

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

3 Regular Meeting of the Board of Supervisors

4 May 17, 2024

5 The regular meeting of the Port of the Islands Community Improvement District Board of
6 Supervisors was held on Friday, May 17, 2024, at 9:30 a.m. at the Orchid Cove
7 Clubhouse, 25005 Peacock Lane, Naples, Florida.

8 **SUPERVISORS PRESENT**

9 Steve McNamee, Chairman, Via Zoom

10 Dan Truckey, Vice Chairman

11 Russell Kish, Supervisor

12 Kevin Baird, Supervisor

13 Anna-Lise Hansen, Supervisor, Via Zoom

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.

20 **ROLL CALL/APPROVAL OF AGENDA**

21 Three Supervisors were present in person, establishing a quorum. Mr. McNamee and
22 Ms. Hansen participated via Zoom. **On a MOTION by Mr. Truckey with a second by**
23 **Mr. Kish, Ms. Hansen and Mr. McNamee's participation via Zoom due to**
24 **extenuating circumstances was approved.**

25 The meeting was convened at 9:30 a.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.

1 **PUBLIC COMMENT**

2 No public comment was received at this time.

3 **APPROVAL OF THE MINUTES**

4 **The minutes were approved as presented on a MOTION by Mr. Truckey and a**
5 **second by Mr. Kish, with all in favor.**

6 **MANAGERS REPORT**

7 **A. FY '25 Tentative Budget**

8 The utility rate consultant is ready to present to the Board. A workshop will be
9 scheduled sometime during the first two weeks of June. They will present a new base
10 rate with characteristic and meter rate assumptions. The budget has to be submitted to
11 the County by June 15. The budget adoption will be held in July. The tentative budget
12 totals \$1,989,467 split between the general fund at \$587,858 and utility fund at
13 \$1,401,628. The rate assessment is unchanged. It is \$403.11 for the general fund
14 contribution. The rate per ERU for combined utilities and operations is \$922.77. Total
15 ERUs are 1130 as a result of an increase last year. There is a 3.5% cost of living
16 increase that is reflected for costs affected by it including management, engineering,
17 and utility billing fees. \$100,000 for landscape enhancement was added as a new line
18 item to the budget. This is a part of the capital budget for irrigation retrofit and
19 landscaping at either one or both south side entrances. The landscape maintenance
20 contract also had a 3.5% increase.

21 The proposed operating budget is slightly less than the current fiscal year. The utility
22 billing budget this year is \$34,000. The year-to-date forecast is closer to \$38,000. Next
23 year the contract is \$39,000. The legal and engineering fees are in line with the current
24 year's budget. Mr. Dorrill has forecasted less engineering fees operationally. There is an
25 \$86,000 operating contingency line item for unknown repairs that may arise for the
26 water distribution or collection system.

27 Mr. McNamee suggested raising the budget now, so they have margin and the ability to
28 revisit it after meeting with the rate consultant. It can be lowered at the budget adoption
29 meeting in July, but it cannot be raised. The operations and maintenance portion of the
30 budget will be increased to bump up the assessment rate. There is a brand new capital
31 improvement plan from the engineers. It shows \$8 million of work to bring the plant
32 where it needs to be. Some of that cost will be covered by grants. Mr. McNamee said it
33 would be better to progressively increase it now as to cover the work than it would be to

1 wait a few years and have to raise it more extremely. The Board came to a consensus
2 to raise the assessment amount to \$1,700. This results in a revised budget total of
3 \$2,382,996.

4 **The tentative budget amounts as were approved in the abovementioned amounts**
5 **and the chairman authorized to execute resolution 2024-1 approving the**
6 **proposed budget for FY 25 and setting a public hearing pursuant to Florida Law**
7 **on July 19, 2024, on a MOTION by Mr. Truckey with a second by Ms. Hansen, with**
8 **all in favor.**

9 **B. Code Compliance/Seawalls**

10 Mr. Dorrill filed an active code enforcement complaint for the seawall erosion and
11 collapse at the hotel along with the exposed utility lines. He asked the code
12 enforcement official if they were aware of unrelated concerns with exposed wiring in the
13 streetlights and he was told they were. There are active cases for both matters. Nothing
14 has been repaired yet. Jonathan Clark is the Chief Code Enforcement Officer. Ms.
15 Hansen emailed him yesterday informing him that the issue has not been resolved.

16 **C. Utility Rate Analysis**

17 Ms. Hansen shared she will be gone June 5-10 and that the second week of June
18 would be preferable for the Utility Rate Consultant workshop. When a date is solidified it
19 will be publicly noticed in the newspaper and posted on the website.

20 **D. Florida Rural Water Association**

21 Mr. Dorrill has requested the application.

22 **E. Entry Landscape**

23 Landscape architect Ellin Goetz was on site last week. Mr. Baird shared that they
24 walked the Newport Dr, Cays Dr, and Orchid Cove entry locations. The place they
25 looked at the most was the big sign in front of the old retail office. Ms. Goetz suggested
26 adding more lights in the Banyan trees and removing the overgrown shrubs. She also
27 suggested moving the sun higher up in the sign, Mr. Kish commented that he believes
28 the height of the sign is in accordance with County regulations. Ms. Goetz is making a
29 report with the fees for the suggested work. Mr. McNamee suggested they revisit Soto's
30 billing, Mr. Baird agreed. Mr. Carter will work with Mr. Baird to review his scope of work
31 and increases. Mr. Gunther said that Orchid Cove will be mowed soon, it is their
32 responsibility to mow that piece of land and it is scheduled. Mr. Joe Levy of Winward

1 Cay asked the possibility of getting proposals for irrigation by the gate at Cays. He
2 commented on the appearance of the grass and that it would look more inviting, Mr.
3 McNamee agreed. Mr. McNamee talked to the dock installer company about the fee to
4 use the dock. The company suggested a \$5,000 annual fee to use the dock as needed.
5 Mr. McNamee said that fee could cover the cost of the sprinklers. Mr. Pires has a
6 template for the license agreement and just needs the details and information of the
7 company. He said it would be non-exclusive for multiple vendors to use and coordinate
8 usage with District Staff as to not have multiple vendors come at once.

9 The District's current insurance policy is through September. Mr. Kish requested the
10 schedule of values. Mr. Pires will follow up with the Property Appraiser's office to make
11 sure Mr. Dorrill's company and address is listed as the District's contact.

12 **UTILITY OPERATIONS - APRIL**

13 Mr. Gilinsky shared that all requirements have been met. The reuse system is working
14 properly. The station on the canal is running on two pumps. (Ms. Hansen had to leave
15 the meeting at this time). 2.08 million gallons of wastewater were received and treated;
16 3.5 million gallons were distributed. 9.09 million gallons of reuse water were distributed.
17 28,000 gallons of sludge were hauled from the plant. The sludge is taken to a
18 processing facility and the cake is taken to a landfill in Okeechobee. There were a
19 couple of small line breaks. Two new meters were installed. 16 meters were reread.
20 Some equipment was repaired and serviced including a few pumps. The pump station
21 on the canal was tested and found to be working well. A non-working reuse pump was
22 repaired. Mr. McNamee asked if a meter has ever proven to be inaccurate since putting
23 SCADA in, Mr. Gilinsky said not that he is aware of. A previously procured estimate for
24 a local chlorination system was emailed to Ms. Hansen.

25 The distribution of final shut-off notices for applicable residents will be coordinated with
26 Florida Utility Services and Mr. Carter. Updated account statements with delinquencies
27 have been sent through Munibilling. The current policy requires 10 days advance notice
28 and a doorknob notice to be hung 48 hours before shut-off. This will be done in
29 accordance with policy and procedures. There is a late fee and a reconnection fee if the
30 account goes delinquent. Mr. Kish asked about the renter utility deposit policy being
31 changed. Mr. Pires said it must be changed in a hearing and suggested waiting until the
32 presentation from Raftelis, the utility rate consultant company. The renters deposit
33 change can be incorporated into the rate change.

1 **CCE VOTER COUNTS**

2 The Supervisor of Elections is required to send a notice of the total number of registered
3 voters in the District. There are 684 active registered voters in the boundaries of the
4 District. A separate legal notice will be placed in the newspaper to announce the
5 qualifying period for candidates in the next election cycle. Records indicate that seats 1,
6 3, and 5 terms expire. This means Mr. Baird, Ms. Hansen, and Mr. Kish are up for re-
7 election. The qualifying period is from noon to noon on June 10-14. If anyone needs
8 assistance they should contact Dave Carpenter at the Supervisor of Election's office.

9 **FINANCIALS - MARCH 2024**

10 Mr. Dorrill presented the mid-year financials as of the end of March. There was
11 \$4,650,000 in cash on hand at month's end. On the balance sheet there were fixed
12 assets in the amount of \$15 million, depreciation brings it to about \$8 million including
13 infrastructure. There was \$83,000 in payables. \$17,000 in interest earnings. Year to
14 date interest revenues are \$100,000, projected to be \$200,000 at year end. Year to date
15 the District is \$150,000 underbudget. Mr. Pires said that a rule change to make the
16 owner of the property responsible for unpaid utility bills can be included in the
17 comprehensive amendment regarding tenants.

18 **The financials were accepted as presented on a MOTION by Mr. Truckey and a**
19 **second by Mr. Kish with all in favor.**

20 **ATTORNEY'S REPORT**

21 Mr. Pires filed a public petition on the District's behalf for the May 28 County
22 Commissioners meeting. He received an email on behalf of the County Manager asking
23 to discuss the requests at an earlier meeting before putting them on the agenda. Mr.
24 McNamee, Mr. Pires, and Mr. Dorrill will coordinate dates for this potential meeting.

25 Mr. Pires is working on two license agreements and needs the details of the companies
26 to be able to present those at next month's meeting.

27 Mr. McNamee asked for an update on the Marina ERCs. Mr. Pires has not been able to
28 ascertain from the documents received from the former management company and his
29 own records. Mr. McNamee asked for continued efforts on this.

30 **ENGINEER'S REPORT**

31 No engineering report was given at this time.

1 **OLD BUSINESS**

2 No old business was discussed.

3 **NEW BUSINESS**

4 No new business was discussed.

5 **SUPERVISORS REQUESTS**

6 **A. 140 Wilderness Cay**

7 There is a new home being proposed at 140 Wilderness Cay. Staff is working with the
8 engineer. There are at least three encroachments into the rear yard drainage easement.
9 Mr. Kish asked about the engineer's attendance at these regular Board meetings. Mr.
10 Dorrill said they will only come to meetings as necessary.

11 **B. Code Enforcement Violations**

12 There is a pile of landscape debris at the hotel. The landscaper has no intention of
13 hauling it away. Mr. Dorrill will file a code enforcement complaint. There are also
14 exposed wires on the AC unit outside the old retail office that he will report.

15 **C. Follow Up on Aerator Deposit**

16 Mr. McNamee asked about the old \$5,000 aerator deposit for work that was never
17 completed. He would like to get a refund on the unused portion. Mr. Dorrill will have Mr.
18 Carter look into it. Mr. Kish said it was years ago and may be unlikely to get back.

19 **D. Possible Generator Storage**

20 There are older concrete structures at the water plant. Mr. Baird said there are already
21 pads in there from storing other equipment. Asked if a garage door could be added and
22 the floor elevation raised so these pre-existing, on-site structures could be used for
23 generator storage. Mr. Dorrill will investigate this.

24 **E. Meeting Handouts**

25 Mr. McNamee requested that the agenda handouts be added to the website even if they
26 are added after the meeting. Mr. Dorrill will coordinate this with Mr. Carter.

27 **F. Union Road**

28 Mr. Baird will talk to Soto about adding irrigation on Union Road

1 **G. Clusia Hedge Proposal**

2 A row of clusias will be planted to prevent cars pulling off the road to fish. The cost of
3 the plants and installation is \$9,690 with an additional cost of \$1,700 to irrigate them.
4 They should be four feet high by year end and will grow to about eight feet tall at
5 maturity. They will help reduce sound from the highway and vehicle traffic off the road.

6 **On a MOTION by Mr. Baird with a second by Mr. McNamee the estimates to do**
7 **this work were approved, with all in favor.**

8 **H. Empty Lots**

9 Mr. Kish asked what is happening with the empty lots in Orchid Cove and who owns
10 them. Mr. Steve Gunther said that the County owns them. The builder could not pay the
11 taxes so the County assumed ownership. Mr. McNamee suggested asking the County if
12 the District could take over ownership and control if they stay vacant or are used, in
13 collaboration with what Orchid Cove wants for the lots.

14 **I. Insurance**

15 Mr. Kish asked if it would be possible for the condo associations to piggyback on the
16 District's insurance policy and get a better rate. Mr. Pires said it is not possible as the
17 District is a government entity.

18 **J. Mosquito Spraying**

19 Mr. Kish shared that Fiddler's Creek is soliciting bids for additional mosquito control
20 spraying even though they are in the Mosquito Control District.

21 **PUBLIC COMMENTS**

22 **A. Deborah Jensen**

23 Inquired about the accessibility of the workshop scheduled for next month to the public.
24 Mr. Dorrill confirmed that all District meetings are indeed open to the public (unless
25 closed door session).

26 Inquired about the availability of the new CIP (Capital Improvement Plan) on the
27 website. Mr. McNamee confirmed it is on there.

28 Asked whether the landscape improvement work will be open for bids or automatically
29 awarded to Soto. Mr. Dorrill clarified that it will be open for bids.

1 Confirmed Mr. Kish's earlier statement that the elevation of the entrance sign at
2 Newport is following the County's determined elevation, which is why it seems low.

3 Inquired about the timeline for Munibilling to implement ACH services. Mr. Dorrill shared
4 that they are in the final phase of their beta test, and the District will be their first client to
5 utilize the new ACH vendor. Additionally, it was mentioned that a document will be
6 added to the website detailing how to set up autopay through one's bank for Munibilling,
7 a feature that is currently available.

8 **ADJOURNMENT**

9 The next meeting will be on June 21, 2024, at 9:30 a.m. A workshop to meet with the
10 Utility Rate Consultant is tentatively scheduled during the second week of June. **On a**
11 **MOTION by Mr. Truckey and a second by Mr. Kish, with all in favor, the meeting**
12 **was adjourned at 11:32 a.m.**