

1 **LELY COMMUNITY DEVELOPMENT DISTRICT**
2 **NAPLES, FLORIDA**
3 **Regular Meeting of the Board of Supervisors**
4 **February 19, 2025**

5 The regular meeting of the Lely Community Development District Board of Supervisors
6 was held on Wednesday, February 19, 2025, at 1:30 p.m. at the LCDD Maintenance
7 Building, Naples, Florida.

8 **SUPERVISORS PRESENT**

9 Anne Marie Bularzik, Chair

10 William Lee, Vice Chair

11 Gerry Campkin, Treasurer

12 Kenneth Drum, Secretary

13 Andrew Fox, Supervisor

14 **ALSO PRESENT**

15 Neil Dorrill, Manager, Dorrill Management Group

16 Kevin Carter, Operations Manager

17 Tony Pires, 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 The meeting was convened at 1:30 p.m. The meeting was also properly noticed. The
26 notice and affidavit are on file with the District Office at 5672 Strand Court, Naples, FL
27 34110. All five members of the Board were present, establishing a quorum.

1 Mr. Campkin added ethics course. Mr. Dorrill added item 4a brief set of minutes for the
2 executive session in addition to the regular meeting. Dr. Bularzik added thank you note.
3 **The agenda was approved as amended on a MOTION by Mr. Lee a second Mr. Fox**
4 **and all in favor.**

5 **APPROVAL OF MINUTES JANUARY 2025**

6 Regular meeting -

7 Mr. Fox noted that the time was not added to front of the packet which was requested
8 last month. Mr. Dorrill took note.

9 Page 2 line 12 should read that the agenda was approved as amended on MOTION by
10 Mr. Drum, a second by Mr. Fox, and all in favor

11 Page 3 line 28 \$1,278 and \$2,658

12 **The regular meeting minutes were Approve as amended Dr. Bularzik Mr. Drum all**
13 **in favor**

14 **The executive session meeting minutes were accepted as presented on a**
15 **MOTION by Mr. Fox, a second by Mr. Campkin, and all in favor.**

16 **MANAGER'S REPORT**

17 **A. Community Patrol Summary**

18 Mr. Dorrill shared that there were a significant number of trespassing and loitering
19 incidents involving non-residents, typically near the horse monuments or Outback.
20 These individuals usually leave when they notice the community patrol parked nearby.
21 In terms of incidents, there were 7 accidents or standby assists, one of which involved a
22 bicycle, and the individual was airlifted via medevac. There were a total of 32 traffic
23 stops, resulting in 17 written warnings, 2 citations with fines, and 3 arrests—2 of which
24 occurred at the high school, and 1 involved a stop for an outstanding warrant

25 **B. State Contract, Backhoe**

26 The purchase of a backhoe will be made through the state contract via the Florida
27 Sheriff's Association. The unit selected is a John Deere 310P four-wheel drive backhoe
28 with a loader bucket on the front. The current backhoe will be declared surplus in the
29 spring and will be auctioned off in the summer. The cost of the new unit is \$108,038,
30 and one is available for immediate acquisition in Fort Myers. The current backhoe has
31 been fully depreciated and is at least 15 years old. The MSRP for the new model is
32 \$155,000.

1 **The \$108,038 purchase and necessary budget amendment were approved on a**
2 **MOTION by Mr. Drum, a second by Mr. Campkin, and all in favor.**

3 **C. Lely POL Claim**

4 Regarding the lawsuit adjoined with Stock Development as part of the dispute with the
5 Master HOA, Mr. Dorrill informed the board that he had conversations with the claims
6 adjuster, who confirmed that a claim has been opened.

7 **ATTORNEY'S REPORT**

8 **A. Litigation Engagement**

9 Mr. Pires presented the original retainer agreement for the Stock litigation, which needs
10 to be signed by Dr. Bularzik and returned to him.

11 Mr. Pires also shared that Ms. Brakefield had a conversation with counsel for Stock.
12 This wasn't their first discussion, and Mr. Pires emphasized the importance of
13 maintaining communication with Stock, especially since communication with the Master
14 HOA has been nearly nonexistent. Specifically, the Master HOA did not inform the
15 district that Stock was seeking to amend their answer to file a third-party complaint. The
16 Master HOA had stipulated this request last December but failed to notify the District.
17 Counsel only became aware of this when they were served with the third-party
18 complaint.

19 Ms. Brakefield is reaching out to both parties via email to request a revision to the case
20 management order. In Collier County, particularly in circuit court, the judge issues a
21 case management order that sets guidelines and deadlines for various activities. The
22 Florida Supreme Court encourages keeping cases moving efficiently by categorizing
23 and classifying them, with strict adherence to deadlines. Counsel for Stock kindly
24 shared these proposed deadlines with the District, but from the District's perspective,
25 they are unrealistic.

26 Ms. Brakefield is drafting a joint stipulation to send to both Stock's counsel and the
27 Master HOA's counsel, hoping to resolve the issue and extend the deadlines. Mr. Pires
28 will hold a litigation team meeting next week to discuss possible strategies. The
29 involvement of both Lely organizations in this litigation is resulting in double the attorney
30 fees, so there will be discussions about how to approach this issue with both Stock and
31 the Master HOA to explore potential cost resolutions.

1 **FINANCIALS**

2 Mr. Dorrill presented the financials as of the end of the first quarter, or December 31,
3 2024. The combined cash balance was \$6.8 million, which is split between operating
4 funds at \$2.65 million and capital and reserve accounts at \$4.15 million. There was also
5 \$10 million in fixed assets, bringing total assets to \$16.6 million. Non-ad valorem
6 assessments received total \$1,662,000, with \$2,260,000 received so far this year, which
7 represents about 83% of the forecasted revenue for the year. Interest earnings
8 amounted to \$23,533.

9 **The financials were accepted as presented on a MOTION by Dr. Bularzik, a**
10 **second by Mr. Lee, and all in favor.**

11 **SUPERVISORS' REQUESTS**

12 **A. Thank You**

13 Dr. Bularzik thanked Mr. Dorrill and Mr. Carter for updating the CDD website.

14 **B. Lake Bank Restoration**

15 Mr. Dorrill noted that this matter had been previously discussed in a workshop. The next
16 step is to determine if the Board wants to take advantage of the price comparison,
17 which speaks for itself. He suggested that for the 100-foot area adjacent to the rip rap,
18 the Board should either get a separate price or reach an agreement with the Master
19 HOA to acknowledge that work. Mr. Dorrill expressed a preference for the Master HOA
20 to cover the costs, as the District will already be working in the lake and could address
21 the area if they are willing to cost-share. He emphasized that this should not be done as
22 a gift due to the potential liability involved. Mr. Pires agreed, noting that cost-sharing
23 would save the Master HOA mobilization costs.

24 Kevin Dowty just got off the phone with Bill Anderson from American Shoreline
25 Restoration, and they are comfortable with the not-to-exceed amount. Mr. Anderson
26 expressed confidence that they can complete the 4,500 feet quoted, including importing
27 the sand, for under \$325,000. Mr. Dowty inquired about the project start date, and Mr.
28 Anderson stated that work could begin in early July, with an estimated duration of three
29 months and the \$325,000 not to exceed number.

30 Mr. Fox raised concerns about the \$325,000 amount, and Dr. Bularzik requested a
31 categorized list of costs from last year's project for comparison. Mr. Dorrill proposed a

1 revised figure of \$70 per foot for 4,500 linear feet, totaling \$315,000 as the new not-to-
2 exceed amount.

3 **On a MOTION by Mr. Fox, and a second by Dr. Bularzik a \$70 per foot rate for**
4 **4,500 linear feet with the option for one or two change orders to be separately**
5 **approved was accepted with all in favor.**

6 **ENGINEERS REPORT**

7 There is an open plot of land at the intersection of Grand Lely Drive and Collier Blvd
8 where Stantec is proposing an apartment complex. Chris Hagen, an engineer
9 representing the Master POA, reached out to Mr. Carter and Mr. Dowty regarding a
10 design concern raised by Stantec, specifically about the drainage flow rate. The issue is
11 that the water flow through the pipe is too fast. Typically, you don't want water to flow
12 faster than 7 feet per second in a pipe. When the flow exceeds this velocity, it can
13 cause scouring, even in concrete pipes. If scouring continues, it could eventually create
14 a hole in the pipe, leading to a sinkhole as the water escapes from the pipe.

15 The design currently shows the flow rate at 12 feet per second in an existing pipe under
16 Celeste Drive, which leads out to Saratoga Lake. Mr. Dowty reviewed the plans for that
17 pipe, which is shown as a 36-inch pipe. Stantec based their design on this information.
18 However, there is another pipe running through Celeste Drive that also connects to
19 Saratoga Lake, but Stantec chose not to connect to it. Mr. Dowty sent one of his team
20 members to inspect that pipe, and it turns out that the 36-inch pipe is actually 30 inches
21 in diameter, 6 inches smaller than originally indicated. This means that the water will
22 flow even faster through this pipe, potentially reaching speeds of 15 to 18 feet per
23 second, which is well over the recommended 7 feet per second.

24 In the report investigating the pipe sizes, a debris report was also included, noting that
25 some of the pipes were clogged, preventing the camera from passing through them
26 fully. To address this, jetting will be required to clean and remove the debris from the
27 pipes.

28 Additionally, Mr. Dowty presented a sample of the finished project for the new aerial
29 photo that will be displayed on the wall in the maintenance building. He asked for
30 feedback on how it should be mounted. Dr. Bularzik suggested a semi-gloss finish, as
31 matte would be prone to scratches. Mr. Dowty agreed and confirmed that the print
32 would have a semi-gloss finish. He isn't sure about the exact installation timeline but
33 expects it to be installed in about two months. The print could be ready by next month,

1 though the hanging method still needs to be determined. Mr. Dowty will make the print 2
2 feet longer than initially planned at Mr. Fox's request.

3 **C. Ethics Course**

4 Mr. Campkin could not access his certificate after completing the ethics course. Mr. Lee
5 had the same problem. Mr. Dorrill asked for copies of their receipts, and he will see if a
6 member of his staff can help find the certificate.

7 **PUBLIC COMMENT**

8 No public comment was received.

9 **ADJOURNMENT**

10 The next meeting will be March 19, 2025, at 1:30 p.m. **On a MOTION by Mr. Fox, and**
11 **a second by Mr. Drum the meeting was adjourned at 2:50 p.m.**