

**PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD OF SUPERVISORS MEETING
Wednesday, November 16, 2016**

The Board of Supervisors of the Pelican Marsh Community Development District met on Wednesday, November 16, 2016 at 9:00 a.m. at the Pelican Marsh Foundation Building, Naples, Florida.

APPEARANCES:

Frank Garofalo, Chairman
Robert Smith, Vice-Chairman (Via Speakerphone)
Don Pomerantz, Treasurer
Gordon Walker

ALSO PRESENT:

W. Neil Dorrill, Dorrill Management Group
John Vanover, Operations Manager
Tony Pires, Board Counsel
David Robson, Johnson Engineering
James Calamari, Access Control

ROLL CALL

The meeting was called to order by Chairman Garofalo, who indicated that three Board members were present. Mr. Smith was participating via speakerphone. **On a MOTION by Gordon Walker and a second by Don Pomerantz, Mr. Smith was unanimously authorized to participate fully in the meeting via speakerphone due to exceptional circumstances.**

No comments were received from the public at this time.

APPROVAL OF AGENDA

Item 5B was added as a discussion on the LPGA Tour Championship, and **on a MOTION by Robert Smith and a second by Gordon Walker, the agenda was then unanimously approved by the Board.**

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APPROVAL OF MINUTES OF THE OCTOBER 2017 MEETING

On Page 2 in the first paragraph, Chairman Garofalo clarified that his interpretation of the \$618,061 number was that it indicated what was left on that bond issue.

On Page 4 in the third line from the top, the number \$42.99 should be \$4,299.00.

On Page 5, the engineer appearing for Mr. Robson was Mr. Wadas.

Additionally on Page 5, Item A under Supervisors' Requests, in the third line a comma should follow the words "Bay Laurel". In response to the Chairman's question on this issue, Mr. Vanover indicated that 15 to 30 bald cypress trees were being planted. Mr. Vanover will follow up on this to make sure the job is completed.

Mr. Dorrill noted that on Page 6, Item B, Mr. Pires' wife did not have emergency heart surgery, and she is doing very well.

On a MOTION by Gordon Walker and a second by Robert Smith, the minutes were then unanimously approved as amended.

FINANCIALS

The preliminary, unaudited year end financials were provided to the Board members, with the revenue report showing revenue having been received during the month of October in the amount of \$35,000 from residents who pay their taxes through their mortgage company or from those who pay quarterly.

Shown on the balance sheet was the District's year ending balance of \$1,382,000 in cash in the general fund against \$50,000 in payables.

Mr. Dorrill also pointed out that the due from in the debt service funds was to reimburse the debt service fund for that share of the property appraiser's fees attributable to it, The \$11,890 which is shown under assets is the due from of Fund 13.

The income statement showed the Naples Daily News payment for their support of the District's water management system was not received until after year's end, so that accrual

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adjustment will be made. All of the tax related revenues were received during the year.

In terms of the non ad valorem assessments, the District was within one quarter of 1 percent of the budgeted amount after the discounts were taken, 99.75 percent was received.

Total year-to-date revenues were \$3,381,000, almost 100 percent of budgeted revenues.

The Community benefitted greatly due to a number of vacant positions that were not filled during the majority of the year, but year-to-date the District was over \$200,000 under budget, the majority of which were the lapsed salaries.

Mr. Walker asked why the ad valorem discount was zero for the year, and was advised that this line item is shown as a negative revenue as an adjustment for the year. The actual number of discounts taken was 3.4 percent.

Mr. Smith asked why all the audit fees for the year was \$2,190 over budget and Mr. Dorrill noted that there were some additional costs this year as the auditor was asked to review and certify the depreciation schedule. Mr. Smith also wondered why \$3.98 was returned by the bank, and Mr. Dorrill will check on that.

Chairman Garofalo pointed out that not filling certain jobs this year was not an accident but it was planned, and Mr. Vanover has a very good program where if someone leaves in the fall, they are not immediately replaced as they are not needed during the winter months. Over half of the \$216,000 was between Mr. Vanover and Mr. Calamari hiring additional people only when necessary.

Mr. Walker noted that the annual budget for telephone is \$400, yet the amount spent at the end of 12 months was zero. He wondered why it was budgeted if no money was spent. Mr. Vanover indicated that this is wrapped into field management and access control and is being expensed in another area. He suggested that it could probably be taken out, and Mr. Dorrill indicated that they can reclassify that for budget purposes.

Mr. Smith asked about Field Management, noting that \$111,100 was budgeted and Mr. Vanover only got \$107,000. He asked if that was due to prorating on the year, and Mr.

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Vanover indicated that he had asked the bookkeeper about this in the past, and was advised that it had something to do with when a pay day falls at the end of the fiscal year. The amount is trued up when the auditors look at the numbers, and Mr. Dorrill added that the first pay period of this past fiscal year would have included probably a few days of pay from the prior fiscal year, and that will be accrued and adjusted during the audit process.

Mr. Smith also asked about repair and maintenance of landscape, noting that this item was \$3,600 over budget for the year. Mr. Vanover explained that there were some older pieces of equipment, and a mower was purchased this year. He felt that they should be in good shape for the coming year with maintenance equipment. Nothing is leased as far this type of equipment with the exception of the high lift, which is rented for \$2,000 once a year to do the high limb tree trimming.

Mr. Walker asked about the \$2,000 budgeted contractual services under lighting, noting that nothing was spent under this line item. Mr. Vanover indicated that this was budgeted for the part time electrician who may be needed for certain electrical jobs requiring permits, or in the event of an emergency, such as an entire street of lights going out. This year, however, his services were not needed.

Both Chairman Garofalo and Mr. Smith felt that the under budget amount of \$216,000 was excellent, and appreciated staff's management of circumstances in saving the District this money.

On a MOTION by Gordon Walker and a second by Don Pomerantz, the Financials were then unanimously accepted by the Board.

MANAGER'S REPORT

A. Bicycle Signs

Some situations have occurred recently, primarily at the main gate involving residents on bicycles who are attempting to cross from the bike lane side across two lanes of traffic to

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get to the inside lane at the guard gate. This is creating a dangerous situation for them, and with concern for the safety of bicyclists, Mr. Dorrill asked the Board if they would evaluate it and authorize a sign indicating that it is the responsibility of the bicyclist to come through the pedestrian side, even if it requires the participation of the gate employee to open the gate for them. The signs will be posted on existing poles at all entrances to the community and will read that bicyclists must use the sidewalk gate.

Chairman Garofalo also expressed concern that if a bicyclist attempts to come through while the bar is up, the bicycle does not trip the bar signal, and it could come down on them as well. (Overtalk) Mr. Dorrill indicated that some near accidents have occurred which have prompted this request. Mr. Garofalo felt that the bicyclists will learn the procedure eventually. The frame for these signs will be roughly an inch and a half on each side to support the sign.

On a MOTION by Don Pomerantz and a second by Gordon Walker, the Board unanimously approved the installation of the directional signs to be installed for bicyclists at all gates into the community.

B. LPGA Tour Championship Event

This item was a reminder to the Board that the coming weekend the LPGA Tour Championship event will be taking place at Tiburon. The issue of charter buses dropping oil on the roadway where patrons and spectators boarded the buses is being addressed, and when Mr. Dorrill checked the staging areas for oil the previous day, there was no oil on the ground at all. The route for these buses is different this year, and patron and spectator parking is at the County's north regional water park, which will help traffic on Airport Road.

Mr. Dorrill also noted that the 5K Road Race is scheduled for Sunday, December 11th, and they will have a special event permit and there will be coordination between District staff and the Sheriff's Department. Their route is from the entrance to Marquesa Royale, through the private area of Tiburon, out onto Tiburon Boulevard East and back around to the starting point

at Marquesa Royale, completely contained within Tiburon. The race will be completed by 8:00 a.m.

ATTORNEY'S REPORT

Mr. Pires indicated that he had nothing to report, other than the email he had sent to the Board members regarding communication with Mr. Diaz for purposes of the Sunshine Law.

ENGINEER'S REPORT

A. WCI Proposed Project

Mr. Robson did take a look at the proposed project north of Marsala that WCI is developing and what they had turned in to South Florida Water Management for storm water. He found errors in their surface water management report, in that they had not correctly showed the water's entry into the Tiburon system and discharging into the Airport Canal.

Mr. Robson contacted both the design engineer and the Water Management District, and a completely revised report has now been submitted for review that correctly shows the impact to Tiburon's system.

Chairman Garofalo asked if this would be another donation to the CDD like the situation with the Naples Daily News, and Mr. Robson noted that off site flow has been received, and basically what WCI has to do is duplicate the discharge rate into the lakes and ponds. When the final approval comes out, then they will be able to see if there is any difference in the discharge rate. Mr. Robson felt that it should be held to the standard of no change, and if anything, it should be lower.

SUPERVISORS' REQUESTS

A. Alligators at Pelican Marsh

Mr. Walker observed a six foot alligator in the pond behind his home, and wondered if there

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was any protocol in place to handle the alligators. Mr. Vanover indicated that typically if they are over four feet, a permitted trapper can be called and they will come pick them up. The trapper was called on this alligator and they have been out twice, and have yet to locate it. They will continue to do so until it is caught. Although not aggressive, this alligator is big, and requests have come from the golf course as well to have it removed.

Mr. Vanover asked that he be called right away if the alligator is spotted so he can contact the trapper. There is no charge for this service.

Mr. Pires suggested that signs may need to be posted about alligators in the lakes, and he will forward a memo he prepared for another CDD to Mr. Dorrill. There is a heightened awareness of this issue after the incident at Disney World, and although Mr. Pires did not think it had reached that level within the District, it would be important for the District to be aware of what should be done and when it may be necessary.

Mr. Vanover indicated that only one alligator every three years is the norm for Pelican Marsh, and Mr. Pires felt that if that is the case, Pelican Marsh had probably not met the threshold for warning signs yet.

B. Note on Financials

Chairman Garofalo referred to the money saved this year for the District due to the efforts of the staff, noting that the Budget also contains four line items for supplemental pay for the four managers, indicating how much each of them should receive. He suggested that based upon their performance this year, the Board should authorize the release of those amounts effective December first to reward them for their outstanding work.

On a MOTION by Chairman Garofalo and a second by Robert Smith, the Board unanimously agreed to release the authorized budget amounts for supplemental pay for each of the four Managers, effective December first of this year.

PUBLIC COMMENT

No public comment was received.

ADJOURNMENT

Chairman Garofalo felt that 2016 had been a great year for Pelican Marsh, and reiterated his faith in the staff.

Mr. Dorrill noted that the next meeting would be held on December 21, and Mr. Diaz will be sworn in as the new supervisor at that meeting. Mr. Pires indicated that this will be ceremonial in nature, as he will become a member of the Board on November 22. Chairman Garofalo reminded the Board members that they should have no communication with Mr. Diaz outside of the meetings.

Mr. Dorrill will be meeting with Mr. Diaz later in the day to discuss the ethics laws and financial disclosure.

The Meeting was then adjourned on a MOTION and a second at 9:38 a.m.

