

**Minutes of the Meeting  
of the  
Board of Directors**

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**The Club at La Peninsula, Inc.**

**Date: July 11, 2019**

**Time: 2:00 PM**

**Place: The Clubhouse at La Peninsula  
Naples, FL 34113**

**Agenda**

- At 2:07 PM, President Stan Pilat called the meeting to order.
- A quorum was established, with Stan Pilat and Tina Petrik present in person, and Bob White and Dave Petrella present by teleconference.
- Proof of adequate legal notice by posting was established by Jack Spring, CAM, Resort Management.
- Stan moved to table approval of the previous board meeting minutes pending receipt at the next Board meeting; the motion was seconded by Tina, and adopted unanimously.
- The Treasurer's Report was given by Matt Darling, CAM, Resort Management, reporting:
  - YTD income of \$508,042.81, less Seawall Income of \$233,347.48.
  - YTD expenses of \$468,505.63 less reserve expenses of \$16,557.27, less Hurricane Irma Expenses of \$13,146.00, less Seawall expense of \$122,793.88, less Seawall Extension of \$5161.25. All figures preliminary due to pending audit.
- Board member, Clay Keeler joined the meeting at approximately 2:23 PM.
- SEAWALL.
  - Stan reported that the seawall project was going well and ahead of schedule, with the splash wall height appearing to be satisfactory.
  - It was suggested that a spreadsheet be kept pertaining to the income and expenses for the seawall, and reflecting the allocations from and use of

the Credit Line. Matt reported that the Resort Management financial team was tracking all such income and expenses.

- Stan announced that an electrician had been scheduled to complete the work necessary to install the sump pumps in building 100, 200, 300, and 600, and the sump pumps had been ordered and would be installed within the next couple of weeks.
  - Stan moved that all roof gutters for buildings 500, 600, and 400 be directed to tie-in to the closest existing 12” drain pipes rather than directing storm water to the retention ponds. *The drainage engineer will have to approve the tie-in.* Tina seconded the motion, and it was adopted unanimously.
  - The Master Board is obtaining quotes for sod and irrigation for the 25 foot easement where applicable along the seawall.
  - Stan moved to install one wave deflector to be installed at a price not to exceed \$4100, with the location to be determined by the BOD at Twin Dolphins, and with a request to inform the Master Board of the chosen location by July 18, 2019. Tina seconded the motion, which passed unanimously.
  - Stan explained that easements would be granted to each building 100-600, to allow certain permissible incursions into the seaside area, at an approximate cost of \$700 per easement for legal fees, to be paid by each building.
- **ARCHITECTURAL REVIEW CONTROL.** Stan re-emphasized that the ARC had been re-constituted at the Annual Meeting in March, and consists of the Presidents of each building or appointee. Also, the application and review process approved by the Master Board at the Annual Meeting is as follows:
    - All applications for exterior alterations must be made first to the individual buildings (either for review and vote by the individual building-Board, or by the buildings’ owners, depending on the document requirements for each building)
    - If approved, the application would then be presented to the ARC for review and decision, and then submitted to the Master Board for final review and decision.
    - The ARC membership is composed of the President from each of the buildings, or their appointee, and their role is not to act as engineer or architect, but only to provide objective evaluation of whether the proposed project is compatible with existing structures.

- All applicants are expected to retain their own design professionals, architects, and engineers, and to present clear plans and drawings that show the shape, size, and dimensions of the structures, along with the color and type of materials to be used. All applicants would be expected to address issues pertaining to impact on storm water, utilities, and other such considerations as the ARC and Board determine are relevant.
- The ARC would notify the Master Board that it has received an application which is under review, and the ARC would have 2-4 weeks to approve or deny the application, depending on the magnitude of the project.
- Thereafter, the Master Board would have final right of review, and could vote to deny, modify, or approve the application.
- All application approvals given by any of the individual boards, the owners by membership vote, the ARC, and the Master Board would be contingent upon final approval by Collier County, and no project would be permitted to start without approval from both the County and the Association (boards, unit owners, ARC).
- Stan indicated that two unfiled ARC applications were being discussed by separate unit owners requesting expansion of a patio into the waterside area. None of the applicants had followed the established review process yet, or obtained County permits or approvals, and Stan stated that due to the ongoing seawall construction project it would not be possible to allow any patio construction to begin, although applicants could begin the process of seeking approvals from the Association boards, unit owners, ARC, and the County.

Also, there was discussion about the pending project to connect the townhouses and lower walkout units for Building 200 with walkways. The plan was approved by the Building 200 board and also the Master board. In plans, as approved, the walkway will conform to the building's appearance, and the design and material standards. The only contingency was that they needed final approval from Collier County; provided the new plans looked like the renderings previously supplied at the meeting they were given approval. There were no other requirements.

**FENCE AND LANDSCAPE AROUND POOL.** Stan and Matt discussed that according to legal counsel's opinion, replacement of the existing pool fencing and supplementary landscaping at a height of 54 inches or more would not be considered a "material alteration" requiring membership approval because it

is required for safety reasons, and to prevent trespass and damage to the pool and clubhouse. Previous and recent police reports have been filed for incidents involving non-member trespass and use of the pool, and damage to the clubhouse. Therefore, Stan moved to update estimates to replace the fence and landscaping, and submit the proposals, to include samples of the style, color, and height of the fence to the Board for approval and installation. Tina seconded the motion and it was adopted unanimously.

**SECURITY CAMERAS.** Due to safety concerns for the residents and recent incidents involving trespass and damage to common elements, Stan moved to install the cameras at the gate entrance and exit, as previously approved by the Board (at a cost of \$4500), and to supplement security by installing 2 cameras outside the clubhouse and pool area, and adding 2 cameras inside the clubhouse. Cameras will be hard wired, and offer real-time monitoring via web access. Dave seconded the motion and it was adopted unanimously.

**COMMUNITY GATE.** The age of the community gate motors and loops was discussed, as well as the recent repairs completed by Action Automatic Gate, and the Board deferred decision on whether to replace the gate machinery and sensors at this time, and will monitor operations for the time being. Jack reported that the bushings repair on the exit gate had provided reliable operations for over four weeks, and the entry gate motor capacitor was recently fixed, however, the gate machinery is approaching the end of its useful life at 8-10 years old. Jack submitted a proposal to the Board from Action Automatic Gate for the replacements cost, which is estimated to be approximately \$15,000, and which includes a switch to the Liftmaster brand of gate motor.

**GENERATOR.** Clay discussed the proposal for a new clubhouse generator. A 22KW generator was deemed necessary due to the size of the two air conditioning units which serve the clubhouse. It will be connected to the existing LP line.

#### **UNIT 408/COLLECTION OF FINE**

Stan moved to request Jack/Resort Management to file on behalf of The Club, an action in small claims court, in the District Court of Collier County, to collect the fine of \$1000 levied against the Owner of Unit 408 for the golf cart violation matter. The action will include a request for recovery of attorneys'

fees and costs. The motion was seconded by Tina, and adopted 4/1, the dissenting vote being cast by David.

MITCHELL PROPERTY MATTER. Stan provided an update on the Mitchell property zoning matter. The Planning Commission will hold a public hearing on the matter on August 15, 2019.

The Mitchells are asking to rezone from R-12 to R-4.

CHANGE OF PRESIDENT. Stan announced he had purchased a home in a new community and would be moving. He stated that he would remain on the Board for a short while, but wished to step down as President. Stan nominated Dave Petrella to fill the office, which was seconded by Bob White, and the motion carried unanimously.

Stan moved to adjourn, and Tina seconded, and the motion carried unanimously. At 3:40 PM the meeting was adjourned.

Respectfully submitted,

Jack Spring, CAM  
Resort Management  
July 12, 2019