

1                   **PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT**  
2                                   **NAPLES, FLORIDA**  
3                   **Regular Meeting of the Board of Supervisors**  
4                                   **February 16, 2022**

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6   The Regular Meeting of the Pelican Marsh Community Development District Board of  
7   Supervisors was held on Wednesday, February 16, 2022, at 9:00 a.m. at the Pelican  
8   Marsh 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 (via Speakerphone)  
22   Brent Burford, District Engineer  
23   Bill Reagan, Underwriter  
24   Jose Valle, Architect, Houchin Construction

25   **ROLL CALL**

26   Mr. Walsh opened the meeting at 9:00 a.m. All supervisors were in attendance.  
27

28   **PUBLIC COMMENT**

29   Dr. Fresco, President of \*\*\* HOA, asked the Board who did the landscaping along the  
30   center of the community and what their credentials were to do this type of work. She  
31   was advised that it was Ellin Goetz, who is a licensed landscape architect, and co-  
32   founder of the Naples Botanical Gardens. The resident expressed her disappointment

1 with the way the area was overplanted. Additionally, much of the landscaping was not  
2 cut properly. She wondered why so much money was spent for this work.

3 Mr. Walsh thanked her for her comments and noted that she was the first person to  
4 come forward with any negative comments about landscaping. He added that the work  
5 was done in three phases in order to get feedback from the community members.

6 The resident felt that this Board met early in the morning and most residents were not  
7 up at that time, and secondly, she felt that communications were poor, and no  
8 newsletter is sent out to advise residents of what is going on. Mr. Walsh noted that  
9 1,500 emails were sent out every month advising the residents of the upcoming  
10 meeting, including a copy of the agenda. A year previously a post office letter was sent  
11 out to all residents, inviting them to provide their email address so they can be updated  
12 on what is happening in the community. The resident felt that the agenda was sparse in  
13 its details.

14 Once again, the resident was thanked for her comments, and noted that they would be  
15 taken into consideration.

#### 16 **APPROVAL OF AGENDA**

17 With the placement of Item 6B to the top of the list for discussion, the Agenda was then  
18 unanimously approved **on a MOTION by Tony Scire and a second by John Minty.**

#### 19 **APPROVAL OF MINUTES**

20 On Page 3, Line 25, "Igor" should be corrected to read "Eider."

21 Page 4, Line 8 should be removed as they were not pertinent to the discussion that was  
22 had.

23 Additionally on Page 4, Line 11, it was Mr. Minty who made the suggestion.

24 **On a MOTION by John Minty and a second by Joe Diaz, the Minutes were**  
25 **unanimously approved by the Board as amended.**

#### 26 **FINANCIALS**

27 The financial statements for the first quarter of the year at the end of December showed  
28 District having \$4,100,000 in cash, which included the two funds, \$625,000 for  
29 contingency and \$850,000 for cash flow. Total assets were \$2,600,000, and additional  
30 assets of the District were \$24,700,000 comprised mainly of land, infrastructure, and  
31 buildings, with \$105,000 in payables noted at the end of December.

32 The income statement showed almost \$2,000 000 having been received thus far in non-  
33 ad valorem assessments. \$3,200 in transponder revenues was also received. All of the

1 cost centers, with the exception of one, lighting, which was over budget by \$2,500 year-  
2 to-date, were under budget, and at the end of the first quarter total expenditures were  
3 \$983,000 against a budget of \$1,100,000. The District was \$132,000 under budget  
4 year-to-date, which is exactly what was forecasted.

5 Mr. Dorrill added that they have begun to expense the building renovation projects, and  
6 under the building replacement under capital outlay, some preliminary design fees have  
7 been expensed against an annual budget of zero.

8 When they get further into the capital outlays, Mr. Dorrill indicated that they are going to  
9 ask the Board to authorize a budget amendment and move that money out of the capital  
10 reserve into the operating account where those funds will be expensed.

11 **On a MOTION by Tony Scire and a second by Tim Jackobice, the financials were**  
12 **unanimously accepted by the Board.**

### 13 **MANAGER'S REPORT**

#### 14 **B. 2012 Series Bond Refinance Presentation**

15 These bonds were for the Phase 3 project which include Tiburon, the commercial shops  
16 at Galleria and the hotel at Tiburon.

17 Bill Reagan was present and advised the Board that he has been the underwriter for the  
18 Board since the beginning and has underwritten all the bonds in Pelican Marsh.

19 Mr. Reagan noted that this was not a big transaction and dealt with what is left over  
20 from the bonds originally issued years ago. A presentation was put back in January for  
21 this, and the amount was small, \$3,600,000 and did provide a good savings.

22 Because this deal is small, his firm serves as a placement agent to a number of banks  
23 that do this type of transaction and it is referred to as bank qualified, which means it  
24 gets certain tax exemptions.

25 The biggest challenge with this transaction is the market, which is coming against them  
26 fast and hard. There are no costs up front with this transaction; everything is paid at  
27 closing. The existing reserve fund money is used for a new reserve, use the balance to  
28 reduce the bond issue size, and what is left overpays the costs. Mr. Reagan noted that  
29 they do try as much as possible to reduce the lien amount per unit.

30 Right now, the market is at 2.6 to 2.7 percent, which gives about 12 percent in savings.  
31 One of the banks in the district for the CDD is very interested in doing this transaction  
32 and gave Mr. Reagan permission to discuss it with the Board. Normally proposals are

1 requested from several banks, and whoever is interested responds. This bank came  
2 unsolicited and gave a bid, offering to do it for 2.41 percent, which is something for the  
3 Board to think about. If the

4 Board wished Mr. Reagan to get other proposals, he will, and the only reason he  
5 brought this proposal to them is his concern about the market. The Board was shown a  
6 chart which illustrated the yields, which have been going down in this market.

7 Mr. Walsh asked about the projected savings on this bond per year, which at about  
8 \$3,600,000, would be about \$66,000. He was advised that the savings would be 12  
9 percent per household, which is based on allocation, as Mr. Reagan did not have the  
10 tax roll in front of him. The proposal he just mentioned to the Board would bring that  
11 savings up to about 14 percent. There are no bank fees, and his firm's fee is at 1.5  
12 points as the placement agent.

13 Mr. Scire noted that in today's market, with the concern of rising interest rates, he asked  
14 why this bank was willing to do the transaction at that interest rate. Mr. Reagan noted  
15 this their response to him when he asked the same question was because they were  
16 good. He added that he had an in-writing commitment from them for this fixed rate.

17 Mr. Pires advised that the Board can make the determination that if it is in the best  
18 interest of the District, they could accept the proposal based upon the discussions and  
19 recommendations from Mr. Reagan as their financial advisor in this transaction.

20 **A MOTION was made by Tony Scire that the Board consider this proposal at 2.41**  
21 **percent seriously, with the caveat that the percentage is fixed.**

22 Mr. Pires added that when the documents come back, they will indicate what the  
23 maximum percentage would be. The Board was assured that the individual that would  
24 handle this at the bank is very qualified. After further discussion, Mr. Scire amended his  
25 Motion as follows:

26 **A MOTION was made by Tony Scire that the Board go forward with the proposal**  
27 **at 2.41 percent, with the approval of the Chairman, Counsel, and Manager of the**  
28 **term sheet and with the approval of FMS. Tim Jackoboice seconded the Motion.**

29 Mr. Pires suggested that they come back at the March meeting after reviewing and  
30 approving all the documents, and Mr. Reagan will check with the bank to assure that  
31 this percentage will hold until then.

32 **The MOTION was then unanimously approved by the Board.**

1 **C. 401 Money Purchase Re-Authorization**

2 Mr. Dorrill advised that for the management group, the District has the governmental  
3 equivalent of a 401-k, and every seven years the Treasury Department requires that Mr.  
4 Dorrill be authorized to sign a resolution as the secretary that the plan continues to be in  
5 place for eligible employees.

6 **On a MOTION by Tony Scire and a second by John Minty, Mr. Dorrill was**  
7 **unanimously authorized to sign the certificate in accordance with the Treasury**  
8 **Department’s requirements.**

9 **D. Recent Renovation Projects**

10 This item relates to the roundabout and water feature at the entrance, and repairs to the  
11 brick pavers and the curb and gutters is presently underway. Mr. Vanover felt that this  
12 work would be completed by the end of the following week.

13 Mr. Vanover advised the Board of the several projects they are working on, one of  
14 which is the repair of the roof damage and pavers at the US41 gate, which did get fixed  
15 and looks very good. The other is the addition of some up lighting in the median  
16 between the fountain and the gatehouse, and they are waiting on some fixtures. Much  
17 of the work has been done, however, and the electrician is checking on the status of the  
18 lights, which when received, can be installed within a day or two.

19 The fountain in the lake at Tiburon project continues, and they are working with FPL to  
20 get the three-phase transformer installed. The process is slow, but Mr. Vanover is  
21 keeping Mr. Dorrill updated.

22 The last item is the landscaping being done on Galleria Drive, Spanish Moss, and Bay  
23 Laurel, and they are going along very well. Mr. Vanover hopes to have all these jobs  
24 done by mid-March.

25 Mrs. Goetz had also suggested that the green utility boxes throughout the District be  
26 repainted black, which is the best color to hide them. Some of these boxes have  
27 already been painted, and her suggestion does seem to work.

28 **A. Update on Design/Build Final Rendering**

29 Mr. Dorrill reminded the community about the innovative delivery practice on this  
30 project, which is a design build contract with a guaranteed price. This is allowing them  
31 to fast track the replacement of the community guard gate facilities. Supervisor  
32 Jackoboice was the lead on the project and has held two resident focus group meetings

1 to get to this final rendering. The architect from the Houchin firm for the project, Josh  
2 Valle, was also in attendance.

3 Mr. Dorrill thanked both Mr. Valle and Christopher Dorrill for all their hard work to make  
4 sure the renderings were turned around quickly, and Mr. Jackoboice indicated that they  
5 had another focus group meeting on the 19th of January with James, John, Christopher,  
6 Neil and community members attending. The original rendering with a few changes  
7 was preferred, and the color palette was also discussed. Mr. Jackoboice thanked Mr.  
8 Valle for the work he had done, noting that he did an excellent job.

9 The inspiration board showed various architectural elements that were explained by Mr.  
10 Valle for those present. Old Florida feature styles were used, and Mr. Valle noted that  
11 stucco will be used on almost all of these for longevity. They will be using the precast  
12 concrete on the base of the project, for the building and the columns and the port de  
13 cochere. There are two gates with port de cocheres and one without, due to the  
14 narrowness of access.

15 Mr. Valle went over the two options for color, one lighter than the other, with options for  
16 shutters for them both. Mr. Jackoboice noted that the focus group would like to add the  
17 shutters, and Mr. Valle pointed them out on the large image on the board. These  
18 shutters will be in addition to the treated glass and will cut down on the hot summer sun  
19 on the large windows. Mr. Dorrill added that the windows and doors will be hurricane  
20 rated impact glass.

21 It was noted that the committee was leaning towards the first color scheme, which was  
22 lighter with white window frames and trim, Mr. Scire asked Mr. Calamari if, pertaining to  
23 the new initiative for security at access control, there would be power loss should a  
24 hurricane come through. Mr. Dorrill answered this question, advising that they had  
25 talked about incorporating into the circuit breaker box a quick adaptor plug-in so the  
26 generator can be used in the gatehouses in the event the power goes out. Mr. Dorrill  
27 added that they are in a priority grid for quick turnaround if the power goes out, but they  
28 are equipping the gatehouses with the ability to use generator power. Mr. Vanover  
29 commented that from a maintenance perspective, a lighter roof will have to be cleaned  
30 more often, which may be something to consider.

31 Sandy Mintz was part of the focus group, and he was thanked for his efforts. Mr. Mintz  
32 felt that with all the input that was received, the group selected the best option, and  
33 added that the architect did a great job with the limited amount of space.

1 In response to Mr. Scire’s question, Mr. Walsh noted that once the Board approves the  
2 selections of the residents committee, they would be glad to show it to the Presidents’  
3 Council. They will also put out renderings as they did with the landscaping plans.

4 Mr. Mintz recommended that a long, skinny window be put in on the north side of the  
5 41-gate building to let some natural light into that area. Mr. Valle agreed that this could  
6 be an option. Mr. Walsh felt that was a good suggestion and noted that they will look at  
7 it to see if it would be possible. Mr. Scire suggested that care be taken if this is done  
8 that no radios or other equipment is exposed.

9 Susanne Fisher from Terra Bella asked if the Pelican Marsh signs facing the roadways  
10 were part of this project, and Mr. Walsh advised that they were not, but that will be  
11 looked at in the future. Mr. Dorrill added that the focus group had mentioned this as  
12 needing some re-evaluation. All these items that will be addressed are part of the  
13 hardscape, monument, and entry walls.

14 Steve \*\*\* asked about ambient light, and the security issues Mr. Scire had concerns  
15 with, and wondered if a skylight or solar tube would be a possibility, Mr. Walsh noted  
16 that they could look at that, but he was not sure that there was a light issue to address,  
17 as there are windows on all three sides, and there is quite a bit of sunlight. Mr. Scire  
18 suggested that Mr. Calamari be involved in those types of decisions based on security,  
19 and Mr. Walsh noted that Mr. Calamari has been involved in this all along.

20 **On a MOTION by Tim Jackoboice and a second by John Minty, the Board**  
21 **unanimously approved moving forward to produce construction drawings and**  
22 **specifications for Option 1 of the Coastal Contemporary design as outlined and**  
23 **recommended by the residents.**

#### 24 **E. Galleria Landscape Renovations**

25 Mr. Vanover advised that this work is underway, and much of the old landscaping is  
26 being pulled out. Mr. Vanover will be meeting with Ellin Goetz, the landscape architect,  
27 on February 2<sup>nd</sup>, and she will walk the crew through the area at that time to advise what  
28 new landscaping will be put in.

### 29 **ATTORNEY’S REPORT**

#### 30 **A. Revised Draft Agreement for Egrets Walk Gate Project**

31 Mr. Pires has prepared the revised draft agreement and sent it to counsel for Egrets  
32 Walk, who is in the process of reviewing it. Mr. Pires will keep the Board updated.

1 **ENGINEER’S REPORT**

2 **A. Transportation**

3 Mr. Burford reported that his transportation team would be at Pelican Marsh on the  
4 following Friday to do the main inspections and to look at some of the drainage inlets for  
5 sediment. Mr. Burford will have a report on the results for the Board at the next meeting.

6 **SUPERVISORS’ REQUESTS**

7 **A. Spring Break Meeting Schedule**

8 Mr. Walsh noted that the March meeting fell at the same time Spring Break occurs and  
9 wondered if some of the Supervisors may be out of town at that time. He suggested that  
10 they move the March meeting to the 4<sup>th</sup> Wednesday, the 23<sup>rd</sup>, as opposed to the 16<sup>th</sup>.  
11 Mr. Dorrill will contact Mr. Reagan, who will be attending the March meeting, of the date  
12 change.

13 **B. Law Enforcement Presence at Pelican Marsh**

14 Due to the many people residing in Pelican Marsh, Mr. Scire felt that it was very  
15 important to reinstate the Sheriff’s presence they once had. Mr. Scire and Mr. Calamari  
16 have discussed communicating with their contacts at the Sheriff’s Department to see if  
17 this could occur. The money apparently is in the budget, and Mr. Scire added that bikers  
18 and walkers would appreciate their presence, and the speeding along Pelican Marsh  
19 Boulevard could be addressed as well. Mr. Walsh described to those present what that  
20 entailed, with off duty police officers present two to three day a week for four-hour shifts.  
21 The Sheriff’s Department cancelled this presence due to increased need for law  
22 enforcement in the schools, as well as COVID issues.

23 Since that time, the Sheriff’s Department has been approached at least twice in an effort  
24 to have them return to the District, but they continue to say that they don’t have the  
25 manpower. He agreed that they should try once more, and Mr. Scire and Mr. Calamari  
26 will make that effort. Mr. Mintz noted that the speeding within the District was a priority  
27 issue with the Presidents Council.

28 **PUBLIC COMMENT**

29 No further comments were received from the public.

30 **ADJOURNMENT**

31 **On a MOTION by Joe Diaz and a second by John Minty, the meeting was**  
32 **adjourned at 9:54 a.m.**