

1           **PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT**  
2                           **NAPLES, FLORIDA**  
3                   **Regular Meeting of the Board of Supervisors**  
4                           **July 21, 2021**

5  
6   The regular meeting of the Pelican Marsh Community Development District Board of  
7   Supervisors was held on Wednesday, July 21, 2021, at 9:00 a.m. at the Pelican Marsh  
8   Community Center, Naples, Florida.  
9

10 **SUPERVISORS PRESENT**

11 Edward Walsh, Chairman  
12 Joe Diaz, Secretary  
13 Tony Scire, Treasurer  
14 Tim Jackoboice, Supervisor  
15 John Minty, Supervisor

16 **ALSO PRESENT**

17 Neil Dorrill, Manager, Dorrill Management Group  
18 Christopher Dorrill, Field Manager, Dorrill Management Group  
19 John Vanover, Operations Manager  
20 James Calamari, Access Control Manager  
21 Tony Pires, District Counsel  
22 Brent Burford, District Engineer

23 **ROLL CALL**

24 Mr. Walsh opened the meeting, noting that all members were in attendance.  
25

26 **PUBLIC COMMENT**

27 No public comment was received at this time.

28 **APPROVAL OF AGENDA**

29 Item 6D, Variance for 1274 Waggle Way was added to the agenda.

30 **On a MOTION by Tony Scire and a second by John Minty, the agenda was**  
31 **unanimously approved by the Board.**

1 **APPROVAL OF MINUTES**

2 Item 3 under the Manager’s Report was rewritten by Mr. Dorrill to make the discussion  
3 clearer, beginning on Line 5: “Mr. Walsh noted that they had been working with the  
4 landscape architect who had slowly put the plan together. The plan was submitted to  
5 the company that did the first two phases, and the proposal was just received with the  
6 unit cost being the same as it was with the first two phases.

7 Mr. Dorrill advised that they were going to have to re-price this, as the removal of the  
8 original trees was over budget. That side of the project will have to be changed and the  
9 work for the tree removal contracted separately in an effort to save some money. Mr.  
10 Dorrill asked that the approval for the bid be continued for one month.”

11 Under Supervisors Requests, Item A, in Line 9, the word “Board” should be replaced  
12 with “Pelican Marsh Golf Club.” Additionally, a period should be inserted after the word  
13 “undertaken,” with a new sentence beginning with “Both Mr. Vanover...”

14 On the third page, Line 19, under Financials, the word “irritation,” should be irrigation.

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

17 **FINANCIALS**

18 Mr. Dorrill presented the financials through the end of May, with the balance sheet  
19 showing just under \$3,000,000 in cash. \$1,500,000 of that amount is in contingencies  
20 for both cash flow and emergency reserves. The total additional fixed assets including  
21 infrastructure and other fixed and rolling capital equipment was \$24,800,000. Total  
22 assets of the District stood at \$27,800,000.

23 Liabilities at the end of May were \$24,380 in accounts payable, and the total liabilities  
24 and fund balance at the end of the month was \$27,850,000.

25 The income statement showed that \$4,190 was received in non-ad valorem  
26 assessments during the month of May, which Mr. Dorrill felt may be proceeds from the  
27 tax auction on unpaid assessments. Total year-to-date non ad valorem assessments  
28 received was right at \$3,700,000, or 94 percent of the total.

29 Transponder revenues year-to-date were about \$5,000 over budget, at \$25,000.

30 Mr. Dorrill pointed out a few items of interest under expenses, noting that year-to-date  
31 costs for irrigation water was \$95,436 with a budget of \$105,000 for the year. Year-to-  
32 date this line item was about \$25,000 over budget, but Mr. Dorrill felt that with the daily

1 rainfall things will let up a bit. However, he does expect to be over budget on this line  
2 item at year's end. Chemicals were under budget at that point.

3 Contractual maintenance for lake management was running below budget by \$19,000  
4 year-to-date. Salaries were under budget year-to-date for access control and  
5 landscaping, primarily due to vacancies in the work force.

6 Insurance was over budget year-to-date by about \$6,000. Those costs were a little  
7 higher this year as a result of the rate increase that the Board selected. Some of that  
8 will average out as they will not be incurring the costs of the vacated positions. Total  
9 operating expenses year-to-date were noted to be \$134,000 below budget.

10 **On a MOTION by Tony Scire and a second by John Minty, the Board unanimously**  
11 **accepted the financials as presented.**

## 12 **MANAGER'S REPORT**

### 13 **A. Cost of Living Increase Adjustment FY '22**

14 Mr. Walsh briefly discussed the meeting held the previous week regarding personnel  
15 and noted that Mr. Vanover has five vacancies in the landscaping crew. Staff is finding it  
16 difficult to fill these openings.

17 After checking on the salaries and raises that have been given over time, Mr. Walsh felt  
18 that some changes needed to be made as it relates to employee wages. Mr. Dorrill and  
19 Mr. Vanover prepared a proposal to address the vacancy issue, and Mr. Dorrill advised  
20 that the cost-of-living index continues to creep up, and the expected 3.5 percent  
21 presently stands at 5. Mr. Dorrill suggested that they raise the cost-of-living index to 5  
22 percent for the employees for fiscal year 2022. Secondly, he suggested that they reflect  
23 that change to 5 percent two months early, effective July 31, 2021.

24 The total effect on the payroll budget will be an increase of \$29,000 on the access  
25 control side, and \$51,000 on the landscape side. The intent is to establish a new  
26 threshold rate of \$13.50 per hour if the group health policy is taken, and \$15.00 per hour  
27 if it is not. This is staff's proposal, and Mr. Dorrill felt that those additional costs could be  
28 absorbed.

29 **On a MOTION by Joe Diaz and a second by Tony Scire, the Board unanimously**  
30 **approved the proposal as noted above, to be effective on July 31, 2021.**

### 31 **B. Update on Phase III Landscape Construction**

1 All of the tree and stump removal has been taken out of the base bid, and the work has  
2 been repriced. The bids came in at almost \$50,000 less than the original base bid, and  
3 that work is expected to begin the following day and last two to three days. This phase  
4 has the same plant pallet and same unit cost as Phases I and II.

5 Staff is recommending that the Chairman be authorized to sign the Phase III Landscape  
6 agreement with O'Donnell Landscaping in the amount of \$169,865.50. Mr. Walsh noted  
7 that questioning the amount O'Donnell was going to charge for tree and stump removal  
8 was the right thing to do, given the reduction in costs.

9 **A MOTION was made by Mr. Scire and seconded by Mr. Jackoboice; the Board**  
10 **unanimously approved the recommendations as noted above.**

### 11 **C. Update on Design/Build Shortlist-Entry Renovations**

12 Mr. Dorrill reported that Houchin Construction is the recommended builder to perform  
13 this work, and the Board will be provided with all the necessary information in order to  
14 award the contract at the August meeting.

15 Mr. Pires added that Mark Muller, Houchin's attorney, reminded him of the work  
16 Houchin has done for Pelican Marsh several years ago with a DBIA standard form  
17 contract. Apparently DBIA has upgraded its format, and there are two difference  
18 documents that require reviewing. It is Mr. Pires' goal to have them ready at the August  
19 Board meeting. The cost will not be known until the permits are applied for and ready to  
20 be issued. Mr. Pires noted that this was a good idea as many changes can occur during  
21 the process. Mr. Walsh noted that it would be a good if the construction could begin  
22 before the end of the year.

### 23 **D. Rear Yard Encroachment Petition**

24 This item involved a rear yard encroachment petition, where an ornamental fence will  
25 encroach into a lake maintenance easement. This is a home at 1274 Waggle Way.  
26 The Board does have a policy on these requests.

27 An aerial was provided showing the home, which is undergoing renovations. Staff  
28 made some requests to their proposal in order to keep an unencumbered eight-foot  
29 clear area behind their home, between there and the top of the lake bank to make sure  
30 that the spray rig can get through that area.

31 The recommendation of Staff was to authorize the chairman to enter into their standard  
32 license agreement for the rear yard encroachment that goes up to two feet on the west  
33 side of the site.

1 In response to Mr. Minty’s question regarding the adjacent home, Mr. Dorrill indicated  
2 that this home did have an easement as well.

3 Mr. Pires advised that the District has a non-disturbance and encroachment agreement  
4 that says that this improvement can take place, but if it ever gets in the way of the  
5 District maintaining its lake, they will ask the owner to move it. The District may remove  
6 it themselves, in which case they will be held harmless by the owner, who will be  
7 responsible for any costs or expenses.

8 Mr. Pires noted that a question for the Board was if they want the owner to pay any  
9 preparation and recording costs. Mr. Pires’ costs will not be any more than \$150.

10 **On a MOTION by John Minty and a second by Tony Scire, the Board unanimously**  
11 **authorized the Chairman to execute the standard form in a manner and final form**  
12 **that is subject to Mr. Pires approval.**

### 13 **ATTORNEY’S REPORT**

#### 14 **A. Stormwater Legislation**

15 Mr. Pires advised that the Legislature had adopted many bills and did not bring them to  
16 the Governor’s office until the end of June 29, effective July 1st.

17 One of these bills will affect the District and will require them to create a 20-year needs  
18 analysis for the stormwater system in five-year increments by July 31, 2022. Collier  
19 County will have to receive all these plans, analyze them, and return them to the State.  
20 Mr. Dorrill felt that this would be more of an engineering project and an inventory of the  
21 critical District assets dealing with stormwater. Mr. Pires added that if in the future the  
22 District wished to borrow funds from the State fund for this work, this document will be  
23 one of the things they would look at.

24 Nothing needs to be done at this point, but the engineer and staff will be working on  
25 this. Mr. Walsh stated that if there was any need for the Board to be involved in this  
26 down the road, that he would like to ask Mr. Minty if he would be willing to liaison on this  
27 project.

#### 28 **B. Annual Financial Report**

29 Another piece of legislation will require Districts to include in their annual financial  
30 reports the rate or rates of assessments, the total amount of assessments collected, the  
31 total amount of outstanding bonds and the terms of the bonds. This information is  
32 already in this District’s yearly audit.

1        **C. Summit Broadband Cable**

2        Mr. Pires has asked for a sketch and legal opinion of where this line will run, and he  
3        ultimately did receive a document, which was not suitable for recording. He did receive  
4        a word document of the grant of easement the previous week, and he will modify as  
5        necessary.

6        This item is not ready for consideration, as there are some easement questions and  
7        utilities in the area as well, and ultimately this will have to come back to the Board for its  
8        approval. Mr. Pires suggested that the Board have Summit provide a bond to the District  
9        for any damages that could occur to the District's infrastructure, as it has happened that  
10       a contractor could cause damage, in which case it could get difficult to receive payment.

11       At this point, Summit's submittal is not complete, and Mr. Pires will keep the Board  
12       advised.

13       **ENGINEER'S REPORT**

14       Mr. Burford had nothing to report, other than they are working on the scheduling for the  
15       stormwater analysis that was just discussed. Once that is put together, he will bring it to  
16       the Board.

17       **SUPERVISORS' COMMENT**

18       Mr. Minty advised the Board that he will not be in the country for the September meeting  
19       and will be unable to participate by phone.

20       **PUBLIC COMMENT**

21       No public comment was received at this time.

22       **ADJOURNMENT**

23       The next meeting will be held on August 18<sup>th</sup>, and Mr. Dorrill noted that it was an  
24       important one, as three members will need to be physically present as they hold the  
25       public hearing on the budget. **On a MOTION by Joe Diaz and a second by Tony**  
26       **Scire, the meeting was adjourned at 9:37 a.m.**