

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

5 The regular meeting of the Lely Community Development District Board of Supervisors
6 was held on Wednesday, March 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 Kevin Dowty, District Engineer

19 Freddie Bowers, Director of Community Patrol

20 Christopher Dorrill, Field Manager

21 **INVOCATION/PLEDGE OF ALLEGIANCE**

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

23 **PUBLIC COMMENT**

24 No public comment was received at this time.

1 **ROLL CALL/APPROVAL OF AGENDA**

2 The meeting was convened at 1:30 p.m. The meeting was also properly noticed. The
3 notice and affidavit are on file with the District Office at 5672 Strand Court, Naples, FL
4 34110. All five members of the Board were present, establishing a quorum.

5 Ken Hart from the Master Association was added to the agenda as item 8A. Mr.
6 Campkin added Ethics Course, and Dr. Bularzik added an update on the lawsuit. Dr.
7 Bularzik also requested a monthly summary of attorney costs associated with the
8 lawsuit. Additionally, she asked for a graph of lake repairs over the past five years,
9 including the year, which lakes were repaired, and the associated costs, to help
10 maintain a running spreadsheet of this information. Mr. Lee added park benches as item
11 8D. Mr. Dorrill added the fleet purchase and the heavy utility trailer purchase as items D
12 and E under the Manager's Report.

13 **The agenda was approved as amended on a MOTION by Mr. Campkin, a second**
14 **by Mr. Fox, and all in favor.**

15 **APPROVAL OF MINUTES FEBRUARY 2025**

16 **The February workshop minutes were approved as presented on a MOTION by Dr.**
17 **Bularzik, a second by Mr. Campkin, and all in favor.**

18 The following changes were made to the February Regular Meeting Minutes:

19 Remove Christopher Dorrill as present, he was not attendance

20 Page 2 Line 12 add comma after Dr. Bularzik

21 Page 1 add Kevin Dowty, District Engineer's attendance

22 Page 2 Line 14 Public Portion Meeting Minutes

23 Page 3 Line 4 strike the word joined

24 **The regular meeting minutes were approved as amended on a MOTION by Mr.**
25 **Fox, a second by Mr. Campkin, and all in favor.**

1 **MANAGER'S REPORT**

2 **A. FY 25 Budget Amendment**

3 Mr. Dorrill presented a budget amended that coincides with authorization and purchase
4 of the new backhoe from last month's meeting.

5 **On a MOTION by Mr. Lee, and a second by Mr. Drum, Resolution 2025-1 was**
6 **authorized to be signed by the chairman with all in favor.**

7 **B. Backhoe**

8 Mr. Dorrill confirmed that the new backhoe has arrived.

9 **C. Patrol Incident Report Summary - February 2025**

10 Mr. Dorrill reviewed the community patrol report summary, noting a significant amount
11 of suspicious activity and calls related to loitering and trespassing. There were 29 traffic
12 assist or EMS standby responses, and a total of 40 traffic stops. This resulted in 17
13 written warnings, 7 additional citations with fines, and 2 arrests, one of which was
14 unrelated to the high school.

15 **D. Fleet Purchase**

16 Mr. Dorrill presented the fleet purchase proposal, which includes a state government
17 discount. The proposal is for a 2-wheel drive F-450 chassis, which will have a utility bed
18 installed. The cost is \$59,706, with a discount of \$1,300, bringing the price to \$58,265.
19 With the addition of a hoist for the utility bed, the total comes to \$69,265, in line with the
20 budget for this fiscal year.

21 **The fleet purchase in the amount of \$69,265 was authorized on a MOTION by Mr.**
22 **Campkin, a second by Mr. Lee, and all in favor.**

23 **E. Heavy Utility Trailer**

24 Mr. Dorrill presented the second add-on item to the agenda, which is a proposal for a
25 heavy-duty demolition-style hydraulic utility trailer. The cost is \$13,170, with no
26 obligation to pay any associated taxes, and it was budgeted for.

27 **The purchase of the utility trailer in the amount of \$13,170 was authorized on a**
28 **MOTION by Mr. Fox, a second by Mr. Drum, and all in favor.**

1 **ATTORNEY’S REPORT**

2 Mr. Pires shared that he has filed a response to the counterclaim against the Stock and
3 crossclaim with the Master Association.

4 **FINANCIALS - JANUARY 2025**

5 **A. Review of 2024 Audit**

6 Nathan Phillips reviewed the Fiscal Year 2024 audit, highlighting that the report includes
7 an unmodified opinion, which signifies a clean opinion. The District has a strong cash
8 position and is up from last year. This increase is partially due to excess revenues over
9 expenses from 2024, contributions from the CSA, and better interest earnings. The
10 financial statements detail the various components of assets and liabilities, with the
11 balance sheet showing 64% in infrastructure and no debt. Liabilities have risen by
12 \$129,000 due to the lake restoration project. All reports are in alignment with the Auditor
13 General’s requirements. No budget amendment is required. The majority of revenues
14 come from non-ad-valorem assessments, and everything has been reconciled and
15 confirmed with Collier County. The current lawsuit is considered a subsequent event
16 and may have to be put into the financial statements.

17 **The audit was accepted as presented on a MOTION by Mr. Lee, a second by Mr.**
18 **Drum, and all in favor.**

19 Carolyn Donahue – Prestwick Place – Ms. Donahue inquired about the reserve
20 numbers for 2024 in comparison to the fiscal years following Hurricanes Ian and Irma.
21 Mr. Phillips responded that he doesn’t believe there was a significant disparity. Mr. Lee
22 added that FEMA reimbursed \$120,000 after Hurricane Irma.

23 **B. January Financials**

24 Mr. Dorrill presented the financial statements as of the end of January. The District had
25 \$6,411,000 in cash on hand, with \$2.2 million in the operating fund and \$4.2 million in
26 reserves. Fixed assets, net of depreciation, totaled \$9,800,000. Total assets on hand
27 were \$16,220,000. There was \$95,000 in payables. The District received \$88,000 in
28 non-ad-valorem assessments and earned \$23,000 in interest. Mr. Fox asked if
29 chemicals and gasoline are inventoried at the end of the year, Mr. Carter said they are
30 not but they do keep a fuel log. Mr. Dorrill shared that \$45,000 was spent on purchasing
31 irrigation water due to a particularly dry December and January. Operating expenses
32 are about 4% over budget but that should work itself out over time. Total expenditures
33 are under budget by \$15,000.

1 **The financials were accepted as presented on a MOTION by Mr. Lee, a second by**
2 **Mr. Campkin, and all in favor.**

3 **SUPERVISORS' REQUESTS**

4 **A. Ken Hart MPOA**

5 Mr. Hart shared that Chase Preserve, Ole, and Flamingo Fairways are experiencing
6 drainage issues. A request was made by Ole a few years ago to address drainage
7 concerns. The county worked on Celeste and found construction debris, which was
8 cleaned out. The Master Association cleaned the catch basin in Chase Preserve, but
9 the issues have persisted. While some documents seem to indicate that the CDD is
10 responsible, the Master Association has taken on the responsibility. The Master's
11 engineer Chris Hagen has conducted studies and have come up with a basic study of
12 the issues. Lake 15 is where most of the outflow goes. The study found that the pipe
13 running to that lake is currently three-quarters filled with construction debris. The system
14 consists of swales that haven't been regraded since they were installed. The Master
15 Association is requesting that the CDD fund the regrading of these swales and conduct
16 a study to determine whether a line needs to be run into Lake 15 from the swale behind
17 Chase Preserve to improve water flow. The cost for regrading the swales is estimated
18 between \$10,000 and \$20,000. Cleaning the pipe will cost between \$55,000 and
19 \$75,000, and installing a new pipe would cost around \$75,000. Mr. Hart requested the
20 CDD fund at least the regrading to get them to a place to see if that mitigates the
21 problem. Master prefers to do the regrading before cleaning out the pipe as it is less
22 costly. Mr. Pires advised the CDD board to not agree right now because of the pending
23 litigation, engaging in the work would be a de facto acknowledgement of responsibility.
24 He suggested the board authorize himself, Mr. Dorrill, and Mr. Lee, who has been the
25 spokesperson for the POA, to meet with in a cordial, confidential, semi-resolution
26 conference to try to resolve this and figure out what the exact issues are.

27 Mr. Dorrill said he is willing to spend some money with the CDD's engineer to review
28 Ole's condo documents. He said roadside drainage, catch basins, and culvers belong to
29 Collier County. Historically the District has been responsible for conveyance of water
30 from one basin to another until it flows under U.S. 41. The open swale behind Ole is
31 currently in the CDD's work program. Mr. Dorrill said he is not opposed to having Mr.
32 Dowty review either the condominium documents or the plats to verify if and where
33 there are public drainage easements that are the District's responsibility. Mr. Pires also
34 suggested looking into the permits for the pipes and if there were amendments. Mr.
35 Dorrill also was onboard with looking into the open swale to see if it needs to be

1 regraded as that is a public drainage easement that he considers to be a work of the
2 District. Mr. Hart said he has no objection with Mr. Dowty looking at the analysis from
3 Mr. Hagen but emphasized that the Master and the CDD are representing the same
4 people and it's the same people's monies being used to resolve an issue that impacts
5 them all. He thinks it's counterproductive to have the work paid for twice.

6 **Dr. Bularzik made a MOTION to authorize Mr. Dorrill, Mr. Pires, and Mr. Lee to**
7 **reach out to the Master Association to have conversation about handling this**
8 **with a second by Mr. Fox, and all in favor.**

9 Mr. Drum requested a clear understanding of the CDD's maintenance responsibilities.
10 Mr. Pires explained that a major part of the litigation under the settlement agreement
11 and the CSA, specifically the fifth amendment, is to clarify the parameters of the
12 District's obligations regarding repair, maintenance, and operation.

13 Mr. Dowty asked when the investigation of the pipes was done. Mr. Hart replied January
14 2025. The debris in the pipe was determined by Mr. Hagen's company putting a camera
15 in the pipe. Mr. Hart thanked the District for collaborating on work on Davis' property.

16 **B. Ethics**

17 Mr. Campkin has a credit card statement reflecting the purchase of the ethics course
18 but has been unable to obtain the certificate of completion, as he used the wrong ethics
19 course website. Mr. Dorrill will provide him with the correct one.

20 **C. Lawsuit**

21 Addressed in the attorney's report.

22 **D. Park Benches**

23 Mr. Lee mentioned that the park bench across from the Player's Club is in poor
24 condition and needs to be inspected for repair or replacement. Mr. Carter has been in
25 contact with the company from which the benches were purchased and is getting a
26 proposal for eight new benches, with pricing provided on a per-bench basis. These
27 benches will need to be replaced as they cannot be repaired. Mr. Dorrill explained that
28 the benches are made of powder-coated steel, which has started to scale, and
29 replacement is necessary. Ms. Donahue from Prestwick requested an additional bench
30 along Wildflower. Mr. Dorrill clarified that the County does not install benches on their
31 roads, and since the roads are County property, the District would need a County right-

1 of-way permit to construct anything there. He suggested that Ms. Donahue email Mr.
2 Carter with the proposed bench location, and it can be discussed at a future meeting.

3 **ENGINEER'S REPORT**

4 Mr. Dowty shared that earlier this week he and Mr. Carter had a meeting with Mr.
5 Hagen and the engineers at Stantec. Stantec designed the system at the Davis property
6 and acknowledged deficiencies identified by Mr. Hagen and Mr. Dowty. One of their
7 excuses was that they submitted the wrong report, and the wrong plans were approved.
8 Stantec's excuse for why they did not drain into the southern run was that they didn't
9 know what else was draining into it. They were concerned that other communities and
10 roads had pipes draining into it but did not do an investigation to confirm and instead
11 bypassed it altogether. They put 827 ft of their own pipe along the back and connected
12 it into the northern pipe along Celeste. The pipe was confirmed to be 36 inches and the
13 stub out was shown to be 36 inches on the plan but it is actually 30 inches. They also
14 had some other modeling errors that show inconsistent erroneous results. The smaller
15 stub out results in water not being able to flow out, backing up, and eventually causing
16 flooding. How much flooding is yet to be determined. Stantec is going to send Mr. Dowty
17 their model to see if he finds any other errors. They requested the District research the
18 southern run of pipes to see if any other pipes are connected to it. Upon retrieving that
19 information they are going to reconvene and determine a solution. Mr. Pires said South
20 Florida needs to be notified, Mr. Dowty will communicate that. Mr. Hart said the Master
21 is willing to handle those communications since they started the investigation.

22 Lighting is being worked on for the new aerial community image. Mr. Fox proposed
23 raising the image by 18 inches. He also requested that the lake and preserve numbers
24 be labeled in different colors from each other and the streets, with gold, green, and blue
25 to be used for distinction.

26 **PUBLIC COMMENT**

27 Ms. Donahue asked who manages the three lakes along Prestwick. Mr. Carter
28 responded that the District owns these three lakes as part of the stormwater system,
29 and they are treated for algae and littoral plants. Ms. Donahue expressed concern about
30 water levels during hurricanes and inquired whether the lakes could be drained. Mr.
31 Carter and Mr. Lee explained that they cannot be drained. Dr. Bularzik asked Ms.
32 Donahue to submit her requests in writing to Mr. Carter ahead of the meeting, so that a
33 meaningful discussion could take place.

1 **ADJOURNMENT**

- 2 The next meeting will be April 16, 2025, with a transportation workshop at 1 p.m. and
3 the regular meeting to follow at 1:30 p.m. **On a MOTION by Mr. Lee, and a second by**
4 **Mr. Campkin the meeting was adjourned at 3:09 p.m.**