

**PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD OF SUPERVISORS MEETING  
FEBRUARY 17, 2016**

The Board of Supervisors of the Pelican Marsh Community Development District met on Wednesday, February 17, 2016 at 9:00 a.m. at the Pelican Marsh Foundation Building, Naples, Florida.

**APPEARANCES:**

Frank Garofalo, Chairman

Robert Smith, Vice-Chairman

Don Pomerantz, Treasurer

Gordon Walker

Sally Dupler

**ALSO PRESENT:**

W. Neil Dorrill, Dorrill Management Group

Jonathan Wadas, Johnson Engineering

John Vanover, Operations Manager

Tony Pires, Board Counsel (Via Speakerphone)

James Calamari, Access Control

**ROLL CALL**

The meeting was called to order by Chairman Garofalo, with all supervisors as listed above in attendance. Mr. Wadas was appearing for Mr. Robson from Johnson Engineering, and Mr. Pires was attending via speakerphone.

**PUBLIC COMMENT**

Fred \*\*\*Ralston of Egrets Walk noted that they had recently discovered that they owned a concrete wall on their property. Some areas have fallen into disrepair, and if they had it fixed to the satisfaction of Mr. Vanover, they wondered if the Board would be interested in taking over the responsibility for it going forward. Chairman Garofalo noted that they had recently been through something similar with Ventura, and their wall was approximately 80 percent

destroyed. He explained the agreement they had with Ventura and the options the Board gave them regarding what they would do. He added that it was his position, although it was up to the Board, that as the wall was 20 years old, even though it is 80 percent intact at this time, it may fall into disrepair in the near future. If Egrets Walk repaired the wall and then let it stand for a few years, and then changed the whole wall if it was coming apart, Chairman Garofalo indicated he would support taking it over. He added that it would be the decision of the Egrets Walk Community as to what type of fence was preferred if it was replaced, but added that the Board would put up and pay for a chain link fence or pay the equivalent cost to Egrets Walk. However, if it was repaired only, their community will have to pay for it.

Mr. Vanover suggested that he and Mr. Ralston walk the wall together so they can get a true idea of how good or bad it is. Mr. Vanover did not feel that the wall was in bad shape, and could probably be repaired for \$10,000 or less. Mr. Wayland, the president of the Egrets Walk HOA, felt that if the concrete wall could be fixed for that amount of money, that is what should be done. He will join Mr. Vanover and Mr. Ralston when they walk the fence.

Mr. Diaz from Tiburon noted that he lived in Castillo and was a member of the Tiburon Board, substituting for the Board's president at today's meeting. The issue, which he has spoken to both Mr. Dorrill and Mr. Vanover about, concerns installing a flag pole placed where the Tiburon sales office used to be. Mr. Vanover gave a brief history of this area, noting that there were three smaller flagpoles that were taken out by WCI after all the units were sold. The residents are now asking to have one large pole installed for the American flag in the same area where the three original flags were located.

Mr. Dorrill added that when this area was given to the District by WCI, there had been some discussion about installing a park bench as there are some nice water views from there. A plan for the exact spot for the flag has not yet been determined, but the Tiburon Board president has indicated that they are willing to fund the project. Mr. Dorrill advised him that subject to the Board's approval, they could work on some lighting as there is protocol involved with

displaying the flag. Additionally, it would have to be a good quality, institutional pole. The Chairman asked that a simple concept drawing of where the pole with a concrete pad would be placed with lights and a bench, along with the costs and funding source.

Mr. Pires pointed out that the transfer of this property from WCI to the District has not been completed as of yet, and he is still waiting for some final documents. Chairman Garofalo indicated that with a plan in place, once the property is transferred, they can move forward with the project.

#### **APPROVAL OF AGENDA**

**On a MOTION by Robert Smith and a second by Gordon Walker, the agenda was unanimously approved by the Board.**

#### **APPROVAL OF MINUTES OF JANUARY 20, 2016 REGULAR MEETING**

On the last line of Page 3 and the first line of Page 4, there was an indication that this section should be checked as it was difficult to hear. Chairman Garofalo clarified what the discussion was about and the changes that were being made with the emergency fund.

Under the Engineer's Report on Page 5, The words "The area was accepted as constructed even though a small area of riprap was not included" should be inserted after the word "neighborhood" in the second line, with the rest of the sentence being deleted. Additionally it should be clarified and added in the fifth line that at acceptance it became the Pelican Marsh CDD's responsibility to maintain the drainage function in this area, along with the riprap.

Additionally on Page 5, in the fifth line from the bottom, the words "how much flooding" should be replaced with "if flooding". Additionally, the last line of that page should be deleted.

On Page 7, the name at the beginning of the ninth line is Jimmy Kleinman, and five lines below that, Mr. Kleinman is the speaker as well.

On Page 8, the word "complemented" should be "complimented" on the third line down.

**With those changes and corrections, the minutes were unanimously approved on a MOTION by Robert Smith and a second by Don Pomerantz.**

## **FINANCIALS**

The first quarter, month ending December 31 Financials were provided to the Board, and showed revenue of \$3,035,000, \$38,000 more than the prior year at the end of the first quarter. The balance sheet showed \$3,450,000 in cash with some additional due-froms from the debt service fund against \$110,000 in payables.

As per the Board's direction the previous month, the reserve for contingency and reserve for cash flow were both shown as credits against current assets. Neither of them is restricted, and the auditor has advised staff on how they should be portrayed. Chairman Garofalo indicated that when the emergency funds are moved into those different categories, people will not misinterpret how much cash is actually available.

Mr. Dorrill advised that part of the large cash position is attributable to additional transfers to the debt service accounts which are maintained by US Trust, and are paid by check.

The Chairman indicated that 25 percent of the annual budget of \$3,400,000 is taken out and put in contingency for cash flow in the event of a delay in the money from the County. The other part of the money is for emergencies.

The income statement showed \$970,000 having been received in the month of December as people took advantage of the year end deduction. Mr. Walker asked why the discounts taken under the tax revenue were not shown, and was advised that the actual amounts received are shown on the balance sheet, and on the expense side on the income statement the fees for the tax collector and the property appraiser are shown. Additionally \$4,000 was received under miscellaneous income.

On the expense side, the only significant item to note was the property appraiser's fees which were \$12,000 over what was budgeted. There were also a few seasonal or quarterly adjusted

***Pelican Marsh CDD – Minutes***

***February 17, 2016***

***Page 5***

expenses such as insurance premiums, and three pay periods that occurred in December, which was the reason the District appears to be under budget year-to-date on the expense side for salaries and associated costs. Total operating expenses year-to-date through the end of the first quarter was \$51,000 under budget.

Mr. Gorran from Watercrest asked if the \$12,000 over budget for the property appraiser was for the year, and Mr. Dorrill indicated that the property appraiser is paid during the first month of the fiscal year for a fee that is established under the constitution by him and is prepaid for the year. He is not paid on the annual receipts, but it is a flat fee based on his collections. The fee is based on his budget for that particular year as set by the County Commission and divided by the number of different tax entities. The District's actual budget was \$50,000, and they were billed \$62,000 which was due and paid during the first month of the fiscal year. This increase was unforeseen, as the amount is usually calculated by historical averages with adjustments, but Mr. Dorrill advised that the appraiser had some capital improvements with upgrades to his computer system, and this increase was a one-time charge against the benefitting governmental entities. He expects it will come down next year.

**On a MOTION by Robert Smith and a second by Gordon Walker, the Financials were then unanimously accepted by the Board.**

**MANAGER'S REPORT**

**A. Proposed Update to PMCDD Annual Asset Budget Guidelines – 1/28/16**

The depreciation schedule has been reviewed and updated, and all the major capital expense categories were looked at and projected out five years and beyond. The landscaping equipment is maintained in excellent condition, including the utility vehicles, more than any of the other communities that Dorrill Management works with. In any particular year approximately \$20,000 is spent in that area. The most intensive area for the coming year is lake bank restoration, at \$150,000. The CDD does an annual survey of erosion conditions on the

***Pelican Marsh CDD – Minutes***

***February 17, 2016***

***Page 6***

lake banks, following the design guidelines for healthy lakes.

Overall the assets are well maintained, and staff has done a good job in leveling off the individual needs in any particular year. Mr. Dorrill indicated that this was an update for the Board's information, and no motion was required.

Mr. Gorran asked about the forecasting three or five years out, and wondered if there was any concern that there was an infrastructure component that the CDD would have to purchase a bond to get it fixed or replaced. Mr. Dorrill indicated that there are unseen, under the roadway pipes that convey drainage water to the nearest lake and then underground to the next lake. As has been done in another local district, those pipes have been evaluated and small robot devices have been put in the lines to visually check them. Mr. Dorrill expects that the District engineer would tell them that those reinforced lines should be good for 50 years, and no evidence has been seen of any problems. If there was a complete failure of those pipes, the District does not have current assets to replace them.

As it relates to the PVC irrigation pipes, it would not be a big issue to replace those as they are a small percentage of the total transmission system.

**B. Update on Lake Bank Evaluations**

The Geotube system continues to be used on the lake banks to prevent erosion, and four lakes have been identified this year as needing this work. Mr. Vanover and Kevin Carter held a workshop with the presidents of the neighborhood associations that will benefit from this work to advise them of what the process is and to introduce the contractor to them. This work should begin in the spring before the rainy season.

Mr. Vanover indicated that the town hall meeting is scheduled for February 22 at 9:00 a.m. to address resident concerns and questions. Chairman Garofalo added that if anyone has a question about their particular lake, that they can check on the website to determine when and if their lake is scheduled, and attend the meeting as well if they so desire.

***Pelican Marsh CDD – Minutes***

***February 17, 2016***

***Page 7***

The Chairman also noted that Mr. Robson was actively involved in preparing the spread sheet of assets, and every few years he will suggest that they go back and look closely at the items to make sure they are good for another ten years.

**C. March Meeting**

Mr. Dorrill reminded the Board members that the March Board meeting would be held at Tiburon on March 16<sup>th</sup>. A note will be sent to the Board members in advance to remind them of this venue change.

**ATTORNEY'S REPORT**

**A. Drone Policy**

Chairman Garofalo asked both Mr. Pires and Mr. Dorrill what information they may have on what policies are in place in other communities regarding the use of drones, and whether it was necessary for Pelican Marsh to develop one. Mr. Pires was not sure whether this was something that the District should be involved in per Chapter 190 of the Statutes, and that it would be more of an issue for the individual HOAs. The Chairman will pass the message on to the Foundation that it is the District's opinion that the Foundation is responsible for this versus the CDD. Mr. Dorrill agreed.

**ENGINEER'S REPORT**

**A. Control Structure at Bay Colony**

Mr. Wadas advised the Board that Mr. Robson and Mr. Vanover met with the Bay Colony golf club superintendent regarding the control structure on that course, and unfortunately the transit level instrument did not give them the necessary information. They determined that they would place a board there as approved by the South Florida Water Management District and monitor the levels of water during the rainy season, and build and mount a face plate later

***Pelican Marsh CDD – Minutes***

***February 17, 2016***

***Page 8***

in the year. Mr. Robson has kept the County advised of the work being done by the District to return this structure to its original, approved configuration.

**B. Future Cost Projections**

Mr. Wadas advised that Mr. Robson had evaluated the cost projections on the capital reserve schedule for the future and felt that they were consistent with his experience. Chairman Garofalo added that this schedule will be updated yearly.

**SUPERVISORS REQUESTS**

**A. Pelican Marsh CDD Fire District**

Mrs. Dupler asked what fire district Pelican Marsh is in as there seems to be some recent confusion. Mr. Dorrill indicated that it is now known as North Collier, which is a merger of North Naples and Big Corkscrew Island Districts. In the presidential preference primary there will be a non-binding straw ballot question to determine whether the citizens feel that greater consolidation combined with emergency medical services is an appropriate thing to do.

**PUBLIC COMMENT**

There was no further public comment received.

**ADJOURNMENT**

The Board was advised that the next meeting would be held on March the 16<sup>th</sup> at Tiburon, and the meeting was adjourned on a **MOTION by Gordon Walker and a second by Robert Smith at 9:52 a.m.**