

**LELY COMMUNITY DEVELOPMENT DISTRICT  
NAPLES, FLORIDA**

**Public Hearing and Regular Meeting of the Board of Supervisors  
July 19, 2023**

The public hearing and regular meeting of the Lely Community Development District Board of Supervisors was held on Wednesday, July 19, 2023, at 1:00 p.m. at the LCDD Maintenance Building, Naples, Florida.

**SUPERVISORS PRESENT**

William Lee, Chair

Frank LoMonte, Vice-Chair

Gerry Campkin, Treasurer

Anne Marie Bularzik, Secretary

Kenneth Drum, Supervisor

**ALSO PRESENT**

Neil Dorrill, Manager, Dorrill Management Group

Kevin Carter, Operations Manager

Tony Pires, District Counsel

Freddie Bowers, Director of Community Patrol

Christopher Dorrill, Field Manager

Terry Cole, District Engineer

**INVOCATION/PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT**

No public comment was received at this time.

**ROLL CALL/APPROVAL OF AGENDA**

All supervisors were present at the meeting in person.

Dr. Bularzik added Lely Master as item 8a, potholes as item 8b, and lawsuit status as item 8c.

Mr. Drum added bears as item 8d.

Dr. Bularzik also added natural gas as item 8e.

Bobcat was added as item 8f.

**On a MOTION by Mr. Drum and a second by Mr. Campkin the agenda was approved with these additions.**

### **APPROVAL OF WORKSHOP MINUTES JUNE 2023**

Pg 2, line 9 add 'new' before 'chainsaws'.

Pg 2, line 14 capitalize Weary and \*\*\*.

**The minutes were accepted on a MOTION by Mr. Campkin and a second by Mr. Drum.**

### **APPROVAL OF REGULAR MEETING MINUTES JUNE 2023**

Page 4, line 11, add 's' to the end of 'pothole'.

Page 4, line 12, add 's' to the end of 'pothole'.

Page 2, line 6, replace 'innming' with 'trimming'.

Page 6, under adjournment, clarify the budget meeting will take place at 1:30 p.m. and the regular meeting will take place at 1:00 p.m.

**The minutes were accepted on a MOTION by Dr. Bularzik and a second by Mr. LoMonte.**

### **MANAGER'S REPORT**

#### **A. June Community Patrol**

There were 17 total trespass situations pertaining to fishing, all of them non-residents. There have been bear sightings in and out of the Community. An injured Osprey was taken to Naples Zoo. A queen palm was lost. There were a couple suspicious incidents involving homeless people trying to charge cell phones and a few instances of suspicious vehicles seen in the Community. There was one individual in the district who claimed to be associated with a vendor contracted to clean catch basins, he wasn't doing work for the district but could have been doing work for Lakoya or Ole. He was

looking for a place to dispose of the catch basin debris in an area which is adjacent to our horticultural debris staging area, Mr. Dorrill believes it is a conservation area and could be a jurisdictional wetland, the district doesn't own the area in question, but we don't want anyone dumping anything into it. There were 37 written warnings, 9 citations, and no arrests.

## **ATTORNEY'S REPORT**

### **A. License Agreement**

Mr. Pires received an email from Mr. DeBoest stating the Master is no longer interested in the licensing agreement and gave no further explanation. Not sure if they may come back and state that we need to maintain that or if they are going to reach out to the water management district to have them oversee it. Mr. Dorrill received a public records request from a law firm out of Fort Myers. Mr. Dorrill is not sure at this time who their client is, but they requested any and all correspondence between LCDD and the Master, this request generated about 2000 different documents. He asked them to narrow the scope of the request which brought the number down to around 300 pieces of correspondence. Those items have been turned over to Mr. Pires, he is going through them and removing and redacting anything that is attorney client privileged.

## **ENGINEER'S REPORT**

No engineer's report was received at this time.

## **FINANCIALS**

These are the 7-month financials through the end of May. The district's cash position remains very strong at \$5.59 million, \$2.5 million remains in the operating account and \$3.1 million is in capital reserve. Additional depreciable assets related to the infrastructure amount to \$10 million total assets on hand. There were \$119,000 in payables at months end and the district received \$16,000 in non-ad valorem assessments. Typically, these assessments would have been delinquent and paid with fines and penalties or paid at auction on behalf of the owner. This is a little higher than what Mr. Dorrill is accustomed to. Took in almost \$23,000 in interest during the month of May, total collected year to date amounts to \$150,000. We need to find out what is going on with the electric side of the irrigation cost center. There are another 5 months to go, and at \$103,000 in electrical consumption year to date. Electricity usage year over year is a lot more now than it has been and the electricity costs have increased exponentially.

**The financials were accepted on a MOTION by Mr. Campkin and a second by Mr. Drum.**

## **EMPLOYEE SERVICE AWARDS**

The board recognizes Juan Recendez for over 30 years of service, Victor Orantes for over 25 years of service and Edgar Perez for over 15 years of service. Plaques and bonus checks were issued to each of these employees in recognition of their continued service for the district.

## **SUPERVISORS' REQUESTS**

### **A. Lely Master**

This topic was already addressed during the Attorney's Report.

### **B. Potholes**

Potholes have been filled with gravel and progress is being made.

### **C. Flagpole and 951**

The previously vandalized flagpole has been fixed, a new flag was purchased, and the flag has been put back up as of last Thursday.

### **D. Lawsuit Status**

Mr. Dorrill's and Mr. Carter's depositions have been set for this week.

### **E. Bears**

Questions have been coming in about the bears that have been seen throughout the Community. Bear incidents seem to be more frequent, in general FWC doesn't move bears, it is their position that the bears habitat in Florida is shrinking and it's not a problem statewide. When people see a bear, they don't know what to do. Suggest publishing some guidelines to the HOA presidents outlining how to deal with them and who to contact if they see one.

### **F. Natural Gas**

Nothing new to report.

### **G. Bobcat**

The new utility vehicles have been. Bobcat utility vehicles have been selected.

### **H. Interceptor**

The district has purchased one new squad car, it was sourced out of Orlando. It was difficult to come by so the board is happy they were finally able to locate one that was available. Will need to purchase one more squad car to replace the old ones.

## **I. Weir**

Will have a look at the US 41 main weir and see what can be done. There are two choke points where the water runs into the lake, will have a further discussion about it at the September meeting.

## **J. Letter from VP of Prestwick Place**

Prestwick is a unique area because Lely CDD has ownership of all the lake parcels. These tend to cover all the common areas around the Community. Pressman Place reached out concerning the landscaping along the roadway in front of their community which is for the most part planted on the Lely CDD property, they have asked why we are not maintaining. It is our position that they planted it and it is therefore not our responsibility. We will continue discussion of this matter for a month and will put it as an item for further discussion at the next meeting.

## **PUBLIC COMMENT**

No public comment was received at this time.

## **FINAL APPROVAL AND ADOPTION OF PROPOSED FY 2024 GENERAL FUND BUDGET**

The total budget for 2024 is \$4,570,666 with the largest revenue source being non-ad valorem assessments which remain unchanged from the current year which is \$2,760,345. As a result, the CSA revenues remain the same as the current year at \$1,142,921. We have anticipated substantially increased revenue from interest earnings to make up the difference, the capital reserve transfer for next year's budget does increase to \$570,000, which may change slightly if we accelerate some of the vehicle purchases in the remaining months this year. The total number of equivalent residential units remains the same at 3,138.72, CSA units remain the same at 1347, and the combined total units assessable within Lely resort are 1486.72. The action needed following the discussion is authorizing the chairman to exercise two resolutions, the first is resolution 2023-3, which is a resolution adopting the final general fund budget of the Lely Community Development District for fiscal year 2024, will need a motion, a second, and a vote. The second resolution is 2023-4, which is a resolution levying a maintenance assessment within the Lely Community Development District for fiscal year 2024 for those benefitting units and to transfer the assessment role to the property appraiser, will need a motion, a second, and a vote.

**K. Resolution 2023-3: Adopting the Final General Fund Budget**

**On a MOTION by Mr. Campkin and a second by Mr. Drum Resolution 2023-3 is approved.**

**L. Resolution 2023-4: Levying a Maintenance Assessment for FY 2024 - Ken/Frank**

**On a MOTION by Mr. Drum and a second by Mr. LoMonte Resolution 2023-4 is approved.**

**ADJOURNMENT**

**The next meeting will be August 16, 2023, at 1:30 p.m. On a MOTION by Dr. Bularzik and a second by Mr. Drum, the meeting was adjourned at 2:06 p.m.**