

**PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD OF SUPERVISORS MEETING  
Wednesday, JUNE 20, 2018**

The Board of Supervisors of the Pelican Marsh Community Development District met on Wednesday, June 20, 2018 at 9:00 a.m. at the Pelican Marsh Foundation Building.

**APPEARANCES:** Frank Garofalo, Chairman  
Gordon Walker, Vice-Chairman  
Don Pomerantz, Treasurer  
Joe Diaz, Assistant Secretary  
Edward Walsh, Assistant Secretary

**ALSO PRESENT:** Neil Dorrill, Dorrill Management Group  
Mallory Clancy, Johnson Engineering  
Tony Pires, Counsel for the Board  
John Vanover, Operations Manager  
James Calamari, Access Control

**ROLL CALL**

All members of the Board were in attendance.

**PUBLIC COMMENT**

No public comment was received at this time.

**APPROVAL OF AGENDA**

Item 6E was added as Community Concrete Repair, and **on a MOTION by Edward Walsh and a second by Gordon Walker, the Agenda was unanimously approved as amended.**

**APPROVAL OF MINUTES OF MAY, 2018 REGULAR MEETING**

Mr. Dorrill indicated that he was present at the meeting, although it was not noted.

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On Page 7, in the second line of the second paragraph, Mr. Walsh questioned the 3.2 percent number of \$3.25 a month but was advised that it was correct.

**On a MOTION by Gordon Walker and a second by Don Pomerantz, the minutes were then unanimously approved by the Board.**

**FINANCIALS**

The revenue schedule through the end of May showed an initial distribution of \$15,490, which Mr. Dorrill suspected was money paid late in April from the tax certificate sale. Year-to-date collections are \$12,000 over the prior year at \$3,281,000.

The seventh month financials showed that they are now at about 96 percent of annual revenues, with \$1,980,000 in cash in the primary operating account against \$83,000 in payables.

The income statement showed that \$50,000 in non ad valorem assessments were received through the end of April, and the seven month revenues at that point were \$3,309,000 against a budget of \$3,287,000.

All of the cost centers were noted to be in line, but slightly ahead of schedule in engineering fees. Staff is double checking that to make sure that none of that amount was attributed to the fence project, as it is being capitalized and shown on the balance sheet for FEMA reimbursement.

There continues to be vacancies in the landscape crew, so this item is approximately \$40,000 under budget on the salary side, but slightly over budget on the utilization of irrigation water purchased from the County as a result of a rate increase that went into effect after the budget was adopted the previous year. The total landscaping cost center was about \$50,000 under budget, and through seven months the total operating expenses were \$128,000 under budget, half of which were the vacancies on the landscaping staff.

The lake restoration contractor has just about finished with the project for this year. There was

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an unprecedented amount of rain in April which put the contractor two weeks behind schedule, but is still on site finishing up with his crews.

**On a MOTION by Gordon Walker and a second by Edward Walsh the financials were unanimously accepted by the Board.**

**MANAGER'S REPORT**

**A. Lake Maintenance Contract Renewal**

There have been some isolated issues with Lake and Wetlands Management, which has been doing the lake maintenance, on the Tiburon side of the District. There has also been some discussion about introducing some of the African Blue Tilapia that eat algae.

This is the same vendor who has been doing the mitigation work with respect to exotic control, and there is no increase in the proposed fee for next year at \$156,487. Staff is recommending approval for fiscal year 2019.

In response to a question from a Board member, Mr. Vanover indicated that there are a couple of irrigation ponds that Lake and Wetlands Management does not service as they belong to the County and the golf course. There is also a small lake by the Waterpark entrance that is a recharge lake for the Tiburon golf course. Mr. Dorrill added that those are private, but in terms of the drainage lakes, they are part of the Master Surface Water Management permit and they are all serviced.

Chairman Garofalo noted that Johnson Engineering has the master lake chart, and noted that someone had crossed the irrigation ponds off of that. He asked about Lake 37, and Mr. Vanover indicated that this was the lake that was adjacent to Pine Ridge Estates that was taken off the list when the property was sold to the County. The Chairman asked if the chart could be updated sometime within the next couple of months and Mrs. Clancy agreed to get it done.

**On a MOTION by Edward Walsh and a second by Don Pomerantz, the Board unanimously approved the renewal of the contract with Lake and Wetlands Management for 2019.**

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B. Hurricane Irma Landscaping Update

The crews now have to mow weekly, so the amount of plant and shrub installation will slow down slightly. Trimming has been going on every day on alternate weeks, with planting going on in between. Quite a bit of Calusia has been put in to block some big holes along US41 and Airport. 1,500 three gallon plants were received the day before, the bulk of which will be installed where the fences are already completed. It is Mr. Vanover's hope that by the end of the summer and into the fall, the majority of the plants will be installed, growing and looking good.

In response to the Chairman's question, Mr. Vanover indicated that he has tried to contact Carter Fence several times via email, calling and text messages, and so far has been unable to get any kind of schedule from them. Mrs. Clancy indicated to Mr. Vanover that there are some legal actions that they can take to get some responses, and Mrs. Clancy indicated that she has contacted them as well with the same results. She indicated that they will be issuing a Notice to Proceed the following week which notes the date of July 1, which is when Carter Fence indicated that they would begin. Once that notice is issued, they have 90 days to complete the work. Technically, according to the contract, that means it could start as late as August 1 and finish August 31, but Carter was the one who stated that they would start on July 1.

Mr. Walsh suggested that they issue the Notice to Proceed immediately so they can begin July 1, and Mr. Dorrill added that he would not be opposed to visiting Mr. Carter at his place of business in order to move this along.

Mr. Pires suggested that they could hand deliver the Notice to Proceed, and while he has not seen the contract in awhile, the contract does read that it can be delivered a minimum of seven days before commencement should start.

Chairman Garofalo indicated that he and Mr. Vanover can go to their place of business on July 1, as he would then have had seven days to respond. Mrs. Clancy will mail the Notice to Proceed, and the Chairman and Mr. Vanover will then visit him on the first, and ask

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them when they plan to start as the materials were ordered by them six weeks previously. The Board members generally discussed their options, and the Chairman reminded the Board that the Gold Golf Course will be shut down from July 9 to July 20, which is the only time the fence at Tiburon can be worked on. If the fence company is available before July 9, they can start at Watercrest. If it is July 9 or later, they will have to start at Tiburon.

Mr. Pires will take a look at the contract to see if the Notice to Proceed says that the start date is July first. If Carter fails to do that, then he will look to see what their remedies are. If the golf course will be closed at another time in August, then they can stipulate in the Notice to Proceed that they can do the work at Tiburon at that time.

**C, D., Hurricane FEMA and Financial Statuses**

As was noted the previous month, they have received the initial notice of FEMA eligibility, which is a payment of \$238,000 which is essentially all the costs other than debris collection and removal. FEMA's last request was to have the finance and accounting staff person be designated to sign for it. Mrs. Briant was out of the office on vacation, and the package was FedEx'd to her and then sent to Tallahassee. At this point they are waiting for the State to combine the funds with their 12 percent and send it on to Pelican Marsh.

The handout Mr. Dorrill provided to the Board members showed that last month they received an insurance payment as the proceeds from the claim they filed for \$77,600. This amount was deposited back into the cash flow contingency fund. The balance in that account is now \$551,000.

**E. Concrete Pathways and Sidewalks**

Proposals were solicited from both Southwest Development Services and Collier Paving for this work, and the Collier Paving bid at \$29,258 was the lowest. This work is for the number of linear feet that needed to be cleaned and repaired, and staff is asking for the Board's approval

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to accept the proposal from Collier Paving for \$29,258 for the sidewalks and pathways. Mr. Dorrill's administrative authority for routine budgeted items is around \$5,000 unless it is a recurring expense. In this case the Board has to review and approve the expense.

Mr. Pires asked about the provision that the price is good for 30 days only, and asked if they would hold their price. Mr. Vanover was sure that they would. Mr. Pires also asked about items that were not included, and wondered if there were any crosswalks that would need attention, and Mr. Vanover indicated that to his knowledge there were not.

Mr. Pires' last reservation was the liability of \$5,000 for any negative review that was publicized, and Mr. Vanover indicated that he did not see that happening. Mr. Pires felt that this bullet point needed to be stricken, as someone could complain in the public forum of a Board meeting about some aspect of the work, which technically could be publicizing. Mr. Vanover agreed that it would be stricken. This work includes 2,090 feet of pavement that needs to be removed and replaced, which includes the demolition.

**On a MOTION by Gordon Walker and a second by Edward Walsh, the Board unanimously approved the contract by Collier Paving for \$29,258 as amended.**

F. Further Comments on Hurricane Reimbursement

Chairman Garofalo noted that in conversations with Mr. Vanover he learned that the State had hired Ernst and Young to review the entire package of FEMA reimbursements, adding that this was a very involved process. Mr. Walsh indicated that there was a \$916,000 expenditure which did not include the fence. The shrubs and trees expense is not part of the FEMA expenses and will not be reimbursed by them.

The expenses for the fence were submitted to FEMA in two ways. One was from the FEMA representative who walked, photographed and logged all the chain link and concrete fences. Additionally the paperwork on how it was bid out was also submitted to them. FEMA then actually came up with a number themselves which the District did not dispute.

**F. Introduction of Ken Hess**

Mr. Dorrill introduced Mr. Hess, a new employee at Dorrill Management, to the Board and advised them that he is a former college administrator, instructor and accountant.

**ATTORNEY'S REPORT**

**A. Code Amendment**

From an informational standpoint, Mr. Pires advised the Board that the County staff is working through a code amendment requiring permanent emergency generators to be installed in any residential developments when existing club houses or community centers undertake a substantial addition or renovation of at least 10,000 square feet, or if an addition or renovation results in the building exceeding 10,000 square feet.

This is not a District issue, but will impact the Foundation and the golf club. Further information can be found on the County website.

**ENGINEER'S REPORT**

There was nothing further from Mrs. Clancy.

**SUPERVISORS' REQUESTS**

There were no further requests from the Supervisors.

**PUBLIC COMMENT**

Robert Smith, a former Board member for 15 years was welcomed at today's meeting.

**ADJOURNMENT**

The next meeting will be held on July 18, and the meeting was adjourned **On a MOTION and a second at 9:35 a.m.**