

1 **PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT**
2 **REGULAR BOARD OF SUPERVISORS MEETING**
3 **MARCH 18, 2020**
4

5 The Board of Supervisors of the Pelican Marsh Community Development District met on
6 Wednesday, March 18, 2020, at 9:00 a.m. at the Tiburon Health and Fitness Club, 2620 Tiburon
7 Drive, Naples, Florida.

8 **APPEARANCES:** Edward Walsh, Chairman
9 Don Pomerantz, Vice-Chairman
10 Gordon Walker, Treasurer (Via Speakerphone)
11 Tony Scire, Supervisor
12 **ALSO PRESENT:** Neil Dorrill, Dorrill Management Group
13 Brent Burford, Johnson Engineering
14 Tony Pires, Board Counsel
15 John Vanover, Operations Manager
16 James Calamari, Access Control
17 Christopher Dorrill, Field Manager
18 Nathan Phillips, Auditor

19 **ROLL CALL**

20 The Board members as noted above were in attendance, and **on a MOTION by Don Pomerantz**
21 **and a second by Tony Scire, Gordon Walker was unanimously approved to participate fully in**
22 **the meeting via speakerphone due to exceptional circumstances.**

23 Mr. Diaz was not in attendance.
24

25 **PUBLIC COMMENT**

26 No Public comment was received at this time.
27

28 **APPROVAL OF AGENDA**

1 **On a MOTION by Tony Scire and a second by Gordon Walker, the Agenda was unanimously**
2 **approved as submitted.**

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7 **APPROVAL OF MINUTES OF FEBRUARY 2020 REGULAR BOARD MEETING**

8 On the last line of Page 1, Mr. Pires asked that the words “fee simple title” be inserted before
9 the word “owner”.

10 On Page 4, it was clarified that the signage for Spanish Moss had been ordered but was not yet
11 installed.

12 On Page 5, in the last paragraph, first line, the gentleman speaking was Mr. Randall.

13 On Page 6, the heading under Item C should read “Line of Sight”.

14 On Page 9, under Public Comment, in the fourth line, the fourth word should be “they”.

15 **On a MOTION by Don Pomerantz and a second by Tony Scire, the minutes were unanimously**
16 **approved as amended.**

17

18 **FINANCIALS**

19 The first four months of the fiscal year balance sheet showed \$4,100,000 in cash, with
20 \$1,400,000 and \$624,000 in the contingency reserves, and a cash flow contingency of \$850,000.
21 Payables were \$274,000.

22 The main source of payables was a transfer to the debt service fund as the payment will be
23 made on the bond issue in May.

24 Total fixed assets of the District in land and infrastructure, less depreciation, was \$25,335,000.

25 Total assets combined were \$29,400,000.

26 The income statement showed that slightly less than \$250,000 was received in non ad valorem
27 assessments in January, primarily due to people making end of the calendar year payments.

28 Total receipts through the first four months were \$3,132,000 against a total budget of
29 \$3,500,000, almost 90 percent of the year’s revenue. The taxes will be delinquent after April 1.

1 There was some FEMA money received in the amount of \$7,120, which was a reflection of their
2 change in methodology, with a higher percentage flowing back to the District.

3 Interest income was \$5,100, and total revenues for the month were right at \$250,000.

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8 Total year-to-date revenues were roughly \$80,000 over budget.

9 There was very little to be noted on the expense side of the income statement, but in response
10 to Mr. Dorrill’s question, Mr. Vanover indicated that as it relates to personnel wages and
11 salaries, there were three payments in December, and the next time there would be three in a
12 month would be April. There are only a few vacancies in staff at this point. Mulch and pine
13 straw were over budget due to cost increases of over 20 percent this year, and Mr. Dorrill
14 estimated that they would probably be about \$27,000 over budget for this product.

15 Given those extra costs, year-to-date the total operating expenses were still \$33,000 under
16 budget on the expense side.

17 In response to a question from Mr. Sparks, Mr. Vanover and Mr. Walsh explained that even
18 though they took the lowest bid for mulch and pine straw, the production of that product was
19 greatly affected by the Hurricane Irma and costs are higher. There were no hurricane expenses
20 noted. Mr. Dorrill also explained the costs associated with equipping the new patrol car with
21 the necessary electronics to Mr. Walker in response to his question about that line item.

22 **On a MOTION by Tony Scire and a second by Don Pomerantz, the financials were then**
23 **unanimously accepted by the Board.**

24

25 **MANAGER’S REPORT**

26 **A. Airport Road Canal Landscape Buffer**

27 This item relates to a request from the South Florida Water Management District. The CDD has
28 a 15 to 20 foot landscape buffer easement on Airport Road on the east, or Tiburon side of the
29 canal that runs the entire length of the golf course.

1 Some of the bigger trees are growing down into the canal area, and will need to be pruned.
2 This work will be bid out, and once they receive proposals they will be brought to the Board if
3 necessary for its approval. This will be a complicated job, and the Board will be kept advised.

4

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9 **B. Hybrid Patrol Vehicle**

10 This Police Responder vehicle is a hybrid, and Mr. Calamari explained that it has been in service
11 for a couple of weeks and they are still in the learning process with it. It runs on a battery, but
12 gas can be used as well if the battery becomes depleted on the road. The engine will then
13 recharge the battery while you are using gas to run the vehicle.

14 Mr. Dorrill noted that initially they are impressed with the vehicle, but it will be determined if it
15 is durable given the number of engine hours it is used on patrol duty. It has a warranty for
16 three years, and it was noted that roughly 70,000 miles is put on a patrol vehicle yearly.

17 Ed Staros felt that it would better serve the community if the patrol vehicles spent more time
18 during the nighttime hours rather than during the day, and was advised that there are patrols
19 on duty 24/7. Mr. Dorrill noted that Mr. Staros is the recently retired manager of the Ritz
20 Carlton Hotels, and Naples is one of five cities in the world that has two Ritz Carltons.
21 A former employee of his thanked Mr. Staros for his contributions to the Naples community.

22

23 **C. Lighting Proposal/Streetscape Project**

24 The District has an executed contract for the landscape master plan, and the Chairman asked
25 that an addendum be attached to include some landscape lighting at the signature entrances.
26 Christopher will be working on that to do some additional project management in that regard,
27 and proposals will be prepared.

28

29 **D. Fiscal Year 2019 Audit**

1 Mr. Phillips provided an overview of the 2019 Audit to the Board, and Mr. Dorrill pointed out its
2 importance as the trust agreement with the bondholders requires the District to complete and
3 submit the prior year's audit to the disclosure agencies.
4 Pursuant to the Statutes the Auditor General has certain parameters regarding what the District
5 must provide, as well as the bondholders.

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10 Based on testing and procedures, it was noted that everything was fairly stated, and in
11 accordance with generally accepted accounting principles. The report is unmodified but it is in
12 compliance with all requirements, and there are no issues to report.
13 Some additional reports regarding internal reports were added by the government, and they
14 also showed no issues. There were no issues of abuse or fraud found, and no states of
15 emergency.

16 The financial statements show that the District is in a good financial condition, and the FEMA
17 reimbursements have been totally received. It was confirmed that all cash and investments
18 were in accordance with the Statutes, and everything was in accordance with the 2019 budget,
19 and as of September 30, 2019 no amendments to the budget were required. FEMA
20 reimbursements were not budgeted.

21 86 percent of the District assets are in the infrastructure, that being the land and land
22 improvements. The 2013 Bond series has been paid off, and that was noted in the report. The
23 Series 2012 Bonds are at \$4,700,000, and those bonds are being paid off pursuant to the
24 amortization schedule, which clears out in 2031.

25 There were no legal disputes to disclose.

26 **On a MOTION by Tony Scire and a second by Don Pomerantz, the audit was unanimously**
27 **accepted by the Board, subject to Mr. Pires' approval that no substantive modifications need**
28 **to be made.**

29

30 **ATTORNEY'S REPORT**

1 A. Troon Lakes Issue

2 Mr. Pires provided a spread sheet of all the lakes in the District and their owners to Mr. Mintz,
3 who will discuss the ownership issue with his HOA and get back to Mr. Pires or Mr. Dorrill as to
4 whether or not they wish to convey ownership of their lakes.

5

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10 B. Posting at Lakes for Alligators

11 Mr. Pires provided a memorandum on this issue to the Board members, which talks about the
12 guidelines and legal principles associated with wild animals in the State of Florida. The Board
13 members will read the memorandum and it will be addressed at the next meeting.

14

15 C. Possible Telephonic Meetings in Future

16 As the Governor has declared a state of emergency in Florida due to the Corona Virus, the
17 legislature may allow telephonic meetings to be held. A request was made by a law firm that
18 represents a number of local governments to the governor's office regarding an exemption to
19 the requirement to have members attend physically in the same location, and allow them to
20 attend electronically to handle essential emergency items.

21 As of this date the Governor has not responded, but Mr. Pires will keep the Board advised.

22

23 **ENGINEER'S REPORT**

24 Mr. Burford had nothing to report at this time.

25

26 **SUPERVISORS' REQUESTS**

27 A. Future Public Hearings

28 Mr. Walsh indicated that he wished to discuss this issue as well, and given what has been
29 happening in parts of the State, it is possible that there may be restrictions on the April meeting

1 which is scheduled for the 15th. If the Nation goes under some restrictions as they relate to
2 meetings, Mr. Walsh wondered how that would be handled.

3 Mr. Pires noted that at this time they are saying that under the present statutory scheme, only
4 meetings covering essential health, safety and welfare matters can be conducted electronically.
5 Another difficulty is the Florida concept of the public's right to participate. There is technology
6 available for public participation, such as webinars.

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11 These electronic meetings, however, can only be held to cover safety and welfare issues, and
12 electronic meetings cannot otherwise be held at this point. That, however, may change, and
13 Mr. Dorrill will be kept posted on this issue.

14 Mr. Walsh expressed his additional concern that venues where meetings are usually held may
15 be closed due to social distancing and he asked Mr. Pires to monitor this closely and for Mr.
16 Vanover to consider this as well. Mr. Pires noted that one of their office spaces has plenty of
17 available room, and the Board will be kept updated on this.

18

19 **B. Present Contingency for Hurricanes**

20 In response to Mr. Walker's question regarding the contingency fund should another hurricane
21 hit the area, Mr. Walsh advised that they have been fully reimbursed by FEMA and there is
22 presently \$624,000 in that account.

23

24 **C. Comments at President's Council Meeting**

25 Mr. Scire advised that ***Mark Shammon had attended the President's Council meeting the
26 previous week and the Pelican Marsh CDD was complimented for the work they are doing.

27

28 **ADJOURNMENT**

29 **On a MOTION by Tony Scire and a second by Don Pomerantz, the meeting was adjourned at**
30 **9:40 a.m.**