

President's report June 2020 – Charlie Litow HOA President

Rule Governing Authorized Use of Entrada (Marquis) Gate For Entry and Exit from Imperial Golf Estates

It was brought to my attention our Rule Governing Authorized Use of Entrada (Marquis) Gate For Entry and Exit from Imperial Golf Estates from September 29, 2015 contains errors. In paragraphs 1, 4 and 6 we need to remove the word rental or renter and replace it with lessee(s). Here are the proposed changes.

1. Entrada Avenue gate Bar Codes and personnel gate passes will be issued or be available for purchase from the Property Manager's Office only to authorized occupants of the 634 lots in Imperial Golf Estates, Phase I through V. Proof of ownership/residency/authorized rental status of one of the lots in Phases

4. Pre-authorized renters can purchase Bar Codes for the duration of the lease period. Bar Codes purchased by renters and installed on their personnel vehicles will be deactivated at the end of the lease period or if notified by the lot owner that they have vacated early. A new lease with specific beginning and ending dates will be required to extend the authorization of a renter's previously purchased Bar Code at a previous lease end date. No Bar Codes or gate passes will be sold to renters who do not have an approved rental application on file with the Property Manager's Office.

6. Owners, residents, renters, guests of residents and any other persons will be responsible for the costs for any damage they cause to the gate house, gates and gate systems.

May I have a motion and second to change same?

Veterans Road Expansion.

Select members of the committee met via telephone with Commissioner Solis. Commissioner Solis had received and reviewed our Power Point presentation as well as our initial letter regarding our concerns about quality of life for our residents due to the construction of the Veterans Memorial Extension.

We explained that our residences on our northern border primarily had pool, lanais, and glass doors facing the road that would be impacted by the road noise. Then we mentioned that impact on our western border due to the construction of the new high school, noise and drainage.

We explained our concerns about the traffic noise study including the \$42,000 per impacted receptor FDOT Standard. We mentioned the secondarily impacted residences and how those being considered would increase the density, if allowed, and add more funds for a wall. The potential for the county receiving good bids given today's business environment was discussed.

Commissioner Solis will talk to staff to see if there is any flexibility in the models to increase the number of impacted receptors, any flexibility in the FDOT \$42,000 spending limit per impacted receptor, and can the County obtain an option for the noise barrier in their construction contract? We discussed the design of the swale across our northern border including berms that could reduce the height of the noise barrier. We also mentioned the alignment of the road with the drainage storage ponds currently planned on the north side versus on the south side giving us more distance from the road to our property.

Commissioner Solis mentioned the possibility of a Municipal Services Taxing Unit (MSTU) if Imperial wanted the county to get bids in their contract for a noise barrier that our homeowners would pay in the taxes over a period of years.

The County will have at least two Neighborhood Information Meetings that our members could attend and comment on the planning for the road.

He also said that County Stormwater Management is willing to take over the maintenance of the east drainage swale by the Middle School when the road is built.

It's the committee that is looking into hiring our own engineering firm to do our own noise study and will bring its recommendation to the board when ready.

New High School

Our attorney had a call with representatives for the School. A summary of the discussion follows:

- In attendance: our attorney, Andrew Rath (Davidson Engineering for CCPS), Thomas Eastman (CCPS), Jerry Kurtz (Collier County Stormwater), and Amy Patterson (Director of the Collier County Stormwater Group)
- Jerry Kurtz believes the water that discharges into the swale runs due south and ties into the Imperial Golf Course surface water management system. He believes a study is needed of the entire system to ensure that there is ability

to convey this water to the south, which would likely be the responsibility of the County since the incremental, ad hoc decisions with respect to each of the developments may result in a failed overall system if not reviewed holistically.

- CCPS believes they have the right to tie into any County dedicated easement essentially as a “public utility”
 - We disagreed for the reasons already outlined in our opinion letter to the Association dated May 7, 2020.
- Andrew Rath advised that the permit that covers the HOA property also includes the CCPS school site (+/- 100 acres total) and provides that the HOA’s surface water management system is required to accept off-site flows. He said he would provide copies of the permitting documents he is relying on.
- Andrew Rath advised that the discharge into the swale will be at a rate less than the current rate (i.e., the quantity of runoff in the swale as a result of the CCPS development will be less than it is currently, as the majority of the runoff will be directed to the on-site wetlands). He said he would provide the calculations to support this.
- Advised that HOA would request pro rata contribution towards ongoing maintenance and/or improvements to the system that are necessitated as a result of CCPS’s development (or a redesign of the system to not discharge into the swale). Tom Eastman advised that CCPS wants to be a good neighbor and is not opposed to these solutions (although he would prefer a one-time payment instead of having ongoing responsibilities to the Association), but does not want CCPS to be subject to more requirements than other parties who also discharge into the drainage swale (e.g., Mediterra). Thomas Eastman said he would forward me CCPS’s standard indemnification language for our review.
- Jerry Kurtz believed that Mediterra is not discharging into the HOA’s drainage easement, but Andrew Rath disagreed. Andrew said he would forward the most current plans he has that reflect discharge into the HOA’s drainage swale.
- Amy Patterson advised management of the drainage swale *may* be reassumed by the County. Timing for such a shift has not been discussed at this time, but it takes 2-3 years to build a road so it is possible that the County would not assume this responsibility until this time as part of the extension. Thomas Eastman said CCPS would contribute its fair share towards maintenance of the easement once assumed by the County, but would again prefer a one-time payment as opposed to an ongoing commitment.

Collection issue

Debbie Frost received payment for 1922 IGCB. It was based on the numbers provided by Sandcastle. This number did not include the attorney fees we accrued to date. We the board should decide to pursue these fees or waive them.

RESERVE STUDY

Does the board wish to discuss the issue of a reserve study? If so, we need a motion and a second.

Fire Hydrants

Collier County Utilities has been monitoring our hydrants. They are preparing to solicit a bid to replace all the hydrants in Phase 1 due to their age. It could be 4-6 months to solicit bids, evaluate, select a vendor, get Collier County Board of Commissioners approval, and complete the work of replacement. They could not remove the rust on those Phase 1 hydrants and paint because that process could result in some hydrants blowing off their connection. That is why all the hydrants in Phase 1 are scheduled for replacement. Some hydrants are being painted now.

COMCAST F

We received at a minimum another 3 month on the free install. Do we email blast and use the website to inform?

Front Gate and Back Gate

Any further communications warranted?

Delinquent Assessment Rule

Based on recent events, we should change our Delinquent Assessment Rule. See attached. Do we have a motion and second?

Property Manager Duties

We as a board need to decide if we follow the path of former boards or do we utilize the property manager to:

- manager shall solicit specifications and proposals; interview potential contractors; verify references, licenses and insurance coverages; prepare

recommendations to the Board of Directors and assist in the negotiation of contracts on the behalf of the Association.

- Proactively review with the Board of Directors the performance of ongoing contracts and recommend any changes or corrective actions required.

Do we have a motion and a second?