1	PELICAN N	MARSH COMMUNITY DEVELOPMENT DISTRICT
2	REG	GULAR BOARD OF SUPERVISORS MEETING
3		March 20, 2019
4		
5	The Board of Supervisors of	of the Pelican Marsh Community Development District met on
6	Wednesday, March 20,, 2019, at 9:00 a.m. at the Tiburon Health Club, 2620 Tiburon Drive,	
7	Naples, Florida.	
8	APPEARANCES:	Frank Garofalo, Chairman
9		Gordon Walker, Vice-Chairman
10		Don Pomerantz, Treasurer
11		Joe Diaz, Assistant Secretary
12		Edward Walsh, Assistant Secretary
13	ALSO PRESENT:	Neil Dorrill, Dorrill Management Group
14		Brent Burford, Johnson Engineering
15		Tony Pires, Board Counsel
16		John Vanover, Operations Manager
17		James Calamari, Access Control
18		Nathan Phillips, District Auditor
19	ROLL CALL	
20	Chairman Garofalo opened	d the meeting, noting that all members were in attendance.
21		
22	PUBLIC COMMENT	
23	There were no public com	ments heard at this time.
24 25	APPROVAL OF THE AGENE	<b>3</b>
26		vas distributed to the Board members the previous day, and it will be
27	presented today as Item 9A under Supervisor's Requests to accommodate Mr. Phillips' time	
28	constraints.	·
29		nerantz and a second by Gordon Walker, the agenda was then
30	unanimously approved by	•

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## 5 APPROVAL OF FEBRUARY 2019 BOARD MEETING MINUTES

- 6 On Page 3, Line 15, the starred street name is Medalist Lane.
- 7 On Line 21, the phrase beginning with asterisks and ending with "fencing" should be stricken.
- 8 Additionally, on Line 23, the CDD does not maintain the wall, as stated by the resident.
- 9 On Page 8, Line 15, the first word should have a small t for the word "the". Additionally for
- clarification, the words "the western part of ..." should be inserted before the words
- "Pelican Marsh". The Chairman added that Tiburon residents do live in the original PUD in
- 12 Pelican Marsh.
- On Page 9 Line 10, the word "were" in that sentence should be "would".
- 14 With those corrections, the Minutes were unanimously accepted on a MOTION by Edward
- 15 Walsh and a second by Gordon Walker.

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## FINANCIAL REPORT

- 18 The special revenue report showed that with the addition of a fairly significant increase during
- the month of February, the year-to-date non ad valorem assessment revenues were \$3,208,000
- when compared to the prior year at \$3,123,000.
- 21 The chronological listing of sources and uses of funds for Lely due to Hurricane Irma showed no
- 22 new activity, but an indication had been received from the State indicating that there is
- 23 \$500,000 that is being processed.
- 24 The balance sheet showed a high balance for the District of \$3,971,000. \$768,000 is in the
- 25 contingency fund for cash flow for the first two months of the fiscal year. The balance of the
- assets is in improvements to the infrastructure, in this case being site work associated with the
- 27 lakes.
- 28 Total current assets for the District were \$3,232,000 with an additional \$25,000,000 in
- infrastructure and improvements. Total assets were \$29,969,000 against \$117,000 in liabilities.
- 30 The income statement showed that at the end of January the total revenues that had been

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- 5 received by that point was \$3,122,000, or almost 90 percent of the annual revenues.
- 6 Additionally, interest income for the month of January was \$7,767. Almost \$14,000 has been
- 7 earned during the first four months of the year, while \$15,000 was originally forecast for the
- 8 entire year.
- 9 The Chairman reminded those present that although the \$3,122,000 sounds like a lot of money,
- it costs the District \$300,000 a month to run.
- On the expense side of the income statement, Mr. Dorrill pointed to the property appraiser
- 12 fees under the administrative cost center, noting that they were substantially less than had
- been contemplated due to a large cash position that the property appraiser was in at the end of
- the last fiscal year. He prorated the money as opposed to remitting it back, and as a result the
- 15 fee this year will be \$10,900 as opposed to the \$63,000 that was expected. This should go back
- 16 to normal next year.
- 17 Mr. Dorrill also noted that the groundskeeper bonus is \$500 for coming to work, and a second
- 18 \$500 for successfully completing the probationary period. However, year-to-date on the
- 19 landscape wages they are still under budget. In response to Mr. Dorrill's question about
- 20 overtime wages, Mr. Vanover noted that this was a result of being five positions short and
- 21 working a full shift on Fridays where normally that shift was only four hours. This shift increase
- was voluntary for those who wished to work it, and that has now been suspended as they have
- 23 been able to catch up with the work that needed to be done, which included quite a bit of
- 24 trimming of the Sabal Palms.
- 25 The total operating expenses through the first four months of the fiscal year were almost a
- 26 quarter of a million dollars below budget. Those numbers are going to change, however, as so
- 27 much of what Mr. Vanover does is seasonal, and almost 25 percent of that is the one-time gift
- 28 from the property appraiser.
- 29 On a MOTION by Don Pomerantz and a second by Gordon Walker, the Financials were then
- 30 unanimously accepted by the Board.

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# 5 MANAGER'S REPORT

- 6 A. Transponder Policy Update
- 7 The final policy update reflected all the changes discussed and agreed upon by the Board at the
- 8 previous meeting. The new policy reflects the ability to provide a transponder for purchase to
- 9 people who pay CDD assessments in the commercial areas.
- 10 The universal transponders are programmed for the gate they are used for, and those who live
- in Tiburon have access to Pelican Marsh because the transponder is programmed to allow that.
- 12 Those who live in Norman Estates have access to their private Tiburon gate, and not Pelican
- 13 Marsh. The Chairman indicated that the bottom line on your transponder is that it is
- programmed for you to go where you are legally allowed to.
- 15 Mr. Hagenbuckle added that the people at Norman Estates, for example, can be granted access
- at the Tiburon gate, but they must get it set up separately and added to the transponder.
- 17 On a MOTION by Edward Walsh and a second by Joe Diaz, the Pelican Marsh Transponder
- 18 policy rules and regulations as revised was unanimously approved by the Board.

- 20 B. Preserve Contract Renewal
- 21 This contract is for control of the exotics within the preserves with Lake and Wetlands, the
- 22 same vendor they have used in the past. This contract includes the conservation area adjacent
- to the Airport Road gate, consisting of approximately 25 acres. WCI has been monitoring it for
- the past five years, and now that it has met the specifications set out by the South Florida
- 25 Water Management District, it has been transferred to the Pelican Marsh District. An
- additional \$2,000 is being charged for these 25 acres, but otherwise the base contract remains
- the same.
- 28 On a MOTION by Edward Walsh and a second by Don Pomerantz, the new contract with Lake
- and Wetlands was unanimously approved by the Board.

Pelican Marsh CDD – Minutes 1 2 March 20, 2019 3 Page 5 4 C. Power Washing Policy Update 5 6 This policy was created at the Board's request to establish some expectations for the public. Mr. Walsh had suggested that outsourcing this work be evaluated in lieu of staffing up and 7 8 purchasing equipment. The amendment indicates that the main street from US 41 to Airport 9 Road be power washed every November by overtime work by Mr. Vanover's crew, or a 10 contractor. At this point they are leaning towards a contractor. This work would also include 11 all the District sidewalks in Tiburon from Airport Road, around the circle, and on to Vanderbilt Beach Road. 12 All of the other sidewalks in Pelican Marsh will be done in-house, based upon the need for this 13 14 work between January and April. 15 Mr. Pires added that referring to the part that indicates the work to be monitored and done between January and April as needed is good from a safety perspective as well, as there had 16 been some residents doing this work, and Mr. Pires felt that this would mitigate the possibility 17 of any slip and falls. 18 On a MOTION by Edward Walsh and a second by Don Pomerantz, the Power Washing Policy 19 20 was unanimously approved by the Board. Mr. Dorrill added for clarity that this did include the proposal they received from Imperial 21 22 Pressure Cleaning for the entire community of \$15,620, which Mr. Dorrill felt was a good price, and the company has an excellent reputation. 23 24 25 D. Escada Fence Encroachment This involves a routine, rear yard fence encroachment situation. There is some history for this 26 27 within the Escada community, and a copy of the survey was included for the Board. The 28 petitioner was at the meeting, and it has been the Board's practice to allow for the extension of 29 lanais and associated perimeter fencing within the lake maintenance easement.

This does require a standard form license agreement and reimbursement by the petitioner for

Pelican Marsh CDD – Minutes 1 2 March 20, 2019 3 Page 6 4 any legal expenses to review and record the agreement. 5 Chairman Garofalo explained that a minimum of eight feet for clearance for the maintenance 6 equipment will be maintained, which is consistent with the Board's policy. Mr. Dorrill explained 7 the survey that was provided, which showed the lot and the area and what would be entailed. 8 Mr. Pires advised what should be included in any approval motion that may be made, and on a 9 10 MOTION by Joe Diaz and a second by Gordon Walker, the Board unanimously approved 11 entering into a non-disturbance and encroachment agreement with Mr. Hagenbuckle, who would be responsible for the legal and filing costs associated with the agreement, and 12 13 authorized the Chairman to sign the agreement. Mr. Pires noted for the record that Collier County is becoming more proactive about looking at 14 claims for acquiring approvals for easement holders. There have been a few situations that 15 have occurred in other CDDs where there was County involvement. 16 17 18 E. Tiburon Noise Issues 19 When the County constructed the current six-lane portion of Vanderbilt Beach Road, they entered into the condemnation of some property in order to do the expansion, and to provide 20 21 for a turn lane into Tiburon going west. The Tiburon monument sign on that road is owned by 22 the CDD, and it had to be removed and relocated to the north. In addition, it was Mr. Dorrill's understanding that the Norman Estates Community benefitted by this condemnation. 23 24 While widening the roadway, the County raised the roadbed by three feet, and further, they 25 have plans to widen this roadway all the way to Desoto Boulevard. Currently there is a very small landscape and buffer easement that includes a portion of a six 26 27 foot CBS panel fencing and there is a concern about the noise. Up to this point the District's policy has been not to construct what would be acoustical deflection walls. The Chairman 28 29 advised those present that there are two issues involved in this discussion and they will also be 30 addressing the problems with noise on Livingston Road.

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5 Chairman Garofalo felt that this was a tough issue, and that he and Mr. Vanover had been out 6 to the area several times, and found it to be very noisy. The noise problem was exacerbated by 7 the trimming FPL did on the trees along there. Mr. Pires went over all the paperwork on the road extensions, and both Norman Estates and the CDD were paid, in the CDD's case to move 8 9 the monument and the associated legal and survey fees. It was suggested that the County be approached and advised that above normal noise increases have resulted from this work, to see 10 if they can offer any assistance by putting up a 12 foot wall, and if it can be done when there is 11 a 400 foot wall there already. 12 13 John \*\*\*Sabatino spoke for his parents who live in Norman Estates, and he advised that this community received a little over \$7,000 for legal fees. The expanded roadway is higher than 14 15 the homes, and he suggested that the walls in other areas, such as Windermere, are classified 16 as sound walls and can go higher than six feet. Also, the Tiburon monument was not moved but cut off a portion of it. Mr. Vanover advised that they both cut it back and relocated it. Mr. 17 18 Pires had copies of the final stipulated documents for parcels 102 and 103. 19 The real issue presently is where the responsibility lies for the noise issue, and the CDD cannot 20 go in and modify a private wall. Mr. \*\*\*Sabatino indicated that the CDD does own some of the land, and WCI never did anything either in that area as far as buffers and walls, and Norman 21 22 Estates is the only neighborhood in the District that does not enjoy the benefit of either of 23 those. 24 The Chairman explained that the original developers were the ones who put up berms and 25 walls, not just in the District but other communities as well. About ten years ago the District 26 put in a chain link fence for access control were there were no walls, which did not do anything 27 as far as noise abatement. 28 Those present briefly discussed costs, and Mr. Dorrill noted that the wall that was recently

constructed at the north end of Monterey was the County Commission's decision. It is along

the County road right-of-way, and the story that was reported on it was inaccurate.

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- 5 Mr. Pires suggested that what might be helpful is a policy at the County, if this policy is still in
- 6 place, whereby they discuss road noise walls, and if the installation of a road noise wall is
- 7 required as part of a County Transportation road project within the County right-of-way, it is
- 8 not subject to the Land Development Code. That is important, because the Land Development
- 9 Code for walls and fences is six feet.
- 10 If a wall is to be installed on private property and not within the County's right-of-way, a
- variance would have to be obtained from the County in order to build higher than the six foot
- 12 restriction in the Code.
- 13 Mr. Pires further suggested that part of the approach may be to ask the County to go back and
- revisit this and do a noise study, to see if they would consider going back and readdressing this
- 15 noise component, and they would not have to be subject to the Land Development Code
- 16 requirements.
- 17 Chairman Garofalo indicated that as it relates to costs, he did not know what they would be,
- but his best guess would be \$150 a foot for a wall. He did not feel that money would be the
- issue, but rather if it was the County's responsibility to do this work. It was suggested that
- 20 representatives of these neighborhoods get on the County Commission agenda to see what
- 21 kind of response they have to this issue.
- 22 Mr. Pires indicated that Commissioner Solis represents this District and is responsive to
- 23 problems in the neighborhoods, and he would help with pushing this public petition process
- along. Anyone can address the Commission, and is given ten minutes to address their issue.
- 25 Mr. Pires also suggested that they contact Mr. Casalanguida, the County Manager, who used to
- be the head of the Road and Transportation Department, and get some guidance from him.
- 27 Mr. Pires volunteered to chat with these people at no cost to the Board to refer them to the
- 28 appropriate people.
- 29 Mrs. Diane Powell noted that her property abuts Livingston Road, and advised that she is
- 30 concerned about noise and security and would like these issues addressed. She did meet with

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- 5 Commissioner Solis and he advised her to go back to the Pelican March CDD as they are the
- 6 taxing District and are the authority to deal with this issue.
- 7 Chairman Garofalo felt that Mr. Solis should be the point man on this as it is his district and his
- 8 voters.
- 9 (Mr. Vanover's comments were inaudible.)
- 10 Mr. Walsh asked Mr. Pires if he was suggesting that the first step would be to talk to the Deputy
- 11 County Manager, and Mr. Pires advised that he recommended they speak to Commission Solis
- and the Deputy County Manager in the same time frame, and have them come out and do a
- 13 site visit.
- 14 The Livingston Road issue has been around for years, and the Chairman indicated that he and
- 15 Mr. Vanover had visited that area several times. They visited again recently and noted that
- there were two areas along Livingston Road where there is a concern. There is a stone fence at
- 17 Esperanza that was put in by the developer that stops at an entranceway right beside it that
- allows golf carts to go from the CDD property onto the golf course. After the hurricane, the
- 19 fence was reinstalled and the entranceway was eliminated. There is now a 30 foot gap that can
- 20 be looked through and allows noise to come through.
- 21 In talking to the golf course, Mr. Vanover and the residents, it appears that the golf course is
- 22 favorable about the suggestion of putting in shrubs and trees in that 30 foot gap. Once they
- 23 receive funds from a claim they have with their insurance company, they have indicated that
- they will go in there and get the area beefed up with shrubbery.
- 25 The other area in question is south by about 200 feet where there is a CDD preserve, and there
- is about 1,000 feet between the residents and the roadway. Someone went into the preserve
- area, and it was not the CDD, and cleaned it out. A lot of the small shrubs are gone, and while
- 28 the Cypress trees have lost their leaves, they should start leafing out shortly. Even though it is
- 29 1,000 feet away, you can still see through the area and hear some noise. In that particular area
- 30 there was some discussion about the golf course putting in an additional buffer between the

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- 5 lake and the fairway so the view can be blocked long before the preserve is reached.
- 6 The District's recommendation was to hold off until September or October to see how the
- 7 situation looks after the trees have leafed out. As far as the fence is concerned, the CDD fence
- 8 is on CDD property, which is about five or six feet below Livingston Road. If a standard wall is
- 9 put in there, it will not be seen or effective as it will not be high enough to buffer the noise.
- 10 The Chairman added that there are miles of chain link fences in Pelican Marsh, and to replace
- all of them with walls would cost millions of dollars, which may not even help as the property is
- 12 about five feet below grade.
- 13 This item will be revisited in the fall, and the trees will be looked at again and they will see what
- the golf course did as well to help with the problem.
- 15 Mr. Vanover took a ride with the superintendent of the golf course, who indicated that they are
- aware of the opening and felt that there is a need for some trees in there, which they plan to
- 17 put in sometime this summer.
- 18 Mr. \*\*\* asked if transferring ownership of the section of land where the wall needs to be put in
- 19 to the District would help facilitate the issue, and Chairman Garofalo advised that in the past
- they have had this issue come up, and the wall was built by the community, who then
- transferred ownership to the District. In this case it was a standard, six foot concrete wall.
- 22 Another community along US 41 is in the process of doing the same thing.
- 23 Mr. Walsh noted that if Mr. \*\*\* question was if they agreed to build a wall and deed it to the
- 24 District, could they then come back and ask them to make it taller, and he was advised that
- they would not.
- 26 Chairman Garofalo suggested that if they could get a ruling from the County agreeing that they
- would do a \$50,000 to \$60,000 addition to that wall, he would support taking it over. Mr.
- 28 Walsh suggested that Nelsons Walk should do their homework and talk to their commissioner
- 29 and the Deputy Manager and determine what the County is going to do. Once the problems are
- 30 handled, the District would probably be happy to take ownership. The Chairman added that

- Pelican Marsh CDD Minutes 1 2 March 20, 2019 3 Page 11 4 5 many communities are doing the same thing, upgrading their walls and deeding them to the 6 District. 7 Mr. Pires noted as well that during the eminent domain action by the County, if by the time the 8 final stipulated judgment was entered into between the County and the other two entities, 9 whether the wall was constructed after the County took the property would make a difference. 10 11 **ATTORNEY'S REPORT** 12 A. Stormwater Utility Issue This item is dead for this fiscal year, as the County did not act on it. Commissioner Solis was not 13 14
- present at the February County Commission meeting, and there were two items on the agenda
- 15 in this regard. One was to enter into an agreement with the property appraiser and tax
- collector by March 1 to collect the assessments, and the second one was how to proceed with 16
- the stormwater utility. This item was deferred until Mr. Solis was present. At that point the 17
- County Board voted on the first item, and it failed to pass. 18
- The recommendation of the Productivity Committee to the County Commission was to revisit 19
- the .15 mil to be dedicated to Stormwater operation and maintenance. The current property 20
- values in Collier County would generate between eight to twelve million dollars a year. They 21
- 22 could also look at an electric franchise fee.
- The Chairman briefly explained the history over the past year on this issue, and the intention of 23
- 24 the County to tax everyone for the overhaul of the stormwater system in the County. The
- 25 Pelican Marsh CDD objected to this as they maintained their own stormwater system, and also
- part of the County's. Mr. Pires appeared before the County and advised them that they 26
- 27 wanted to be exempt from this tax, and the County was only willing to give a reduction of half
- 28 of what would be owed, and homeowners would have to apply for it individually. At this point
- 29 the County has stepped back from this issue.
- 30 Mr. Dorrill and Mr. Pires will continue to monitor this, and will keep the Board advised.

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4 5	C. Montclair Lake 25		
6	Mr. Pires has been communicating with the attorneys for the developer and for the association,		
7	and counsel for the developer has been sent documents for review, which hopefully they will		
8	have before the next Board meeting.		
9	nave before the next board intecting.		
LO	D. County Action on Permit Applications		
l1	Mr. Pires noted that the County has been lax in the past about reviewing permit applications for		
12	accessory units, such as air conditioning units, spa equipment, generators and side yards. The		
L3	County is becoming more aggressive on this issue, and is planning on changing their standards		
L4	on emergency generators and adding additional requirements.		
L5	The Planning Commission, who was referred this issue, took the recommendation of Mr. Pires		
L6	to add language indicating that whenever anyone applies for a permit for a generator, a survey		
L7	showing all the easements must be provided as well as proof of approval from the easement		
L8	holder to place the generator in any easement. This is a proactive approach, which he urged		
L9	the residents to take if they wished to install an emergency generator.		
20	Chairman Garofalo added that the CDD manages the lakes, but they have found that they don't		
21	have control over 100 plus lakes in the community, as they don't own them. Someone		
22	dropped the ball 25 years ago as it relates to the transfer of some lakes to the CDD, and they		
23	are in the process of cleaning that up as well.		
24			
25	ENGINEER'S REPORT		
26	Mr. Burford had nothing to report to the Board.		
27			
28	SUPERVISORS' REQUESTS		

Mr. Walsh indicated that he and Mr. Vanover had been working for the past several months

A. Bay Laurel Drive Landscape

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Pelican Marsh CDD – Minutes 1 2 March 20, 2019 3 Page 13 4 5 on Bay Laurel Drive with the HOAs of Ventura and Troon Lakes, which represent a substantial portion of the right side of Bay Laurel Drive. They are looking for ways to improve the 6 landscape there, and it would involve the removal of some trees and some of the other bushes 7 8 and flowers and replacing them with different plantings. 9 The idea is to make it look less overgrown and to increase the screening for both of these 10 neighborhoods. Both of the HOA presidents who are involved in the planning are very enthusiastic about helping. Mr. Walsh advised that driving by this area they may see some 11 green tape, which represents what will be removed. 12 Chairman Garofalo noted that the perimeters will not be touched, which means along the 13 public roads, and the trees being removed are inside the community on CDD property. 14 Mr. Vanover added that when the CDD was created over 20 years ago, the developers tended 15 to overplant the trees, and many of these trees have now crowded and grown into each other, 16 17 making it difficult for the landscaping underneath them to thrive. About 150 trees along Bay 18 Laurel have been tagged for removal, and a quote has been received to do this work for 19 \$15,000. Chairman Garofalo indicated that they are going to do this area first and evaluate it, and then 20 probably move on and do this in other communities in the CDD in the future. 21

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A short break was taken in proceedings, and the meeting was then reconvened.

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#### **AUDIT PRESENTATION**

- 26 Mr. Phillips went over the audit for September 30, 2018, which was done by generally accepted
- auditing standards and generally accepted government accounting principles.
- 28 The opinion and conclusion stated that as of the date of the audit everything was fairly stated,
- 29 and it was a clean opinion.
- The big event in 2018 was Hurricane Irma, and the money that went out and the FEMA money

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- 5 coming in was shown. The two figures don't match, but Mr. Phillips acknowledged that more
- 6 money was expected in fiscal year 2019 from FEMA. This was highlighted in the statement of
- 7 net position, where it noted that as of September 30, 2018 there were total assets of
- \$ \$27,600,000, \$26,000,000 of that being the infrastructure. Cash was shown as going from
- 9 \$1,400,000 down to \$573,000, which was mainly due to the process of cleaning up after the
- 10 hurricane. A receivable was also noted of \$288,000 from FEMA.
- 11 Total liabilities from the prior year were \$7,518,000 which went down to \$6,100,000, mainly
- due to paying down the debt. In May of 2019 the debt Series 213 gets paid off, as \$765,000 is
- due in May of 2019 on that bond. Series 12 is for Tiburon and the Galleria shops, which will be
- 14 paid off in 2031.
- 15 The statement of activities showed expenses first, as per the government standards, and FEMA
- money was shown as \$371,000. Overall, looking at the ins and outs over the year, the District
- 17 stood at a negative \$87,000 with depreciation, and the depreciation number runs about
- 18 \$885,000 a year.
- 19 Government funds and assets were shown by funds, and all the various cash investments were
- 20 confirmed in those funds as of the date of the audit. They did stay consistent, and were in line
- 21 with what the budget expectations were.
- The statement of revenue and expenses showed that the District took in roughly \$5,328,000,
- and the year before it was \$4,800.000. This lined up with the budget, the only exception being
- with the FEMA grant money of \$371,000 coming through. Under the general fund expenses,
- landscaping, it showed the \$1,100,000 that was spent for the cleanup. Looking at the general
- fund the District is upside down, with more funds going out, obviously due to the hurricane
- 27 expenses.
- 28 Debt service for 12 and 13 followed along the budget for what the assessments were, and the
- 29 principle and interest payments followed the amortization schedule and were confirmed by the
- 30 bond agent, who also confirmed compliance with the covenants and money being set aside

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- 5 appropriately as needed pursuant to those agreements.
- 6 The reconciliation showed the two funds that were reconciled between the two presentations.
- 7 CDD policies were shown, which were consistently applied and carried forward with what they
- 8 were the previous year. The budget process was shown, and Florida Statue 280 was followed
- 9 as it relates to investments. The bond covenants also require that District money is put into
- 10 appropriate investments, with no particular risks associated with them.
- 11 Chairman Garofalo pointed out that on Page 17, at the top of the page it indicates that the CDD
- was created on November 23, 1993.
- 13 The two statements were reconciled, and then the money that was set aside in the general
- fund was shown, and it was verified that those funds were in a qualified depository as noted by
- the State of Florida as required. Florida Statues were followed for investments. Interest is
- 1.79, which is the first year that there has been this interest income, as it has been at zero for
- 17 several years.
- 18 The breakdown of activity was shown with fixed assets and capital assets, with \$172,000 shown
- in improvements in landscaping in common areas.
- 20 Payouts for bonds were delineated, and were confirmed with the bond agent. Again it was
- 21 noted that the 2013 series will be paid off in May.
- 22 Certain restricted monies that have been set aside quarterly according to the law and
- 23 regulations for the debt service funds were shown, along with certain monies set aside for
- 24 future use.
- 25 The audit showed no litigation issues, or any issues that need to be reported.
- 26 The budget was shown, and a budget modification will have to be approved, as the District was
- 27 over the initially budgeted amount because of the hurricane cleanup and FEMA. An
- acknowledgement will be needed that the modification needs to be done.
- 29 Chairman Garofalo asked if the variance coming out of their emergency fund could be
- 30 explained, and Mr. Phillips noted that the variance occurred because there were unexpected

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- 5 costs from the hurricane that had to be absorbed, and they are being reimbursed over a period
- 6 of time.
- 7 The Government Auditing Standards requirements were shown, which asked about internal
- 8 control and issues of compliance with laws and regulations. There was a recommendation on a
- 9 formal review of the bank reconciliation. What was seen after Mr. Powers left, and with other
- staff changes and various things that had been done in the past with a check list were there and
- consistent. The recommendation was to go back and get that documentation.
- Mr. Phillips indicated that he realized that Dorrill Management reviews financial statements
- with the treasurer, but there is some detailed documentation that needed to be adhered to.
- 14 Dorrill Management is in the process now of going back through the checklist and documenting
- those particular pieces of information.
- In response to the Chairman's question, Mr. Phillips indicated that the checklist is to verify that
- 17 the bank records are properly prepared and acknowledged that they tie to the books and
- 18 records of the District which are done monthly. Apparently there was a software change as
- well that caused some other issues and delayed some of these things. Mr. Dorrill indicated that
- this was addressed at the beginning of this fiscal year, so when Mr. Phillips returns next year
- 21 the check list process will be shown to be complete.
- 22 Again the monies that are set aside and how they were invested where shown and as required
- by the Auditor General, and those monies and the monies that have been invested comply with
- 24 Florida Statutes.
- 25 The Auditor General of Florida letter was shown, and it showed that no prior findings were
- 26 made, and there were no components that the auditor had issues with.
- The financial condition assessment showed nothing to bring to the Auditor General's concern,
- 28 other than the indication that a recommendation was made that was responded to.
- 29 The financials due to the Florida Department of Financial Services indicated that the financials
- 30 match the form they require and are in agreement. There was no abuse or illegal acts

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- 5 that were present that needed to be brought to their attention. Other than the hurricane costs,
- the District was in good shape, and Mr. Vanover indicated that another \$700,000 or \$800,000 is
- 7 expected from FEMA.
- 8 Mr. Phillips advised that if over \$750,000 is received within one fiscal year, they could
- 9 potentially have a higher level of audit due to Federal regulations, which is a thicker report
- involving additional work. An opinion would have to be given that indicated the monies
- received from FEMA were appropriately spent for the intended purpose of the requested grant.
- 12 These are Federal dollars, and this will be addressed as the money comes in.
- On a MOTION by Edward Walsh and a second by Joe Diaz, the Board unanimously accepted
- 14 the financials and audit presentation and the associated budget amendment for fiscal year
- 15 **2018.**
- 16 Mr. Phillips was thanked for his appearance.

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## **ADJOURNMENT**

- 19 There was no further public comment received, and Mr. Dorrill advised that the next meeting
- would be held on April 17<sup>th</sup>.
- 21 The meeting was then adjourned at 10:40 a.m.