

1                   **LELY COMMUNITY DEVELOPMENT DISTRICT**  
2                                   **NAPLES, FLORIDA**  
3                   **Regular Meeting of the Board of Supervisors**  
4                                   **June 15, 2022**

5    The regular meeting of the Lely Community Development District Board of Supervisors  
6    was held on Wednesday, June 15, 2022, at 1:30 p.m. at the LCDD Maintenance  
7    Building, Naples, Florida.

8    **SUPERVISORS PRESENT**

9    Anne Marie Bularzik, Chair  
10   Frank LoMonte, Vice-Chair  
11   William Lee, Treasurer, POA Liaison  
12   Kenneth Drum, Supervisor  
13   Gerry Campkin, Supervisor

14   **ALSO PRESENT**

15   Neil Dorrill, Manager, Dorrill Management Group  
16   Kevin Carter, Operations Manager  
17   Lenore Brakefield, Assistant District Counsel  
18   Freddie Bowers, Director of Community Patrol  
19   Christopher Dorrill, Field Manager

20   **INVOCATION/PLEDGE OF ALLEGIANCE**

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

22   **PUBLIC COMMENT**

23   No public comment was received at this time.

24   **ROLL CALL/APPROVAL OF AGENDA**

25   All Board members were in attendance, and it was noted for the record that Mr. Drum  
26   was physically present at today's meeting.

1 As it relates to the agenda, the following items were added: 5D, Results of Surplus  
2 Auction; 9A, Lely Master Agreement; 9B, Discussion on Vesta Mailing, which Dr.  
3 Bularzik spoke to, indicating that the multiple cards that went out to the residents was a  
4 mistake on the part of the mailing company that it was outsourced to. The final item, 9C,  
5 was Mr. Drum's expected absence at the July Meeting.

6 **The agenda was unanimously approved as amended on a MOTION by Mr. Drum**  
7 **and a second by Mr. Campkin.**

## 8 **APPROVAL OF MINUTES**

9 On Page 1, Mr. Lee should be noted as the POA liaison as opposed to the HOA.  
10 Additionally, Ms. Brakefield was present for Mr. Pires.

11 On Page 11 Line 7, the road should read Grand Lely Drive.

12 **On a MOTION by Mr. Lee and a second by Mr. Lomonte, the two sets of minutes**  
13 **were unanimously approved by the Board as amended.**

## 14 **MANAGER'S REPORT**

### 15 **A. Community Patrol**

16 It was a quieter month at Lely, with one alligator report, but a total of almost 70 written  
17 citations or warnings for a wide variety of traffic infractions. Two accidents were noted,  
18 with one being serious enough to cause damage to a concrete post. There were also  
19 two arrests that occurred at the high school.

20 Mr. Drum asked for Mr. Bowers' definition of loitering, and he was advised that if  
21 someone is just hanging around the area, and is not a resident or visiting one, they are  
22 considered to be loitering. Most of these are fishing related. Mr. Dorrill advised that  
23 there are areas within the district, for instance, near the weir, where homeless people  
24 congregate. He provided a copy of the no trespassing agreement to the Board that can  
25 be filed with the Sheriff's Department, who will come out and issue a warning to the  
26 individual involved who could be subject to arrest if it happened again.

### 27 **B. Lake Bank Restoration**

28 A preconstruction meeting will be held on June 29 with the POAs from Master's  
29 Reserve, Mustang Island and Palomino, all the communities which will be affected by  
30 the project this year. It is anticipated that the project will begin in mid-July.

1 **C. Budget Amendments**

2 Two Budget Amendments were presented to the Board for both the Lake Bank Erosion  
3 project and the GIS Mapping. The first one was \$13,000 for the GIS mapping, and the  
4 second was for the additional costs for the lake bank project of \$72,311.72. The funds in  
5 both cases will come from the capital reserves.

6 **On a MOTION by Mr. Lee and a second by Mr. Lomonte, the Board unanimously**  
7 **authorized the Chair to sign the Budget Amendments to cover the costs of these**  
8 **projects.**

9 **D. Results of Surplus Property Auction**

10 The auction was concluded the previous day, and although only approximately \$10,000  
11 was anticipated to be realized from the auction, a total of \$24,232 was bid for the  
12 property. Titles to the property will not be provided to the bidders until the checks are  
13 received.

14 **On a MOTION by Mr. Lee and a second by Mr. Drum, the surplus sale of**  
15 **equipment was unanimously approved.**

16 **ATTORNEY'S REPORT**

17 **A. Master POA Issue**

18 Ms. Brakefield advised that Mr. Pires has not yet responded to the most recent  
19 communication from Mr. DeBoest. Additionally, the South Florida Water Management  
20 District wants the parties to work this out, and Mr. Pires felt that they would lose  
21 patience if this does not occur soon. Mr. Pires anticipated having an update on this at  
22 the next meeting.

23 There appears to be an issue with the 15 percent administrative fee, and Mr. Pires feels  
24 strongly about the reasonableness of these costs. Apparently, 15 percent is the  
25 standard amount that is used in these types of agreements. There were some other  
26 items that will need to be addressed as well. Mr. Dorrill noted that special counsel has  
27 been retained to assist Mr. Pires on this issue.

28 The POA is approaching their statutory deadline to file a lawsuit against Stock for  
29 certain defects and deferred maintenance that would have been Stock's responsibility.  
30 Ms. Brakefield will advise Mr. Pires of the Board's concerns on these issues.

1 There is also an issue regarding the road that leads to the maintenance building and  
2 who should be responsible for its maintenance. Stock has tried to give it to the CDD and  
3 the POA, neither of which wanted to take it over.

#### 4 **FINANCIALS**

5 The seven-month financials ending April 30 balance sheet showed almost \$5,400,000 in  
6 cash, evenly split between the operating and reserve accounts. Outstanding payables  
7 were \$84,000 at that time.

8 The income statement showed \$75,000 in non-ad valorem assessments having been  
9 received, which brought the total received to \$2,430,000, representing 96 percent of all  
10 anticipated revenue. A small bump up on interest income was received over what was  
11 originally contemplated, and the third quarter CSA payment has been received, at just  
12 under \$300,000. Total revenue for the month came to \$376,000.

13 There were unexpected extra costs this year, including the cost-of-living increase for the  
14 employees, and the costs of landscaping has up, as well as the treated landscape water  
15 from the County. Year-to-date the total expenditures prior to the budget amendments  
16 just approved for GIS mapping and lake bank erosion projects for the year put them at  
17 about \$12,000 over budget, but as a result of the amendments, they will be  
18 approximately \$70,000 under budget.

19 The Board briefly discussed the increases across the board, noting that fuel prices are  
20 currently \$10,000 over budget, and it is expected that this trend will continue over the  
21 balance of the year. Fortunately, the District does not pay any state or local gasoline  
22 taxes.

23 **On a MOTION by Mr. Lee and a second by Mr. Campkin, the financials were**  
24 **unanimously accepted by the Board.**

#### 25 **SUPERVISORS' REQUESTS**

##### 26 **A. Lely Master POA**

27 This item was previously discussed under the Attorney's report.

##### 28 **B. Vesta Mailing**

29 This item was also noted briefly by the Chair earlier in the meeting under the agenda  
30 approval.

1        **C. Triangle Boulevard Plantings**

2        In response to Mr. Campkin's question about who maintains the planted area at  
3        Triangle Boulevard as there are many flowers and plants, Mr. Dorrill indicated that it  
4        is maintained by the CDD under a right-of-way permit originally issued to the  
5        community at its inception. The County did pay for the replacement of all the  
6        plantings that were lost during their work in this area.

7        **D. Qualifying**

8        Mr. Campkin noted that both Mr. Lee and Dr. Bularzik had filed the necessary  
9        papers to run for their seats on the Board again and asked if they have any  
10       opposition at this point. He advised that there were no oppositions yet, but there was  
11       still time for someone to file.

12       **PUBLIC COMMENT**

13       No public comment was received at this time.

14       **ADJOURNMENT**

15       The next meeting will be held on July 20th at 1:30 p.m. The August meeting will be held  
16       on the 18<sup>th</sup> to accommodate Mr. Dorrill's travel plans.

17       **On a MOTION by Mr. Lee and a second by Mr. Campkin, the meeting was**  
18       **adjourned at 2:37 p.m.**