

1                   **LELY COMMUNITY DEVELOPMENT DISTRICT**  
2                                   **NAPLES, FLORIDA**  
3                   **Regular Meeting of the Board of Supervisors**  
4                                   **March 17, 2021**

5   The regular meeting of the Lely Community Development District Board of Supervisors  
6   was held on Wednesday, March 17, 2021 at 1:30 p.m. at the LCDD Maintenance  
7   Building, Naples, Florida.

8   **SUPERVISORS PRESENT**

- 9   William Lee, Chairman
- 10  Anne Marie Bularzik, Vice Chairman
- 11  Kenneth Drum, Supervisor
- 12  Gerry Campkin, Supervisor

13  **ALSO PRESENT**

- 14  Neil Dorrill, Manager, Dorrill Management Group
- 15  Kevin Carter, Operations Manager
- 16  Tony Pires, District Counsel
- 17  Freddie Bowers, Director of Community Patrol
- 18  Christopher Dorrill, Field Manager

19  **INVOCATION/PLEDGE OF ALLEGIANCE**

20  Mr. Dorrill offered an invocation, and the Pledge of Allegiance was recited in unison.

21  **PUBLIC COMMENT**

22  No public comment was received at this time.

23  **ROLL CALL/APPROVAL OF AGENDA**

24  All Board Members were in attendance.

25  Dr. Bularzik noted at this point that Mr. Carter had celebrated a birthday the previous  
26  week.

1 With the additions of items 9A, Oak Trees; 9B, Signage; 9C, Proposed Bike Route; 9D,  
2 Turnover Report; 9E, Speed Limits, and 9F, Traffic Control Mechanisms, **on a MOTION**  
3 **by Mr. Drum and a second by Mr. Campkin, the agenda was unanimously**  
4 **approved as amended.**

#### 5 **APPROVAL OF JANUARY 2021 MINUTES**

6 On Page 2, Line 32, Mr. Waver should be corrected to read Mr. "Weeber."

7 **On a MOTION by Mr. Campkin and a second by Dr. Bularzik, the Workshop**  
8 **minutes were unanimously approved as amended.**

9 As it relates to the Regular minutes:

10 On Page 3, Line 21, the discussion regarding appointing the new treasurer was followed  
11 by a sentence that seemed to relate to a new supervisor.

12 Also, on Page 3, Line 25, following Mr. Ousley's name, the letter C should replace E.

13 On Page 4, Line 36, the motion by Dr. Bularzik should be deleted, along with the  
14 sentence following the ending with the word "discussion."

15 On Page 5, Line 26, the Motion maker was Mr. Drum, with a second by Dr. Bularzik.

16 On Page 7, Line 21, the last sentence should read "discuss this with Mr. LoCastro."

17 **On a MOTION by Dr. Bularzik and a second by Mr. Drum, the Regular meeting**  
18 **minutes were unanimously approved as amended.**

#### 19 **DISCUSSIONS ON SEATING A NEW SUPERVISOR**

20 Mr. Drum questioned the process that was to be followed at this meeting, noting that it  
21 was his understanding that the Board agreed that the deadline for application was  
22 between March and April, and while he did not have an issue with candidates being  
23 present today, he did not want to close off possible nominations.

24 Mr. Lee indicated that the application deadline was sent out to all HOA presidents, but  
25 Mr. Drum noted that the procedures were going to be authorized at this meeting, which  
26 was the motion that passed at the last meeting, and the decision on the new Board  
27 member would be made at the April meeting.

1 Dr. Bularzik added that they had received the communication, which had been looked at  
2 by Mr. Pires, and was then distributed to the HOA presidents. Mr. Pires noted that the  
3 Board could make the decision to extend the deadline with a new notice, and after  
4 further discussion, the Board agreed to amend the document.

5 **Mr. Drum made a MOTION to amend the document that was sent to the HOA**  
6 **Presidents to set the deadline for submission for candidates to April 13<sup>th</sup> at 5 PM.**

7 The Board further discussed the options, and Dr. Bularzik then restated Mr. Drum's  
8 motion that the new deadline would be Friday, April 9 at 5 p.m. to receive resumes. It  
9 also included the criteria from Mr. Pires' note, to be considered at the April 21 meeting.  
10 All candidates who are putting their names forth will be invited to the April 21 meeting.

11 The Board agreed that the new notice would be disseminated, at Mr. Pires' suggestion,  
12 by Mr. Dorrill to Mr. Drum's and Mr. Campkin's associations, while the others can be  
13 sent through the President's Council as previously done. This new notice will be sent to  
14 all the District supervisors and all resumes, including two who are already included in  
15 the Board's agenda package for the April meeting, which all candidates are invited to  
16 attend.

17 **Mr. Drum's MOTION, as amended by Dr. Bularzik as to the deadline for**  
18 **submission, was seconded by \*\*\* passed on a vote of three to one, with Mr. Lee**  
19 **voting against it. (Overtalk)**

## 20 **MANAGER'S REPORT**

### 21 **A. Community Patrol**

22 Sixteen incidents were reported during the month of February, with a total of 12 no  
23 trespassing incidents, all non-residents, with an additional five suspicious individual  
24 instances. There were 15 traffic assists, along with the assistance to a disoriented  
25 individual who was transported via EMS to the hospital. Additionally, there were three  
26 alligator trappings.

27 There were 26 traffic stops that involved warnings or written citations and fines, and one  
28 arrest.

### 29 **B. Surplus Property Disposal**

30 Mr. Carter reported that there is one F150 and ten Kubota utility vehicles declared as  
31 surplus for the upcoming auction. They also wish to replace the utility vehicles with

1 Bobcats which are anticipated to be stronger, better vehicles for their purpose. The cost  
2 of these will be \$132,815 for eleven Bobcats, which is within the budgeted amount.

3 Mr. Pires explained how the process should work, and Mr. Dorrill added that the motion  
4 should include the surplus declaration for purposes of the auction, and to authorize the  
5 budgeted replacements as outlined in the proposal in the backup material.

6 The notice of the sale must be no less than one week and no more than two weeks  
7 before the sale. Mr. Pires noted that Mr. Dorrill and Mr. Carter were experts in noticing  
8 these events.

9 **On a MOTION by Mr. Drum and a second by Mr. Campkin, the Board unanimously**  
10 **approved the declaration of the surplus property for auction. Mr. Drum then**  
11 **moved to authorize the purchase of the new equipment as outlined in the backup**  
12 **material. With a second by Mr. Campkin, the MOTION passes unanimously.**

13 The new purchases are being bought from the State of Florida's fleet purchase  
14 agreement which saves the District a considerable amount of money. The final cost  
15 includes shipping, assembly, side mirrors and safety roof support systems. The Ford  
16 truck will also be replaced at some point in the future.

#### 17 C. Budget Amendment for Streetscape Restoration

18 At the February meeting, the Board authorized some canopy trees and Ligustrum plants  
19 to replace what is presently in place, **and on a MOTION by Mr. Drum and a second**  
20 **by Mr. Campkin, the Board unanimously approved a Budget Amendment 2021-1**  
21 **for \$12,000 to cover those approved expenses.**

#### 22 ATTORNEY'S REPORT

23 Mr. Pires had nothing to report to the Board.

#### 24 FINANCIALS

25 The four-month financials through the end of January were presented, and the balance  
26 sheet showed a combined \$4,980,000 in cash at that time, along with \$10,175,000 in  
27 fixed assets.

28 Total assets for the District at the end of January was \$15,100,000, with \$29,005 in  
29 payables.

1 The income statement showed \$130,000 in non-ad valorem assessments received in  
2 February.

3 which were probably paid in late December and booked and transmitted to them by the  
4 tax collector. Year-to-date receipts were \$2,111,000 against a budget forecast of  
5 \$2,143,000 year-to-date, and they are at about 85 percent of all revenues.

6 For all the cost centers on the expense side for the first four months, the District  
7 remained at about \$74,000 below budget at that point.

8 **On a MOTION by Mr. Campkin and a second by Dr. Bularzik, the financials were**  
9 **then unanimously accepted by the Board.**

#### 10 **SUPERVISORS' REQUESTS**

11 **Items 1 and 2 were previously addressed.**

##### 12 **A. Master Turnover**

13 The turnover is still scheduled for March 15<sup>th</sup>, and the second packet mailing will go out  
14 shortly. Dr. Bularzik urged the community HOA presidents to get their residents out to  
15 vote for up to three individuals only. 1,586 votes, or 30% are required in order not to  
16 have a subsequent meeting and a second, costly mailing to the Lely residents. The  
17 intention is to later increase the Board to seven people.

##### 18 **B. Oak Trees**

19 Dr. Bularzik reported on the talk an arborist gave recently, addressing the problems as  
20 these trees in the community age. They are lifting sidewalks, among other things, and it  
21 will be a large initiative to replace them throughout the community. Research is being  
22 done by the Lely President's Council, as well as Dr. Bularzik's own landscaping  
23 community group. She will continue to bring information to the Board as she learns  
24 more.

25 Mr. Drum reported that estimates have been obtained for removing these trees, which  
26 will be very costly because of their size. Mr. Campkin added that they have had several  
27 of these trees removed in his community, and it involved replacing pavers, pavement,  
28 and irrigation lines because of their root systems, and was very costly.

29 Dr. Bularzik added that the laws regarding removal of the trees are different for  
30 condominium and HOAs, so it will be a complicated exercise as they move forward.

1           **C. Monument/Signage at Entrance to Maintenance Building**

2 Dr. Bularzik showed the Board a picture of what the Majors had put up at the entrance  
3 to their community and suggested that the lot in question for this was owned by the  
4 Master HOA. Now that turnover has occurred, there may be a better opportunity for this  
5 to be erected at the entrance to the Maintenance Building.

6 Mr. Cater will contact the new president of the Master Association to determine if they  
7 would be willing to turn the lot over to the LCDD for this purpose.

8           **D. Bike Route/Grand Lely**

9 The Adventure Cycling Association gave a presentation the previous day on the route  
10 that they would like to extend from northern Florida down to Collier County, which would  
11 include a section on Grand Lely Boulevard. As noted previously, there are 1,156  
12 residences along that roadway, which would present a dangerous situation for bikers  
13 and cars as well as pedestrians.

14 After the presentation Dr. Bularzik spoke with them, and they agreed that if the  
15 community objected to it, then they would change their route and delete Grand Lely  
16 from the path route.

17 Jan Face-Glassman has put together a letter for the community to send to Mr. LoCastro  
18 and the Commissioners, so the District is on record of not being in favor of the bike  
19 route coming through Lely.

20 **On a MOTION by Mr. Drum and a second by Mr. Campkin, the Board unanimously**  
21 **approved sending a letter to Mr. LoCastro and the County Commission advising**  
22 **them of their disapproval of the bike path going through the Lely CDD.**

23 Mr. Dorrill indicated that he would draft a letter for the Chairman's signature in this  
24 regard.

25           **E. Turnover**

26 The Master turnover took place at 10 a.m. on March 15 and lasted about seven  
27 minutes. The Stock representatives handed in their resignations ahead of time and were  
28 not present at the turnover. The top three vote getters of the seven people who had  
29 submitted their names for the Board were Rob Priestley, Susan Vicedomini and Ken  
30 Haar. Susan Vicedomini will sit as president, and the first act of the Board was to vote  
31 on increasing the Board from three to seven members. A notice has gone out to the

1 communities to ask people if they would like to sit on the Board, and if so, to submit  
2 their name and resume by a certain date.

3 Mr. Lee briefly went over the responsibilities of the Master Association, (inaudible) and  
4 Mr. Pires indicated that he, Mr. Cole, and Mr. Carter had a conversation recently about  
5 a particular community that taken over the maintenance of their lakes, and a more  
6 formalized checklist was going to have to be submitted to the District if communities  
7 wished to take over the operation of any of their water related facilities.

8 Mr. Drum noted that the lawsuit that the CDD was involved in with the HOA about three  
9 years previously was concluded with a large settlement to the HOA. He expressed  
10 concern about the CDD taking over any extra maintenance at this time, as the HOA still  
11 had a substantial amount of money left over from that settlement. Dr. Bularzik noted that  
12 the new HOA Board had already designated funds for insurance and to pay Mr.  
13 DeBoest for his work.

14 Mr. Drum added that the Master HOA did not have sovereign immunity, which is  
15 another thing that the Board had to consider when discussions about the CDD taking  
16 over HOA responsibilities were held.

17 Mr. Pires added that in the event any new responsibilities were taken over by the CDD,  
18 they could request that there be an initial funding source to help facilitate any upgrades,  
19 et cetera, that may be needed, as well as any consideration from the South Florida  
20 Water Management District.

21 Dr. Bularzik suggested that they allow the new HOA Board some time to determine  
22 what must be done and what their plans were going forward before some of these  
23 discussions are held.

#### 24 **F. Traffic Control**

25 A traffic study was done on the other side of Mustang Island Circle, and after looking at  
26 the data, the County will not be putting in a four way stop as there have not been five  
27 accidents there in the past year. They have put in the speeding machine signs in each  
28 direction, which not only monitor speeds but counts the cars. Another meeting will be  
29 held later in April with the County and Lely Traffic committees to look at the counts.

30 There is a discrepancy between the new speed machines and the County speed limit  
31 signs that are in place, and Mr. Carter spoke with the County who advised him that the  
32 County Commission has changed some of the speed limit signs throughout the County.

1 Lely Resort Boulevard and Grand Lely Drive are now 30 miles per hour, and Lely  
2 Cultural and Celeste are 35.

3 **MISCELLANEOUS**

4 Denny Means from Ole suggested that there is an opportunity, as the turnover has  
5 occurred, for the Master Association to hire an engineer to look at the lake bank erosion  
6 throughout Lely. Hole Montes has done this, but at this point they could go back to the  
7 developer and ask them to fix any necessary areas. This way the Association can be  
8 made whole if there is going to be continuing maintenance throughout the years, and  
9 there may be an opportunity to save money.

10 Mr. Lee indicated that certain criteria needed to be met before this work can be done  
11 and explained how both the Master and the CDD had done some of these repairs in the  
12 past.

13 A resident from Lely Island Estates asked Dr. Bularzik if when sending the notices to the  
14 presidents, if she would ask them to make sure they are distributed to the membership.  
15 Dr. Bularzik obtained the president's contact information from the resident to be sure it  
16 reaches him.

17 **ADJOURNMENT**

18 The next meeting is scheduled for April 21.

19 **On a MOTION by Dr. Bularzik and a second by Mr. Drum, the meeting was**  
20 **adjourned at 3:25 p.m.**