

1 FEDERATION OF KINGS POINT ASSOCIATIONS, INC.

2 1902 Clubhouse Drive, Suite A

3 Sun City Center, Florida 33573

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6 FEDERATION SPECIAL BOARD OF DIRECTORS MEETING MINUTES

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9 DATE: Friday, October 20, 2017

10 TIME: Immediately following the Membership
11 Meeting

12 LOCATION: KPNCH Card Room
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15 **Roll Call:** President Argott, Vice President Chace, Secretary Meeker, Treasurer Piper,
16 Director Belcher, Director Hamilton, Director Huften and Director Murphy. Absent Director
17 Bardell. A quorum was established. Attorney Eric N. Appleton of Bush Ross was also
18 present.
19

20 **Call to Order:** President Argott called the meeting to order at 12:09 pm and reminded
21 everyone that this is a Special Board of Directors Meeting, therefore only the items on the
22 Agenda will be addressed, there is no Open Forum or Good and Welfare.
23

24 **New Business:**

- 25 • Review the Status of the Mainscape Contract – President Argott announced that the
26 Membership has voted to Terminate the contract as of March 31, 2018 with
27 Mainscape. First thing we need to do is Create a Contract Committee who will work
28 through the development of the RFP and some legal action based on the issues of
29 nonperformance. Attorney Eric N. Appleton stated with respect to the Landscaping
30 Contract Section 3.13.5 Alternative Dispute Resolution says “The parties shall attempt
31 to settle any claim or controversy between them.....” It is my recommendation to the
32 Board that we make a demand to Mainscape at this time for pre-suit mediation
- 33 • **Director Huften moved that the Federation Board of Directors directs Attorney**
34 **Appleton to prepare and send a demand letter to Mainscape to engage in**
35 **Mediation, pursuant to the parties’ current contract, to address all failures of**
36 **Mainscape to delivery services that were paid for by the Federation and not**
37 **delivered during the current contract term. As part of this motion, Attorney**
38 **Appleton is directed to work with Rick Dowswell and Darryl Flint of FirstService**
39 **Residential to review all evidence of contract deficiencies that they have**
40 **gathered to date in order to prepare the demand in question and to prepare for**
41 **mediation. Mediation shall be scheduled as soon as practical** The Motion was
42 **Seconded.** Director Huften presented the information. There was no discussion.
43 President Argott called the question. **The Motion Carried.**
44
- 45 • Development of the Lawn and Landscape Contract Committee - **Director Hamilton**
46 **moved after discussion and correction to appoint the Lawn and Landscaping**
47 **Contract Development Committee. This Committee shall be tasked with**
48 **working with Attorney Appleton to review and analyze potential changes to the**

49 legal and business terms of our current Contract. The Committee shall also
50 consult with Paul Woods of OLM and Darryl Flint of FirstService Residential to
51 review and analyze potential changes to the scope of work in the current
52 Contract. Additionally, the Committee shall identify, with the assistance of Rick
53 Dowswell and Darryl Flint, potential candidates who may be qualified to bid on
54 a revised contract that has different legal and business terms and a modified
55 scope of work. The Committee shall endeavor to establish a new structure for
56 landscaping services that involves between two (2) and three (3) contracts for
57 landscaping services benefiting Federation Member Associations. The
58 following individuals, who represent each of the nine (9) Districts in Kings
59 Point, are invited to participate on the Committee: Chuck Huften, District III;
60 Joan Chase, District V; Ralph Belcher, District VI, Tom Murphy, District IV; Jim
61 Kulp, District II. In the event that any of the named individuals does not accept
62 this appointment, Directors Huften, Chace, Belcher and Murphy shall promptly
63 confer with each to select alternates to service on the Committee by October
64 25, 2017. Directors Huften, Chace, Belcher and Murphy shall ensure that the
65 final composition of the Committee consists of nine (9) owners representing
66 each of the nine (9) Districts in Kings Point. The Committee shall deliver its
67 first report at the Federation November 2017 Board of Directors Meeting. The
68 **Motion was Seconded.** Director Hamilton presented the information. Discussion
69 followed. President Argott called the question. **The Motion Carried.**
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71 President Argott stated she has telephoned Lauren Garner the Vice President of
72 Mainscape and apprised him of this motion. He said that he would get with his teams
73 and ensure that the services are provided through the end of the contract term.
74

75 Preston True, President of Lancaster I, stated this meeting is not being taped as the
76 regular meetings are and hoped they will get the minutes from this meeting. *President*
77 *Argott stated all meetings have minutes provided to all Association Boards following the*
78 *meeting; that is normal procedure. The normal procedure and per the contract with*
79 *Vesta, the Board and Membership Meetings are recorded for the rest of the community to*
80 *be able to view, especially those who will not be able to attend. Special Meetings are*
81 *not included in the contract. Mr. True also suggested that the Board should consider*
82 *doing that so the rest of the community will know what is going on. President Argott*
83 *stated we will take that under advisement.*
84

85 **Adjournment:**

86 The meeting adjourned at 12:30 pm

Approved by the Board November 8, 2017

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89
90 Louise Landry, Administrative Assistant

Mary Ann Meeker, Corporate Secretary