Cape HOA Board of Directors hire PCL Landscapes to provide community landscape maintenance, subject to receipt of an updated contract proposal and the concurrence of our management company.

In addition, the Committee also recommended that we hire Raul Grimaldo, through Greater Environmental Services to provide us with an accurate zone map of our irrigation system and do a thorough wet check highlighting all the current system deficiencies. Cost: \$500

The Grounds Committee also recommends the that Board accepts the bid from Mitchell & Stark to clean the two storm drains on the South side of the community. Cost: 4 hours labor at \$250 per hour for a total of \$1,000.

The Committee also approved the contract proposal from Gulf Wind Builders to repair and paint the wall, provided that we do not receive an updated competitive bid from McLeod Construction before June 30, 2017. It was recommended that the contract be modified so as to become active only after a construction permit has been issued. Cost: \$60,500 + 6% tax where applicable

BOARD COMMENTS AND OPEN FORUM:

Irrigation System Testing

Board: Let's make sure that the landscaping contract includes details of care specific to our community, a schedule of general maintenance services, as well as the directive regarding parking of work vehicles.

Board: Regarding the zone mapping and wet-check services, what exactly would be done?

Dick: A thorough wet-check would be done, testing all common areas, as well as at each home site. Locations with issues with be marked with a flag. A report will be provided to the Association, detailing the findings. Zone mapping would provide a visual recording of the assigned irrigation system zones for each property and the common areas. This will be helpful for pinpointing the exact location and matching up with error codes that would be displayed on the controller devices.

Board: The Board recommends that the Association obtains a written proposal for these irrigation services.

Board: Did the Grounds Committee also request these services from the other landscaping service bidders?

Dick: Yes. Shaw Does It All and PCL Landscapes provided us with quotes, both of which were priced higher.

Board: Let's also make sure that an HOA representative (probably Jack O'Neil) accompany Raul during these tests.

Drain Clean-Out

Q: Isn't this a job that can be done by community volunteers?

Board: This is a pretty dirty and complex job, one that involves not only the clean out of silt and other debris from the storm drains, but would also require the removal of this material, and the flushing of the drains to ensure proper flow. Given the scope of this job, there are also significant risks of damage and injury liability, that would be handled much better by a company with the equipment and manpower to do the job correctly.

Wall Repairs

Board: Are permits required to perform this work?

Dick: Gulf Wind Builders will secure any necessary permits. One thing to stress is that the work being done is strictly cosmetic and aesthetic, not structural. Structural repairs would require the review and the expense of an engineer.

Board: We will need to notify the neighboring residents on the outside of the wall that this project is underway, and expected dates of commencement. We will direct our management to undertake this task.

Dick: The Grounds Committee also recommends that we obtain a bid from our landscape company to clear the brush and other overgrown vegetation along both the exterior and interior of the wall.

Board: The Board cannot stress enough the significance of this project as a major undertaking for the community. The process of getting to this point was very complicated and time-consuming, and took a great deal of investigation, education, interviews, discussions—not to mention several walks around the wall—by multiple Association Members. We sincerely thank all those that took a role in this very important—and very necessary—community project. THANK YOU!

Landscaping Policy

Dick: During the process of selecting a new landscaping company, several neighbors either inquired about or requested that certain landscaping tasks be done to their specifications or not done at all (i.e., trimming, pruning, etc.). The Grounds Committee is not in a position to respond to these individual requests, and asks that the Board consider making a policy statement in this regard.

Mark: If you're talking about allowing Homeowners to "opt out" of specific services, it has been my experience that this approach can result in a non-uniform look to the community. In some communities where this is allowed, homeowners place all sort of markers (ribbons, sticks, etc.) to identify something that should be skipped. This also sets up the landscaper for making an error and not doing the job properly, if let's say a shrub was trimmed that shouldn't have been trimmed. You also run into the issue of catering to very specific requests (plant height, shape, etc.). This is very hard for both parties to manage.

Board: Our CC&Rs state that it is the responsibility of the Association to maintain all landscaping, this includes mowing, trimming, pruning. Thus, we are mandated to do so.

Board: The only way a homeowner could "opt out" would be for them to be extremely diligent in performing all trimming, pruning and other maintenance to the landscaping on their property.

Mark: You also have a number of hibiscus plants (shrubs and trees) in this community. Pruning of hibiscus is essential for the health of the plant.

Board: Agreed. The hibiscus plants are also showing signs of mealybug infestation. It has been recommended that these plants receive a hard prune, as well as insecticide treatment.

Board: The new landscaping services proposal does not include "opting out" of specific services. Let's give them a chance to do the job as contracted.

Board: We need to communicate to the community that "opting out" of landscaping services is not an option. We should remind the Association that we have a legal obligation to perform landscaping services on all properties, and cite the applicable sections of our CC&Rs. In addition, Homeowners are asked not to interfere with the landscaping crew as they are doing their job. All issues, comments or questions should be addressed in an email to grounds@celebrationcape.org.

In addition, we need to reiterate the responsibilities when it comes to irrigation system maintenance. The Association is responsible for maintaining and ensuring the proper functioning of the overall system and getting the water to each Lot. Homeowners are responsible for the components that are on their Lot (sprinkler heads, pipes, decoders, solenoids, etc.). Oftentimes, sprinkler heads do not properly rise or retract; this is usually due to a debris blockage. It is easy enough to clean out these heads. As a reminder, the landscaping company is not liable for damaged caused to popped-up sprinkler heads.

5. **BOARD ACTIONS:**

LANDSCAPING SERVICES:

For the record, all Board members have had a chance to review the proposed contract for landscaping services from PCL Landscapes.

The Grounds Committee petitioned the Board to hire PCL Landscapes as the new landscaping service for the community, effective July 7, 2017.

The motion was made, seconded, with four Board members voting in favor of, and one Board Member opposed to hiring PCL Landscapes. (The dissent was based out of concern for the level of services that can be expected from the company presenting the lowest bid.) The proposal will be reviewed by our management company and attorney. Any modifications to the proposal need to be accepted by both parties. The contract will be executed once a final contract is in place.

IRRIGATION SYSTEM TESTS:

A motion was made, seconded and agreed to by all Board members to approve the expenditure of funds (\$500) for wet-check and zone mapping services to be conducted by Raul Grimaldo. This approval is pending the submission and acceptance of a written proposal detailing the services and providing contractor license and insurance information.

DRAIN CLEAN-OUT:

A motion was made, seconded and approved by all Board members to accept the drain clean-out proposal from Mitchell & Stark. If the scope of work and associated costs exceeds \$1,000, the Board will need to approve the additional funds.

WALL REPAIR:

A motion was made and seconded. All voted in favor of approving the scope of work for wall repairs as stated in the proposal presented by Gulf Wind Builders (providing that no other bids are submitted by June 30, 2017).

Contingencies include:

- 1) Contract review by management company and attorney to ensure that the language clearly states that the work is cosmetic, not structural.
- 2) Contractor will obtain all necessary permits to commence work.
- 3) Management company will notify neighboring residents about the status of this project, along with an approximate start date, once this is known.

The Board also authorizes the Grounds Committee to obtain a bid for expenses related to the clearing of plant materials along the wall.

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 10:00am.

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)

Approved