

MINUTES OF THE UOC MEETING
June 3, 2009
9:00am @ Pelican Landing Community Center

CALL TO ORDER – *Fred Balduini, Bay Creek*

Mr. Balduini called the meeting to order at 9:00am.

ROLL CALL

Mr. Balduini called for the roll. The sign-in sheet, attached to the original minutes, evidences the roll call.

APPROVAL OF MINUTES

Upon a motion by Ken Polley – Waterside, seconded by Nelson Glueck - Southbridge the May 6, 2009 UOC Meeting minutes were approved as written.

ANNOUNCEMENTS

- PLCA Board Meeting: June 17, 2009 9:00am – Pelican Landing Community Center
- Bayside & Bay Creek CDD Meeting: June 22, 2009 2 pm – Pelican Landing Community Center
- UOC Meeting: July 1, 2009 9am – Pelican Landing Community Center

RESIDENT INPUT ON AGENDA ITEMS

There were no requests to speak.

CDD UPDATE – *Tom Stang – Longlake Village*

Mr. Stang reported that the following were topics of discussion and actions taken at the May CDD meeting:

- A memorial presentation in honor of Jesse Mosheim
- Adopted amendment to Tennis Center water allocation
- Accepted 1st draft of 2010 budget; public budget hearing scheduled for 8/29/09
- Continued discussion on ROLL Dock proposed maintenance contract w/ PLCA
- Approved Barraco & Associates, Inc. contract to provide full graphic reports on lake bank elevations
- PIC topics: bracing of posts & addition of ladder at ROLL Dock; parking at Children's Park
- Received requested head count of Pelican Landing registered voters; Bay Creek 718, Bayside 2016
- Appointed Jack Lienesch to fill vacant Bayside seat

Mr. Stang responded to questions from the committee.

FINANCE/AUDIT COMMITTEE REPORT – *Judi Brown, Finance Committee*

Ms. Brown presented the written report, which is part of the original minutes on file.

SUBCOMMITTEE REPORTS

BOCCE – *John Bracco, chair*

Mr. Bracco reported that Bocce had a good season with approximately 200 people using the courts weekly. June 19th a Barbeque is scheduled, geared toward teaching Bocce to novices. The committee is working on the 3 year budget plan. *Mr. Bracco* gave a brief run down of the 2009 season.

TENNIS – *Sumner Lipman, chair*

Mr. Lipman was not in attendance.

FITNESS – *Jay McGiveran, chair*

Mr. McGiveran provided usage statistics for the 2009 season and information on the mold remediation / dehumidifier installation in the fitness & aerobics rooms. 4 new treadmills were purchased. Step aerobic classes were offered, but there was little interest. *Mr. McGiveran* replied to questions and comments from the committee.

MANAGER'S REPORT – Marie Martel

Ms. Martel presented her written report, which is part of the original minutes on file. *Ms. Martel* replied to a question concerning a car theft which happened after her report was distributed.

UNFINISHED BUSINESS

FLIGHT PATTERNS – Bernie Cramer

Mr. Cramer reported that the SW Regional FAA Director has requested a meeting to review the suggested changes to the new flight patterns. *Mr. Cramer* stated this is a positive step and commended the people involved in the grass roots effort to affect changes. *Mr. Cramer* responded to a question concerning the initial flight path changes, which affected the whole SE corridor.

BEACH EROSION – Tom Betts, VP

Mr. Betts reported that more beach has been lost and enumerated the growing challenges this presents. Staff has been busy not only with the physical changes necessary, but also in getting local government officials along with Lee County Park administration involved. The Bonita Springs City Council has declared an emergency resolution, which should help in speeding up short term efforts to stabilize the beach; it is hoped to be able to take excess sand from the north end and move it down to the narrowest part of the park. Staff is also working to get permission to dock at Lovers Key should the Beach Park become unusable. Furthermore, a technical meeting is planned in Tallahassee to go over the entire restoration plans. *Mr. Betts* replied to questions and concerns from the committee; *Judi Brown* provided financial information on behalf of the Finance Committee.

ECCL COMMUNITY DEFENSE FUND

Mr. Balduini opened discussion on the suggestion to establish a Community Defense Reserve Fund, which was tabled to a defined time last month. There was input from the Heron Point representative, to wait for the Board to find an issue important enough to warrant spending community funds.

A motion was made and seconded to postpone discussion on this topic indefinitely.

Discussion: 13 UOC representatives presented the input received from their neighbors; there were some in support of this effort and some opposed. It was pointed out that: the ECCL has been instrumental in identifying issues of importance to the greater community and stepping forward to take action; this request is to create an open-ended reserve fund; it seems there is a discrepancy between residents living in Estero and Bonita Springs.

A motion to call the question was made and seconded.

Discussion: there was an objection to terminate discussion, noting that each community would have the power to dictate whether their funds would be used on any given issue.

Motion to call the question passed: 27 in favor, 6 opposed.

Motion to postpone discussion indefinitely passed: 21 in favor, 14 against.

ENFORCEMENT OF UTILITY EQUIPMENT SCREENING POLICY

Mr. Balduini presented the motion that was tabled last month, to enforce the screening of utility equipment with fines after 30 days of non-compliance. There was discussion on problems with the placement of some utility boxes too close to the sidewalk, suggesting there should be separate rules for these situations. It was thought that a meeting with the utilities officials would be helpful in defining the plantings. There were suggestions for various alternatives to plants in the ground. It was agreed to ask Nancy Page, Director of Covenant Enforcement to send out the information on suggested plants to the UOC representatives.

ROLL DOCK MANAGEMENT AGREEMENT

A motion was made and seconded to approve the CDD management agreement as presented, to have PLCA manage the day to day operations & maintenance of the ROLL Docks with the CDD being responsible for renewal & replacement.

Discussion: It was explained that the CDD owns the docks and has spent the money to refurbish them, but only the PLCA can manage them as an amenity; one suggested use would be to run in conjunction with the Canoe/Kayak Park; therefore the proposed management agreement. The concept of management was defined and it was determined that the CDD would pay for replacement costs or capital expenses. It was noted that the monies come from two different pockets of the same people.

A motion was made and seconded to amend the contract replacing the word 'renew' with 'repair'.

No Discussion; Motion failed.

Motion to approve management agreement passed: 31 in favor, 2 opposed.

NEW BUSINESS

PLCA BOARD ACTIONS MAY MEETING:

- Approved expenditure of \$17,000 from reserve account to repair asphalt sidewalks.
- Approved plan submitted by Garden Club for CC parking area
- Approved amended Board Annual Results and Objectives Summary
- Approved appointment of Jet Tipton to DRC
- Approved purchase of 2 replacement engines for the Island Breeze
- Approved placement of Butterfly Garden sign
- Approved establishment of a Broadband Communications Task Force
- Remanded Butterfly Donor sign to UOC for recommendation
- Moved support of Habitat as PLCA sponsored charity – requested UOC support of other local charity
- Requested UOC input on Children’s Park parking solution
- Dissolved the Coconut Pt. Marina Task Force
- Directed Tom Hart to file request for updates on any new re-zoning of Bonita Bubbles property
- Directed UOC Co-chairs to specify a method of communication with Condo & HOA Boards

Bob Lerew presented a prototype sign and explained the 3 elements of the Butterfly Donor signage: design, location and memorial status. There was discussion on past practice concerning memorial plaques or other such items. It was noted that Mr. Lerew most likely felt an obligation to the donors to document their generosity.

A motion was made and seconded voicing objection to the butterfly donor signage and to continue with the current policy on disallowing memorial signage.

No further discussion; Motion passed 31 in favor, 2 opposed.

Mention was made that the Director of the SW Florida Children’s Hospital is a resident of Pelican Landing and is giving guided tours for residents.

A motion was made and seconded to support the United Way as a Pelican Landing sponsored amenity.

No Discussion; Motion passed 19 in favor, 10 opposed.

Nelson Glueck explained that different ways to put in parking at the Children’s Park is being looked at. It was noted that the board was told that the parking situation is currently not in compliance with some zoning order, causing a legal issue.

A motion was made and seconded to ask the Board of Directors to immediately return that ground in front of the children’s park to put grass back.

Discussion: it was suggested the Board get a legal opinion, adding that any liability issues would be a board decision. An attempt was made to explain the discussion at the May board meeting and what the board was requesting of the UOC. Parking on the street was addressed as a safety issue, being duly noted that the number of cars is low and that they have always parked there. Moving the caution signs was suggested and a statement was made that there is no solution to the parking. Putting parking spaces next to Longlake Village would diminish property values. Encouraging parking off the road is wrong; this is a legal issue that should go back to the board. PLCA liability for any accidents was questioned.

A motion was made and seconded to refer the issue of liability back to the Board of Directors.

A motion was made and seconded to amend the referral to add that the wood chips that are there be simultaneously removed and grass replanted.

Motion to amend passed: 37 in favor, 2 opposed.

Motion to refer the issue of liability back to the board, recommending that the wood chips be simultaneously removed and grass replanted passed: 38 in favor, 1 opposed.

Mr. Balduini addressed the issue of disseminating UOC action items to Condo and HOA boards. There was discussion on the downside of individuals sending out information, sending out or posting action items or condensed minutes before they are approved, the delay in posting approved minutes and possible ways to remedy this.

A motion was made and seconded that action items from existing minutes be sent out pretty quickly with the understanding that they are not approved.

Discussion: the purpose of the UOC and job of the representatives to take notes and disseminate information to their neighborhoods, website posting and the feasibility of creating two sets of minutes were topics.

Motion was withdrawn; all in favor.

REQUEST FOR FUNDS

It was moved, seconded & unanimously approved to vote on each request individually.

A motion was made and seconded to recommend approval of an amount not to exceed \$1,494.00 for Replacement of Privacy patrol radios from Replacement Reserves.

Discussion: it was verified that reserves are replenished each year.

Motion passed unanimously.

A motion was made and seconded to defer funding for the Community Park dock repairs and to recommend commissioning a study for alternate use and improvements.

Discussion: the value of the dock, alternative uses for the park, repairing with changes to make fishing easier, location of the park, whether fishing should be allowed, maintenance of assets and use of capital/reserve funds were talked about.

Motion passed unanimously.

A motion was made and seconded to recommend approval of an amount not to exceed \$4,500.00 from Replacement Reserve to refurbish Community Center patio furniture.

Discussion: excerpts from a Longlake resident letter were read.

Motion passed unanimously.

A motion was made and seconded to recommend approval of an amount not to exceed \$3,100.00 from Capital to contract for termite treatment at the Community Center.

Discussion: the price of the annual service cost was given.

Motion passed unanimously.

A motion was made and seconded to recommend approval of an amount not to exceed \$1,250.00 from Replacement Reserve to replace engine for Picnic Cat sailboat.

Discussion: points were made on using an electric motor, need for this type of boat, these boats being an example of how budgets seem to grow of own volition, use of motor, why the day sailors were purchased, what they are used for and feasibility of rebuilding the current motor.

A motion was made and seconded to postpone the request to the next meeting.

Discussion: An amendment was made to include research of the electric motor. It was noted that the usage is by a small group but everyone pays.

Motion to postpone as amended in order to research electric motor passed; 38 in favor, 1 opposed.

NOTE: During the discussion on there was some talk of reviewing the use of these types of boats entirely, however it was unclear how this figured into the amended motion.

A motion was made and seconded to recommend approval of an amount not to exceed \$1,950.00 from Capital to purchase 3 new Kayaks.

Discussion: the need for new kayaks was questioned; the idea to place them at Weeks marina with cost to use being part of the sailing cost was explained; it was suggested to experiment with putting current kayaks there for summer and put the cost for new into the 2010 budget.

Motion to approve failed: 37 in favor, 2 opposed.

PELICAN LANDING SPONSORED CHARITIES

CHILDREN'S PLAYGROUND PARKING

Action was taken on these items earlier in the meeting under Board Actions.

CODE OF ETHICS FOR UOC SUBCOMMITTEE MEMBERS – *Ray Eifler – Heron Point*

Mr. Eifler gave his opinion on who all should sign the PLCA Conflict of Interest and UOC Code of Ethics forms and why.

Mr. Eifler offered to revise the policy if needed.

A motion was made and seconded that policy & procedures be followed and that UOC subcommittees sign the UOC Code of Ethics form.

No Discussion; Motion passed unanimously.

OPEN FORUM

It was reported that grass is growing over the curb on the west side of Greenview Drive. *Mr. Glueck* stated the District would take care of this.

Spills and stains on the road by Sandpiper Isle and the North Gate were reported; *Ms. Martel* gave the status on both areas.

Anne Cramer – Longlake suggested that creating a budget committee could be helpful. *Marie Martel* explained the budget process. *Brian Kenedy – Pelican's Nest* reminded everyone that this has been voted down every time it has been hashed out.

Ray Eifler – Heron Point stated that if the subcommittees wanted capital funds they could report in advance to the UOC.

Fred Balduini – Bay Creek stated this could be put on the agenda if it is wanted.

Judi Orgell – Bay Crest asked if the Sheriff Department report has been received; *Ms. Martel* replied not yet.

ADJOURNMENT