

1 **PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT**
2 **NAPLES, FLORIDA**
3 Regular Meeting of the Board of Supervisors
4 August 21, 2024

5 The regular meeting of the Pelican Marsh Community Development District Board of
6 Supervisors was held on Wednesday, August 21, 2024, at 9:00 a.m. at the Pelican
7 Marsh Community Center, Naples, Florida.

8 **SUPERVISORS PRESENT**

9 Robert Giannetti, Chairman

10 Timothy Jackoboice, Vice Chairman

11 Dean Sieperda, Supervisor, Via Speakerphone

12 Stewart Hall, Supervisor

13 Brent Smith, Supervisor

14 **ALSO PRESENT**

15 Neil Dorrill, Manager, Dorrill Management Group

16 Christopher Dorrill, Field Manager

17 John Vanover, Operations Manager

18 Tony Pires, District Counsel

19 Jared Brown, District Engineer

20 **OATH OF OFFICE**

21 **A. Mr. Stewart Hall**

22 Mr. Dorrill administered the oath of office.

23 **B. Mr. Brent Smith**

24 Mr. Dorrill administered the oath of office.

1 **ROLL CALL/APPROVAL OF AGENDA**

2 The meeting was convened at 9:00 a.m. The meeting was also properly noticed. The
3 notice and affidavit are on file with the District Office at 5672 Strand Court, Naples, FL
4 34110. Four supervisors were present at the meeting, establishing a quorum.

5 Mr. Sieperda attended the meeting via speakerphone.

6 **On a MOTION by Mr. Jackoboice and a second by Mr. Giannetti Mr. Sieperda's full**
7 **participation due to exceptional circumstances was allowed with all in favor.**

8 **The agenda was approved as presented on a MOTION**

9 **A. Resolution Designating Officers and Signatories**

10 The officers were nominated as follows:

11 Mr. Neil Dorrill – Secretary/Assistant Treasurer and bank signatory

12 Mr. Sieperda – Treasurer and signatory

13 Mr. Giannetti – Chairman and signatory

14 Mr. Jackoboice – Vice Chairman and signatory

15 Stewart Hall – Asst. Secretary

16 Brent Smith – Asst. Secretary

17 **Mr. Jackoboice made a MOTION to affirm the designations with a second by Mr.**
18 **Giannetti and all in favor.**

19 **On a separate motion, Mr. Sieperda, Mr. Giannetti, and Mr. Jackoboice will be**
20 **added to the bank resolution for purposes of second signature and Mr. Sieperda**
21 **and Mr. Dorrill for documents related to the line of credit renewal on a MOTION by**
22 **Mr. Giannetti with a second by Mr. Jackoboice and all in favor.**

23 **APPROVAL OF MINUTES JULY 2024**

24 Page 2 line 21 - Note that the public hearing was opened, and the manager proceeded
25 to introduce the budget for discussion and approval

1 **The minutes were approved as amended on a MOTION by Mr. Smith, a second by**
2 **Mr. Jackoboice and all in favor.**

3 **PUBLIC COMMENT**

4 Mark Gerber - Gables - Asked if the change order he has previously asked about is on
5 the agenda. Mr. Dorrill replied that it is.

6 Jim Carter - Watercrest - Asked when the decorative stone will be installed at Airport,
7 Mr. Giannetti said it will begin after the work on 41 starts, as the same contractor will
8 likely handle both projects. If it can be done earlier than a year from now, it will be, but it
9 will probably be timed with the contractor doing the 41 job. Mr. Giannetti will look into
10 accelerating that process.

11 **FINANCIALS - JUNE 2024**

12 As of the end of June, marking the close of the third quarter, current assets amount to
13 \$2,070,000 in cash, with \$1,270,000 in the general fund and \$799,000 in the reserve
14 fund. An additional \$8,900 is due from debt service, included in current assets. Fixed
15 assets, which encompass irrigation, streetlights, roads, and drainage, net of
16 depreciation, total \$24,000,000. This brings the total assets on hand to \$26,547,000.
17 Payables stand at \$97,000. Non-ad-valorem assessments received total \$37,000, while
18 interest income is \$9,500, attributed to moving banks and updating the banking contract
19 with the Board of County Commissioners. Year-to-date interest earnings amount to
20 \$105,000. The operating budget is over budget by \$190,000, although the total budget
21 remains below budget.

22 **On a MOTION by Mr. Giannetti the financials were approved as presented with a**
23 **second by Mr. Jackoboice and all in favor.**

24 **MANAGER'S REPORT**

25 **A. U.S. 41 Gatehouse**

26 Mr. Dorrill briefed the new supervisors on the history of the project, including design
27 changes, the initial RFP, and the guaranteed maximum price with the previous builder.
28 An audit was conducted on the Airport Road project to reconcile costs for the
29 modifications. Part of the problem was that all original costs were pre-Hurricane Ian,
30 and costs in construction significantly increased after the hurricane. The Auditor, who
31 reported back a month ago, substantiated the costs and reconciled the purchase orders
32 or proposals for the Airport Road gate. The Board authorized a new RFP, which was

1 published about three weeks ago. The deadline for the new RFP for the US 41 project is
2 at the end of this month. The project will include raising the finished floor elevation
3 above the FEMA flood zone. There was considerable concern from some residents
4 about constructing a temporary emergency vehicle/first responder lime rock road to
5 allow access at 41 during the project. The final decision was to postpone construction
6 until after season next year, either in April or May, depending on the selected
7 contractor, the speed of construction drawing development, and the time required to
8 obtain a building permit from the county, which takes a minimum of 3-4 months. A site
9 development plan must be in place beforehand.

10 Mr. Dorrill provided information on negotiations for a credit change order for the full
11 value of the US 41 gate included in the current contract. To close the contract, a credit
12 is needed to adjust the original contract value for the US 41 components. Since this was
13 a design-build procurement, there is a builder's fee and a builder's contingency. The
14 contingency was never used, resulting in additional credits. The builder will receive only
15 2/3 of the original contingency fee and the District will get back their entire contingency
16 contribution which was split 50/50. The builder pre-purchased long lead-time items
17 experiencing supply chain issues, which Mr. Dorrill listed. The District is entitled to these
18 items and will need to explore options for payment or storage. There are also a
19 significant number of pre-purchased items currently in storage that the District is entitled
20 to. The remaining items involve negotiating either returns or credits. For the builder to
21 receive the retainage, the District will need a final release of lien from the general
22 contractor and a warranty manual for specific building elements. A credit of \$474,586 is
23 due to the owner. A new list of builders is expected in October, and four different firms
24 have already expressed interest.

25 The costs for the original designs, permits, site development plan fees, and civil
26 engineering were lost. The original contract for all three guard gates was \$1,474,000.
27 The total cost of change orders over the last two-plus years was \$118,000, making the
28 combined contract sum \$1,593,000. The total amount completed is \$1,119,000, of
29 which \$26,000 is retainage held back pending project completion. The amount less
30 retained earnings is \$1,093,000. The balance due on the current contract is \$500,827,
31 with some values eligible for credit. Mr. Pires asked if the termination letter has been
32 sent to Houchin yet. It has not, but it will accompany the change order if approved. A
33 final contractor's affidavit, along with waivers and releases of lien, is also needed. Total
34 purchases and deposits for non-returnable elements are \$27,549.70, currently stored at
35 Houchin Construction. The termination notice, outlining requirements, will be drafted by

1 Mr. Dorrill and Mr. Pires. Mr. Vanover has some items purchased for the project in his
2 shop and has inspected them.

3 **Mr. Jackoboice made a MOTION to authorize Mr. Pires and Mr. Dorrill to provide**
4 **the notice of termination and the credit change order, subject to the conditions**
5 **provided by Mr. Pires and an inspection of the inventory on the presented**
6 **schedule. Mr. Smith seconded the motion and all were in favor.**

7 **B. Road Paving**

8 Mr. Dorrill shared that road milling and repaving went very well with the new contractor
9 recommended by the engineering firm.

10 **C. Drainage Repair**

11 There was a total failure of two roadside catch basins and an adjacent conveyance pipe
12 underneath Sweetgrass Way and Oakmont Moss, causing the catch basins to collapse
13 about 2 feet below finished grade and creating a depression in the road. The work is
14 currently in progress, with pipes and concrete already installed. Landscaping will be
15 completed by the District's landscaping staff.

16 **ATTORNEY'S REPORT**

17 Mr. Pires shared briefly about the Florida Sunshine Laws with the new board members.

18 **ENGINEER'S REPORT**

19 GMD has given the Bay Laurel Crosswalk an initial review. They want to ensure that the
20 receiving sidewalks are ADA compliant. The crosswalk should be installed by
21 September. Mr. Vanover already has the signs and will just need to find a vendor for the
22 striping.

23 **SUPERVISOR'S REQUEST**

24 There were no supervisor's requests made at this time.

25 **PUBLIC COMMENT**

26 Jerry Carbone – Asked if there is a copy of the RFP that went out and if it is a lump sum
27 contract for the work to be done since there is no design involved. Mr. Dorrill informed
28 him that there will be design involved and that a resident in the community (Dave
29 Adams) has assisted with the redesign.

1 Mark Gerber – Asked for clarification on the total cost of the two gatehouses. The total
2 cost is \$1,119,000, with \$26,240 in retainage. The total amount completed, including
3 retainage, is \$1,119,000 for Vanderbilt and Airport. The current contract is nearly \$1.6
4 million. It was clarified that Dave Adams is a designer, not an architect.

5 Mr. Gerber inquired about the change order, noting that while the accountant and civil
6 engineer addressed what they could, the number of hours spent using CAD to design
7 the building was not addressed. He said that the invoice lists a window cost of \$7,000,
8 but the window cost \$27,000 on the change order. Mr. Dorrill does not believe that is
9 current. Mr. Gerber expressed his desire for an additional audit into this. He suggested
10 finding someone familiar with CAD to assess how many hours were required to shorten
11 the building by two feet and modify some windows and doors. From his contractor
12 experience, he estimates a roughly \$30,000 overcharge. Mr. Dorrill mentioned that the
13 change order for the custom storefront window and the exterior sliding glass door was
14 \$11,000. The auditor has reviewed the purchase orders and paid invoices.

15 Richard Benson – Portofino – He expressed disappointment that the Airport Gate won't
16 be updated until the 41 gate is completed. Mr. Giannetti clarified that he will meet with
17 Mr. Adams to review the stone selections and potential installers. He wants to ensure
18 that the work is done correctly and won't require redoing. Mr. Adams is expected to
19 return in October or November.

20 **ADJOURNMENT**

21 There will not be a quorum for the September meeting therefore there will be no
22 meeting in September. The budget has been approved by the County and Mr. Dorrill will
23 present the requested proposals to evaluate at the October meeting.

24 With no further comments, the meeting was adjourned **on a MOTION by Mr.**
25 **Jackoicoice, and a second by Mr. Smith, at 10:16 a.m.** The next meeting will be
26 October 16, 2024, at 9:00 a.m.