

1 **PORT OF THE ISLANDS COMMUNITY IMPROVEMENT DISTRICT**
2 **NAPLES, FLORIDA**

3 Regular Meeting of the Board of Supervisors

4 April 19, 2024

5 The regular meeting of the Port of the Islands Community Improvement District Board of
6 Supervisors was held on Friday, April 19, 2024, at 9:30 a.m. at the Orchid Cove
7 Clubhouse, 25005 Peacock Lane, Naples, Florida.

8 **SUPERVISORS PRESENT**

9 Steve McNamee, Chairman

10 Dan Truckey, Vice Chairman

11 Russell Kish, Supervisor

12 Kevin Baird, Supervisor

13 Anna-Lise Hansen, Supervisor

14 **ALSO PRESENT**

15 Neil Dorrill, Manager, Dorrill Management Group

16 Tony Pires, District Counsel

17 Matt Gilinsky, Florida Utility Solutions

18 **PLEDGE OF ALLEGIANCE**

19 The pledge of allegiance was recited in unison. Mr. McNamee shared that Mr. J.C.
20 Sanchez has passed away.

21 **ROLL CALL/APPROVAL OF AGENDA**

22 All five Supervisors were present in person, establishing a quorum. The meeting was
23 convened at 9:30 a.m. The meeting was also properly noticed. The notice and affidavit
24 are on file with the District Office at 5672 Strand Court, Naples, FL 34110.

25 Mr. Truckey moved the utilities operation report to the beginning of the meeting. Mr.
26 Kish commented that it should be moved to the beginning on a permanent basis,
27 moving forward.

1 **On a MOTION by Mr. McNamee and a second by Mr. Kish the agenda was**
2 **approved as amended, with all in favor.**

3 **PUBLIC COMMENT**

4 No public comment was received at this time.

5 **APPROVAL OF THE MINUTES**

6 The following changes were suggested:

7 Page 4 line 33 the word rewards should be awards

8 Page 6 line 27 missing an e

9 Mr. McNamee asked for follow-ups about the following items from the minutes.

10 Page 4 line 26 Asked if it would be possible to store the generator onsite if elevation
11 was raised high enough. Asked if the trailer where Mr. Kish used to store equipment
12 would be appropriate. Mr. Kish said the trailers get very hot during the day; it is
13 questionable. Mr. Dorrill suggested asking the engineer for a sketch on how that storage
14 situation would be accomplished. Mr. Kish suggested looking at storing the generator in
15 the building at the front of the community.

16 Line 27 insurance claim got less than \$35,000 because replacement cost was not on
17 insurance policy, lost \$160,000 because of that mistake. Mr. Dorrill had a meeting last
18 week with a different insurance company that specializes in Special Districts and a
19 separate application will be presented for consideration as part of the renewal process.
20 The previous insurance held by the District only ensured for the depreciated value less
21 the deductible. That policy has been reviewed.

22 Well road engineer estimated the cost of fixing well road at \$1.4 million. FL Parks
23 Department is contemplating installing five additional cross culverts and replacing some
24 existing culverts. They own the well road and the District's raw water main runs down
25 the middle of the road. The replacement mains will need to be evaluated so they do not
26 conflict at the elevation, or the raw water main will have to be deflected up and around
27 any new culverts. The engineers are talking to each other. If the District can get their
28 water pipe in first, then the culverts can go where the Parks Department wants. The
29 District's new pipe will go in at 10 feet.

1 Mr. Truckey shared grants are looking good. They are pushing the \$3 million mark on
2 grants. They just opened another grant for \$500,000 to rebuild the pump station over on
3 the canal. This pump station supplies the required amount of water for fire flow fire
4 response. Mr. Carter who is working with Mr. Truckey on the grants is currently at an
5 LMS meeting for another grant.

6 Page 6 Mr. McNamee asked if the financials were categorized properly per Mr. Dorrill's
7 comment last month. Mr. Dorrill confirmed that they were reviewed and this month there
8 are two others that will be discussed in the financials.

9 Mr. Pires notified attorney of Mr. Teague as mentioned at a prior meeting. The lawsuit
10 was not expedited. There was a motion to dismiss the lawsuit as Premier's attorney
11 wants to take Mr. Teague personally out of the case. The hearing for this dismissal will
12 be held on Monday. Mr. Pires said that he will file a motion for rehearing if the main
13 hearing is denied. Ms. Hansen and Mr. Pires had a meeting with the County. Mr. Pires
14 has no further information on the ERCs at the Marina.

15 **The minutes were accepted as amended on a MOTION by Mr. Truckey with a**
16 **second by Mr. Baird and all in favor.**

17 **UTILITY OPERATIONS - MARCH**

18 Mr. Gilinsky shared that all requirements were met. Pump stations on the canals are still
19 not working. 2.92 million gallons of wastewater were received and treated. 4 million
20 gallons of drinking water were produced. 8.33 million gallons of reuse water was
21 distributed. 490 gallons of chlorine were used. Mr. Gilinsky met with Ms. Hansen about
22 flushers. The mobile generators in the past 60 days were serviced with new tires. Took
23 each RO system offline and cleaned them well. Replaced prefilters. Had sand ordered
24 and delivered to re-bed the sand filter in April. Replaced a leaking meter. Had no
25 incidents or injuries and conducted all safety training.

26 Mr. McNamee asked if there is any equipment at the plant that needs to be purchased
27 or worked on that is not currently. Mr. Gilinsky said there are small things that need
28 servicing and are scheduled to be repaired but nothing that is critical. Mr. Dorrill
29 requested Mr. Gilinsky review the order that was placed a few months ago and give an
30 update. Mr. Gilinsky said that everything has been ordered and most of it has been
31 received. They are still waiting on a few items including the disc filter. He stated that
32 they work with the engineers on the new filter often.

1 A valve by the seawall leaked irrigation water at the hotel. It was reading that it was
2 leaking about 600 gallons a minute. The leak was repaired and paid for by the CID
3 because of the safety issue it posed. The bill of \$2,800 will be back charged to the hotel.
4 Mr. Dorrill will check if the hotel is outstanding on any water bills and mentioned they
5 are outstanding on a few years of property taxes which may come up during the
6 summer. Their tax certificate was purchased.

7 Looking at installing local chlorinator that will chlorinate water at Newport Dr so levels
8 can be kept below maximum at the plant. As the chlorine goes through the line from the
9 plant to the end of Newport Dr, chlorine is lost and there is a minimum amount that
10 needs to be maintained. There is a maximum amount allowed at the plant so more
11 cannot be put in there.

12 **MANAGERS REPORT**

13 **A. Utility Billing Receivables**

14 Inactive accounts from the prior year are predominantly assumed to be rentals for which
15 no deposits were collected. There has been minimal activity on these accounts, with a
16 few exceptions. Notably, there has been recent payment activity at 182 Newport Unit
17 1012. Mr. Dorrill intends to administratively write off any inactive former tenant
18 agreements to streamline the accounting process for this property. If there is recent
19 payment activity on an otherwise inactive account lasting more than 90 days, Mr. Dorrill
20 recommends writing those off as well. When Mr. McNamee inquired about applying
21 outstanding funds against the property rather than the individual tenant, Mr. Dorrill
22 explained that he would need to review the District's administrative rules and
23 procedures. Currently, the policy requires tenants to have a deposit on file, while new
24 residents do not. Mr. Dorrill will explore the feasibility of holding property owners
25 accountable for unpaid amounts owed by tenants in the future. Mr. Pires suggested
26 amending the current rules if necessary.

27 **B. Rear Yard Swale Mailing**

28 Last month, there was a request made to create a notice reminding people to ensure
29 their swales remain clear of obstructions, and it is to be included a supplemental piece
30 with the next utility bill. It was drafted and sent to the utility company on Monday.

1 **C. Engineer of Record Document Receipt**

2 Staff took possession of the former Civil Engineer's records. Initially, Mr. Dorrill sent
3 them to the current engineer for retrieval of items pertinent to their working files. There
4 ended up being 26 boxes and 5 flash drives.

5 **D. Commercial Property Acquisition**

6 The commercial property acquisition was successfully closed on March 19th and
7 recorded on March 20th. Mr. Pires expressed gratitude to Mr. McNamee and Ms.
8 Hansen for their individual assistance in the process. During discussions about liability
9 regarding the seawall and community protection measures, Mr. Kish raised concerns.
10 Mr. Pires proposed the installation of a no trespassing sign as a crucial measure. He,
11 along with Mr. Carter will collaborate on the sign's wording. Additionally, Mr. McNamee
12 suggested installing concrete benches near the seawall for community use. Kathy
13 Oswald has a bench company she works with; she will give Ms. Hansen their
14 information. Mr. McNamee also inquired about the possibility of installing an aluminum
15 fence along the seawall to prevent incidents, to which Mr. Pires recommended
16 consulting the engineer. Mr. Dorrill will ensure that the property is covered by the
17 insurance carrier. He will also have Mr. Carter discuss the cost of bush-hogging the
18 property once a quarter with Soto.

19 Mr. Truckey said Southern Exposure Marine has been using the property to load and
20 unload material for the work they do in the community which creates a liability issue. Mr.
21 Pires said if he is given the name of the entity and the type of work they do he can
22 create a license agreement where they can use the dock and are required to have
23 insurance. Mr. McNamee said they previously paid \$1,000 each time they used the
24 property. Mr. Pires said that can be in the license agreement.

25 **E. Utility Rate Analysis Update**

26 Still hopeful recommendations will be presented next month. Mr. Pires suggested
27 requesting Johnson Engineering to focus on getting any utility files needed out to the
28 rate analysis consultant. Mr. Kish looked at the non-ad-valorem assessments regarding
29 boat slips. He found that the 300-square-foot hotel-minimum's bill was \$1245 a year.
30 The biggest boats out there pay \$762. He thinks they need to get rid of the non-ad-
31 valorem assessment for the live-aboard boats and replace them with individual meters
32 to pay for usage. Mr. Dorrill sent a \$7,000 assessment statement to the County for the
33 Marina and they will be paying it.

1 **FINANCIALS**

2 Financials as of February 29, 2024. Mr. Dorrill shared that the District remains at a
3 strong cash position. There was \$5.3 million in cash on hand at the end of the month.
4 There were only \$80,000 in payables shown on liability portion of balance sheet. The
5 first check from FEMA was received for \$37,000. There was almost \$17,000 in interest
6 earnings this month. \$81,000 in interest earnings year-to-date. Some non-ad-valorem
7 assessments were received. Total year to date in non-ad-valorem assessments is in the
8 85% received range. Mr. McNamee asked if it would make sense for the District to
9 purchase outstanding tax certificates and earn the interest on them. Mr. Dorrill said that
10 can be evaluated. Mr. Kish is against the idea of purchasing the tax certificates. Mr.
11 Dorrill asked for clarification of an expense of \$9,184. Mr. Baird said it was for the
12 pressure washing of the sidewalks.

13 **The financials were accepted on a MOTION by Mr. Truckey, a second by Mr. Kish,**
14 **and all were in favor.**

15 **ATTORNEY'S REPORT**

16 Transaction with Mr. Sanchez. As part of closing there was tax bill that included the
17 District's non-ad-valorem assessment in the amount of \$30,000. As part of the
18 transaction the District got a credit of approximately \$13,000. The total amount of
19 \$33,000 was paid to the tax collector. The non-ad-valorem assessment will be remitted
20 to the District minus 3%. Mr. McNamee asked if the 18 ERC's on the property will
21 remain associated with the property or if they will be added to the CID's pool. Mr. Pires
22 will double check, but he believes that they will continue to be associated with the
23 property. Mr. Truckey asked about what happens to ERCs on two lot homes that only
24 pay for one assessment. When they split the property to build on it do they have to re-
25 buy the ERC that they have no being paying? Does the District assume the ERC when
26 they combine the lots? Mr. Pires will investigate this with Mr. Dorrill.

27 Mr. Dorrill's deposition was taken for the Prepmac lawsuit. Mr. Pires' understanding is
28 that they may want to depose someone else. He will keep Board updated on that.

29 **ENGINEER'S REPORT**

30 No engineering report was given at this time.

31 **OLD BUSINESS**

32 No old business was discussed.

1 **NEW BUSINESS**

2 **A. Vacant ERCs**

3 Mr. McNamee inquired about the possibility of developing senior housing or an assisted
4 living facility on the seven acres of land owned by the County, should they sell it to the
5 District or a private entity. Mr. Dorrill explained that initially, it would be a matter of
6 zoning. Mr. McNamee mentioned he asks this considering the unused ERCs. He would
7 like something to be developed that would get the ERCs in play without negatively
8 impacting the community. Mr. Pires clarified that while the District couldn't directly
9 construct such a facility, they could potentially enter into a grounds lease agreement.
10 Mr. McNamee clarified that he is proposing an approach like Mr. Case's: purchasing the
11 land, overseeing its ERC development, and subsequently selling it to an appropriate
12 party.

13 **B. Insurance**

14 Mr. Kish's neighbor pointed out that certain properties are listed under Premier District
15 Management on the appraiser's site. Mr. Dorrill will make sure necessary and
16 appropriate changes are made.

17 **C. Hotel**

18 Mr. Truckey shared there were a couple of bad washouts behind the hotel. They are
19 deep, dangerous, and have exposed pipes. They are 3 feet deep or more and
20 potentially negatively impacting the seawall. Mr. Dorrill thinks it is a code enforcement
21 issue and said if there was a safety issue is happy to file the case.

22 **D. Power to Sign/Sign Beautification**

23 Mr. McNamee said there is still no power at the sign. He has discussed with Tom for six
24 months with no change. Mr. Joe Levy suggested the Board designate a financial line
25 item for improvements at the entrances. Ms. Deb Jensen recommended working with
26 Soto for beautification ideas since he is the one who would be responsible for
27 maintaining the landscaping. Mr. Baird will talk with Soto about this. Mr. Levy
28 recommended the Board work with Elin Goetz, a landscape architect Mr. Dorrill works
29 with in other communities, for designs specific to the climate and what would thrive
30 there.

1 **E. Florida Rural Water Association**

2 The Florida Rural Water Association is putting together free studies on the community's
3 wastewater and freshwater. They are contracted with DEP for the State of Florida. It
4 would cost somewhere between \$300-\$400 a year to join the Association. They offer
5 meter calibration services and currently the District pays around \$3,000 a year to have
6 that done.

7 **Mr. Truckey made a MOTION for the District to join the Florida Rural Water**
8 **Association with a second by Mr. McNamee with all in favor.**

9 **F. County Commission Meeting**

10 Discussed at prior meetings. Requested Mr. Pires file a petition with the County to get
11 on the agenda for the County Commissioners meeting in May. Ms. Hansen will work
12 with Mr. Pires on listing out all the issues the Board desires to address.

13 **G. Fire Advisory Board Meeting**

14 Someone turned in the current Board claiming there were issues with the water supply
15 coming from pump station to facility building. Mr. Truckey said it was bogus information.
16 They spoke with the Fire Advisory Committee, and they understand what they are doing
17 and are happy with the grant work the District is doing.

18 **H. Orchid Cove**

19 Mr. McNamee has been hearing that someone is trying to instigate issues at Orchid
20 Cove claiming the community will be flooded when the water patterns are changed. He
21 said the impacts of what that rumor could do to property values in Orchid Cove needs to
22 be considered. If you believe the false rumor, you will have to disclose that you believe
23 your property is at risk of flooding if you were to sell your property. Mr. Truckey said the
24 Parks Department is working on funneling water around and away from the Everglades
25 which will also funnel it away from the community. He said the new culverts will also
26 help. Mr. Truckey will get the plans from the Corp of Engineers. The Board is prepared
27 to Mr. Pires look into filing against the people who continually spread rumors as they are
28 detrimental to the health of the community.

29 **SUPERVISORS REQUESTS**

30 No further requests were made at this time.

1 **PUBLIC COMMENTS**

2 **I. Kathryn Kehlmeier - Newport Drive**

3 Shared that Soto has worked on the two front monuments on Newport Dr twice. Thinks
4 having a major improvement in that area both under the center sign and the two
5 monuments is above his scope of his abilities. She thinks having a landscape architect
6 is the best course of action for knowing the area and what will survive with minimal
7 water and upkeep.

8 **J. Kathy Oswald - Newport Drive**

9 Irrigation on the center median of Newport Drive is going off for two plus hours in the
10 middle of the night but there is no water at either end of the median. Thinks someone
11 should look at it and make sure all irrigation is working. The Board will notify Soto to
12 investigate.

13 Inquired about the email notification process. The community received a paper
14 notification regarding water treatment. Mr. Dorrill will get a count of how many email
15 addresses have been given. He will also talk to Mr. Gilbert if the blast email could be
16 done in lieu of physical notices for things like that.

17 Ms. Oswald has a contractor she recommends for stone benches and will send the
18 information to Ms. Hansen

19 **ADJOURNMENT**

20 The next meeting will be on May 17, 2024, at 9:30 a.m. **On a MOTION by Mr. Baird**
21 **and a second by Ms. Hansen, with all in favor, the meeting was adjourned at 11:03**
22 **a.m.**