

1 **LELY COMMUNITY DEVELOPMENT DISTRICT**
2 **NAPLES, FLORIDA**
3 **Regular Meeting of the Board of Supervisors**
4 **June 18, 2025**

5 The regular meeting of the Lely Community Development District Board of Supervisors
6 was held on Wednesday, June 18, 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 Ron Turner resident of 8058 Palomino Drive introduced his proposal.

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 Mr. Dorrill added items 6c. Result of FY 2025 Surplus Auction and 6d. Renewal of
6 Irrigation Water Contract with Collier County. A handout was provided regarding this.

7 Dr. Bularzik added a thank-you to staff, a status report on the transition of Mr. Carter to
8 LCDD staff, the Horse Monument, and Mustang Villas Floral Maintenance. Mr. Campkin
9 added FEMA, and Mr. Fox added a compliment for a security officer.

10 **The agenda was approved as amended on a MOTION by Mr. Lee, a second by Mr.**
11 **Drum, and all in favor.**

12 **APPROVAL OF MINUTES MAY 2025**

13 **The workshop minutes were approved as presented on a MOTION by Mr. Lee, a**
14 **second by Mr. Drum, and all in favor.**

15 Regular Meeting Minutes

16 Page 1 Line 6 change to May 21

17 Page 5 line 15 insert word for mediation after November 6th

18 **The regular meeting minutes were approved as amended on a MOTION by Mr.**
19 **Drum, a second by Mr. Campkin, and all in favor.**

20 **PATROL INCIDENT REPORT SUMMARY - MAY 2025**

21 A total of 107 incidents were reported, including one significant property damage case
22 involving District property and a light pole. The associated accident and safety report
23 also detailed a gasoline leak and a missing person. There were 22 trespassing
24 incidents. The law enforcement summary included 48 traffic stops and 5 arrests,
25 including 2 for DUI and others related to drug activity at the high school. Mr. Bowers
26 noted an observed increase in the local homeless population.

MANAGER'S REPORT

A. Operations Manager Budget/Contract Amendment

The Operations Manager position was created and funded under CDD staff, with the necessary budget amendments and changes to the existing management contract completed. A resolution for the budget amendment, along with an amendment to Section 6b of the existing management agreement, was included. The amendment addressed manager fees, with half of the amount reflecting a year-end bonus that had been paid but not budgeted, and a 3% cost-of-living increase that was previously authorized. Additionally, cell phone costs were added to the benefits package at \$1,000 for the remainder of the fiscal year.

On a MOTION by Mr. Drum, seconded by Mr. Lee, and with all in favor, the Chairman was authorized to sign the resolution.

B. Update on Ole/Chase Drainage

Mr. Dowty has been on site to review ongoing drainage issues affecting the Ole community and Chase Preserve along Celeste Boulevard. Mr. Carter noted that the flooding reported in Ole occurs in areas not maintained by the District. Mr. Dowty has conducted significant research and field investigation, observing flooding on three streets: in front of the community clubhouse, extending to the Chase Preserve sign, and areas along Celeste Drive, Rialto Street, and Capistrano North. The issue appears to be related to a drainage pipe running through Chase Preserve.

An amount not to exceed \$5,500 was proposed to fund FLGIS mapping work for further analysis. Following this, it was recommended that the Master Association investigate their internal drainage pipes for possible blockages.

Resident Carol Risch (Ole) reported flooding on Capistrano North and adjacent streets, with water overflowing curbs, sidewalks, and lanais.

Mr. Drum questioned whether the District should bear the cost of correcting what may have been poor original engineering. He emphasized that while the District is responsible for ongoing maintenance, it should not be liable for redesigning or upgrading systems that were inadequately engineered from the start. Mr. Pires clarified that the primary issue is identifying which lines fall under the District's responsibility and whether blockages are present.

1 Mr. Dowty stated that the swale behind Chase Preserve and Celeste is, according to
2 plats, the responsibility of the CDD. The Master Association provided a survey from
3 their engineer, Chris Hagen, which was compared to original plans. Discrepancies were
4 found — some grades are up to 1.5 feet higher than specified, and swales meant to be
5 10 feet wide are in some cases only 1 foot wide.

6 A proposal was made for \$5,600 to stake out the swale so a crew can later reconstruct
7 it to the original design. No contractor has been secured for the work yet, but combining
8 efforts across communities may improve chances. Mr. Dowty estimated total
9 reconstruction costs at approximately \$20,000, pending confirmation. No stormwater
10 discharge measurements have been taken yet.

11 In total, about \$96,000 in engineering work was proposed, which Mr. Drum summarized
12 as “an even \$100,000.” He recommended proceeding only with the components
13 confirmed to be the District’s responsibility and tabling the rest until specific proposals
14 for the swale work are submitted. Mr. Dowty expressed concern due to the ongoing
15 rainy season and emphasized the immediate priority is pipe cleaning.

16 Mr. Pires and Mr. Fox agreed the top priorities should be CCTV inspection and pipe
17 cleaning. The largest proposed item — installation of a bubbler system — will require
18 South Florida Water Management District approval, which is expected to take over a
19 month and therefore does not require immediate action. Mr. Dowty agreed, noting that
20 the current system remains operational in the short term, but long-term functionality
21 depends on the bubbler to reduce future maintenance costs.

22 Dr. Bularzik confirmed the following items were approved:

23 \$5,500 for GIS assessment

24 \$5,600 for swale staking

25 \$7,500 in engineering fees

26 **Dr. Bularzik made a MOTION to approve an amount not to exceed \$20,000 for all**
27 **the work listed above. Mr. Drum seconded the motion, and it was approved**
28 **unanimously.**

C. Result of FY 2025 Surplus Auction

Mr. Dorrill shared, for informational purposes only, the results of the surplus property auction. Total revenues amounted to \$52,175.94, with approximately \$25,000 generated from the sale of the old Ford F-350 and a 20-year-old backhoe—nearly half of the total proceeds. The backhoe sold for \$14,009. Titles and bills of sale will be held until payment is received via cash or check.

D. Renewal of Irrigation Water Contract with Collier County

The item was discussed during budget deliberations. It involves increasing the maximum daily water allocation to 1.6 million gallons. The renewal period is five years and follows the County's standard agreement form. Mr. Dorrill urged approval today with the impending deadline.

The Chairman was authorized to sign the agreement today on a MOTION by Mr. Drum, a second by Mr. Campkin, and all in favor.

ATTORNEY'S REPORT

A workshop mediation session is scheduled at the Players Club on July 16th. Participants will include Mr. Pires, Mr. Lee, and Mr. Dorrill (by phone), with possible attendance by Mr. Carter. The purpose of the session is to discuss several outstanding issues informally and explore potential resolutions for some of them.

Discovery has started, primarily led by Stock. Mr. Pires, Mr. Dorrill, and Mr. Carter will work together to produce the requested documents to the extent they exist. Stock is aggressive in their discovery efforts, which is resulting in increased legal fees billed by Stock's counsel to Stock.

Mr. Pires shared that several motions have been filed. The Master Association filed a counter and cross-claim against the District containing three counts: negligence and two counts of breach of contract. The breach of contract allegations relate to the CSA and the settlement agreement. Regarding the negligence claim, the District has filed a motion to dismiss based on sovereign immunity, arguing that the type of negligence alleged is not covered under the state's limited waiver of sovereign immunity. The District's position is that it retains complete sovereign immunity against any negligence claims in this lawsuit.

FINANCIALS - APRIL 2025

Mr. Dorrill presented the seven-month financials as of April 30. The District has \$6 million in cash on hand, with \$1.82 million in the operating account and \$4.2 million in reserves. Payables totaled \$110,000. \$9.8 million in depreciated fixed assets. Additional revenues include \$88,000 in non-ad valorem assessments and \$20,000 in interest earnings.

Year-to-date, the District is over budget in engineering fees. Insurance reflects a prepayment overage. There are also overages in landscaping chemicals and effluent water charges, the latter due to increased usage and a 7% rate increase that took effect after the District's budget was approved. The District is currently \$230,000 over budget year-to-date. However, Mr. Dorrill expressed no concern, noting that the Board has maintained strong cost oversight throughout the year. Capital expenditures are currently \$292,000 under budget, though this is expected to even out once the lake bank restoration project begins.

The financials were accepted as presented on a MOTION by Campkin Lee all in favor.

SUPERVISORS' REQUESTS

A. Mr. Fox Staff Compliment

On June 2nd, following a storm that dropped 3 inches of rain and left palm fronds scattered everywhere, Robert Shaw, the evening security officer, went above and beyond by removing over 100 palm fronds from the roads. Despite being wet from head to toe, he cleared the roads within 40 minutes after the storm passed. Mr. Fox commended Mr. Shaw for his outstanding dedication and quick action.

B. FEMA

Mr. Campkin asked for an update on FEMA. Mr. Fox stated that if the federal government were to eliminate FEMA, the funding would likely be redirected to individual states for distribution.

C. Dr. Bularzik Thank Yous

Thank you to the LCDD staff for planting 23,000 flowers, which are changed out twice a year.

D. Mr. Carter Transition to CDD Staff

Mr. Carter expressed that he is happy to be an LCDD employee, which will allow him to focus exclusively on Lely and provide the opportunity to participate in the employee health insurance program. He will remain on the current pay period, with a final paycheck from DMG imminent before transitioning to the LCDD pay period later this month. The budget amendment will be updated accordingly to reflect this change.

E. Mustang Villas Floral Maintenance

Dr. Bularzik clarified that there is no proposal yet regarding Mustang Villas planting flowers with LCDD maintenance; this remains an open agenda item until a proposal is received.

F. Horse Monument

Regarding the horse monument reimagining, a representative from Crystal Waterscapes spent about an hour onsite with Mr. Fox and Mr. Carter. He will return tomorrow for a follow-up meeting to review ideas and present additional options. Approval will be needed from Joe Bouff, who owns the grass area. Depending on the project's scope, Mr. Dorrill noted that the District may need to initiate a consultant selection process for landscape architects.

Mr. Fox asked how to reach a point where clear direction can be given on what is desired. Mr. Dorrill responded that Mr. Carter can work with Hole Montes to develop a request for proposals for conceptual designs, allowing firms to be compensated for their initial conceptual work.

G. Pension Plan Options

Mr. Lee noted that the employee pension plan needs to be selected between now and October. He and Mr. Carter have been discussing the plan used by Pelican Marsh and are currently exploring that option. At this time, they do not recommend moving forward with the Florida Pension Plan. Mr. Drum expressed concern about pension plans being under scrutiny and opposed choosing any small program that involves commission-based sales. He stated his preference for a defined benefit plan.

PUBLIC COMMENT

Ron Turner, resident at 8058 Palomino Drive, addressed concerns regarding aquatic plants and shoreline erosion at Lake 38. Having lived there for a year and a half, he noted issues with shoreline erosion and pollutants such as debris, sediment, and

1 fertilizer, which have contributed to reduced water quality and excessive algae growth.
2 He provided pictures illustrating the problem.

3 Mr. Turner requested the implementation of erosion control measures, including
4 planting shoreline and aquatic vegetation along the edge of his property and Lake 38.
5 The goal is to stabilize the bank, improve water quality, reduce pollution, and enhance
6 the overall ecological health of the lake, which functions as a stormwater management
7 facility. The lake was repaired approximately five years ago and is owned by one of the
8 Lely Development Companies.

9 While permission from the owner is required, Mr. Turner sought initial input from the
10 CDD since the lake is managed by the District. The proposed plants are recommended
11 by the University of Florida and the Naples Botanical Garden. All are Florida native
12 species except for African Iris, which is not considered invasive and is also
13 recommended by UF. As part of the conceptual design, Mr. Turner also proposed
14 converting the back hedge into a 10-foot buffer zone designated as a no-mow area,
15 which would still be maintained and trimmed by the landscaping company. Mr. Turner is
16 a full-time resident of Lely.

17 **ADJOURNMENT**

18 The next meeting will be July 16, 2025, at 1:30 p.m. A Lake Bank Restoration workshop
19 is scheduled for 1 p.m., with the regular meeting to follow. **On a MOTION by Mr.**
20 **Campkin, and a second by Mr. Drum the meeting was adjourned at 3:10 p.m. with**
21 **all in favor.**