

**BOARD OF SUPERVISORS MONTHLY MEETING
SAN CARLOS ESTATES WATER CONTROL DISTRICT AGENDA
MONDAY, OCTOBER 16, 2023 6:00 P.M
GULF SHORE CHURCH, 25300 BERNWOOD PARKWAY
BONITA SPRINGS FL 34135**

1. Call Meeting to order. James Bradford called the meeting to order 6:01 PM.

2. Roll Call of the Board of Supervisors: Chair and President, Jim Bradford (Jim), Vice-Chair and Vice President, Jennifer Finazzo (Jennifer) and Supervisor, John Cellucci (John); Engineer Ron Edenfield (Ron); Attorney, Richard Pringle (Richard) is running late, Audrey Medeiros, Manager and Superintendent of Operations (Audrey);

3. Receive Engineer's Report on District Works:

23 open permits, 3 new permits, 0 closed permits, and 5 inspections
Open Permits New Permits Closed Permits Inspections

4. Manager's Report: FPL has been in touch with the Manager to install two new lights. One at the entrance of Strike Lane and at the gate on Stillwell PKWY and Maddox. Lighted Stop signs are very expensive. The cheapest ones were priced at \$900.00. The manager has listed the Secretary treasurers' position on the website. The hiring process continues.

**Richard Pringle arrived: 6:06PM.

5. Chair's Report: Still working on FEMA projects. We still have about 10 outstanding. 3-4 have should be coming in Maybe late November or December. Hopefully 200 thousand dollars on what we spent on the rear canal, the gate and signage. The rear gate has not been working properly. We have had a string of vandalism. Audrey adds: She has worked with Gatekeepers to replace the EVAC Access as it was faulty.

6. Treasurer's Report: Pushed forward after the Attorney Report:

As of October first,

7. Attorney's Report: Several resolutions tonight for your adoption: covered under business items. Additionally, Richard has been in touch with Attorney Brown who represents Mr. and Mrs. Cheddie. One of the reflector signs was removed from the end of the pavement so now that vehicles can pass down off the end of the paved road and go down the district's Right of Way (ROW) that is unpaved. The purpose of the signage and the reason for attempting to block off the unpaved portion of the ROW is because it goes through wetlands. There was a partial improvement to the ROW with shelled, fill material attempting to prevent turbidity by preventing traffic on the roadway. The lawyer for Mr. and Mrs. Cheddie indicated that they have also seen action by their neighbor Mr. Castor who has placed basketball hoop in the ROW. They also believe that there might be some relation to the signage and usage of the part of the road that is not supposed to be used, where it is not paved. Their Attorney (Brown) ask Me (Mr. Pringle) to send another letter to Mr. Castor, as I have in the past. I bring it to the board for approval to send a letter or what action you want to take. Chairman responds by acknowledging issues in the District regarding ROW.

This is two part: 1: Mr. Castor is making use of the ROW beyond his authority. And 2: The attorney for Mr. and Mrs. Cheddie wants the district to approach and treat Mr. Castro in a very strong manner. Letting him know number one, this is the District's ROW. You can't use it without District Permission and any use that you make of it that is without District Permission constitutes a trespass and it cannot occur. Mr. Cheddies lawyer informed me that Mr. Castor's family put up a basketball hoop in the ROW, they removed some signs put up by the District and they would like us to indicate to Mr. Castor which is you can't do this. The second topic is The District controls the access to the property. If someone wants to access their property, they do need District permission. With respect to Mr. Castor, he has a second access to his property that is not a permitted access, so he should not be using this second access. Mr. pringle told Mr. castor is writing that he needed District permit to access the district ROW. Jim inquired what to do. Richard states to send him a letter reminding him that he needs to apply to the District Engineers office to access his property via the District ROW. You cannot use the ROW except with permission. No permission has been given to you to use the ROW beyond the end of the pavement. Do not install any improvements in the District's ROW, without the District's permission it constitutes trespassing. Jim adds. I would tell you to Send the letter and I am sure the rest of the board would support that, and I would add to the letter to let him know that the District intends to put up a gate and that will be blocking him if he takes no action.

Jim inquires about doing something about Waterfall drive. Richard adds, The City of BS issued a permit in the past and the Engineer can help with that. The District has the authority to protect the ROW from deterioration from illegal use and any illegal use that causes deterioration to the ROW. Let's bring this up to add to the agenda.

6. Treasurer's Report: Total Revenue and Funds Balance Carry forward. \$2,121,620.00, Total Expenses: \$956,673.00, Assigned Reserves: Short-Term Emergency Funds: \$250,000.00, Assigned Reserves: Operating Funds for Post Year Expenses: \$90,000.00, Unassigned Funds: \$824,947.00, and Total Expenditures and Reserves: \$1,164,947.00

8. Amendments to the Meeting Agenda: Richard adds: I wrote down as an addition: Gates across district's ROW on Waterfall and Rocky Road.

9. Public Input on Business Agenda Items (3-minute limit): -Inaudible names Resident noticed triaxles going through the gates in and out. -inaudible named End if Dietz Dr. They knocked down a tree and have a culvert pipe down there. 240001 Dietz. resident: -Inaudible named Resident: New construction on corner of Dietz and Strike they are parking on the side of the road and blocking traffic. The Dumpster on Catskill is out again. -Regarding the new construction on Strike and Dietz, Mr. Cellucci and Mr. Edenfield both have spoken to the owners. One was told it would be a parking area behind the house and the other was told it was for a firepit and seating area.

10. Business Agenda Items (Agenda Items Requiring Action)

a. Annual Landowners Meeting Minutes Approval – 09/23/2023: John motioned to approve, Jennifer 2nd, Jim, I, Motion carried.

b. Monthly Meeting Minutes Approval – 09/23/2023- John motioned to approve, Jennifer 2nd, Jim, I, Motion carried.

c. Financial Report Approval – 09/30/2023 Bank Statements; 09/30/2023 Financial Reports; 09/31/2023 Bills and Financial Report as of 10/16/2023- John motioned to approve, Jennifer 2nd, Jim, I, Motion carried.

d. Contracts – Canal and perimeter road cleaning; roadway trimming; etal.: - Perimeter and canal cleaning were approved last month. Ron adds: In addition to the Proposal from D&S last month for the Perimeter and canal cleaning for \$44,000.00 they have submitted the second proposal of \$40,000.00 to take care of the interior roads bringing to a total of \$84,000.00. In review ETI had all inclusive for \$105,000.00 and Gerald's all-inclusive proposal was for \$98,000.00. D&S has the best Proposal. Ron requests the Board to approve the second Proposal. Jim states: Motion on the floor to approve. John Motions to approve the second half of D&S Proposal, Jennifer 2nd, Jim, I, motion carries. This is not to exceed \$84,000.00. The maker of the Motion (JC) agrees to amend the motion to include the Chairman to sign the contract before the 24th of October. Motion a to amend, John motioned, Jennifer 2nd, Jim, I Motion carries. Jim adds I want to propose closed bids. He wants the bids proposed (Estimates/Cost) to be sealed and only opened at meeting then once it is open it will become public knowledge. The scope of work does not have to be sealed; therefore, you can compare apples to apples. Just the cost they are willing to accept for payment must remain sealed. This prevents insider information from being shared across vendors submitting RFP's.

e. Filter Marsh Management: No changes. Continuing with Synecology. Jim adds: the interlocal agreement may change our position on this topic.

Public input: Mr. Tenneal wanted to know where the Filtering Marshes were. Jim replied, " At the entry of the district. On the left and right sides of Strike near the picket wooden fences."

f. Utility Permit Fee: i.e. Comcast/FPL/CenturyLink: -RON: Currently the fee is \$50.00 flat rate. Comcast wants a new installation. Ron suggests \$50.00 per lot, not to exceed a certain amount. The Board agreed to 50.00 per lot, period. If there are 30 lots, it would be $50 \times 30 = 1500$. The Board agreed to \$50.00 per lot. Jim motioned, John 2nd, motion carried. Ron inquired about lots that have existing culverts that have been installed long ago and there were never any permits on the installation, the owner would have to apply for a permit because the City of Bonita Springs will not allow a C.O. without the approval of the District Engineer. If the culvert is a 12 inch, they would need to replace it with a new culvert of 18 inches up to code. The owner who wants to build will have to apply for a new culvert. If the current culvert is adequate and there was a review permit, the fee would be still \$750.00. Mrs. Smith inquired about her culverts, she had her put in 1980ish. Jim advised that they were referring to new construction. No motion was needed because this is already in place.

g. Canal and Roadway Survey Update: Ron had three firms provide proposal for the Scope of Services. The range was 36-125 thousand. This scope of service is for all of the driveway culverts interconnected drainage culverts, outfall culverts to the perimeter canal system and pick up cross sections along each of the ROWs within the District for all the side streets off Strike Lane. John asked if the goal of this was to get proper elevation where it's at for part of the new revised water plan. Ron confirmed: He states, " It provides a basis horizontally and vertically relative to where everything is relative to each other. We will be able to go and use it for modeling purposes. We will be able to use that for driveway culvert settings for several different reasons.

Harrison-Jorgenson, a Cape Coral firm is the qualified lowest bidder at \$36,000.00, I'm asking for a motion to approve so we can get them on the schedule. John motioned, Jennifer 2nd, Jim, I, motion carries.

The timeframe is 2-3 months. Ron requests a motion to have the Chair sign the contract. John amends his motioned to include the Chairman sign the contract, Jennifer 2nd, Jim, I, Motion carries.

h. Lighted Stop Sign at Dietz Dr/Strike Ln Update: JIM: Postponed.

i. Property Insurance for gate decision: John reviewed. The cost and premium do not make sense, It is too expensive. Between you take out the deductible and premium increase. It's more than the repairs so far. Jim adds: He wants to get the Cameras approved. See below agenda item.

j. Secretary/Treasurer Position: We are still searching and advertising for a secretary treasurer.

k. Right of Way Permit Fee

l. Gate Camera System Update: Jim adds: He wants to get the Cameras approved. Motion on the floor. There will be three cameras, Two at the gate and one in the entrance of Strike. Audrey adds: 1.5 months ago, someone dumped at the end of Waterfall. If we see someone entering with a full load and leaving with an empty load. Jennifer motioned to approve the camera system budgeted amount, John 2nd, Jim, I, motion carried. John motioned Audrey to use credit card to pay for this, but Audrey states the cost exceeds her credit card limit. Motion was made to allow Audrey to write a check for Eye-Trax.

m. Signature Cards for Bank of America, Northern Trust, and Florida Prime, including Board Resolution(s): The decision to add additional signers to the Districts bank accounts will be made once a secretary Treasurer is chosen for the position. Board members motioned to keep the three Supervisors on as signature cards. They will add once we have a Secretary Treasurer.

n. FY 2022-2023 Budget Amendment Resolution: Richard does not have all the information. Postponed for one month. John made a Motion to post pone until next meeting. Jennifer 2nd, Jim, I, Motion carries.

o. FY 2023-2024 Funds Assignment Resolution: Resolution to adopt the budget which assigned \$250,000 of your reserves to short term emergency funds category, you also adopted and assigned reserve category for operating funds for post year expenses that come in between October 1 and December 31 of this year in the amount of \$90,000. The remaining unassigned \$824,947.00. With the assignment of reserves, we do that by resolution. I prepared that Resolution; I left blanks in case you want to make any changes.

Jim proposed to get information from 5 banks for interest rates on short-term investing the Unassigned reserve funds. Whoever we use must qualify as a public depository. Synovus, WF, BOA, FL Prime, Northern Trust. Contact the banks, Interest rates for pub dep and what are the restrictions. The board of supervisors delegated Audrey to contact the 5 banks listed to obtain the information regarding the banks ability to invest these unassigned reserve funds of \$824,947.00.

Approved Resolutions BOA, FI Prime, Northern Trust, adding Synovus and Wells Fargo by resolution as well. Authorized Audrey to gather information from the five banks. Motion carried. Funds assignment resolution. Motion to approve John, Jennifer 2nd, Jim, I, Motion carries.

11. Public Input (3-minute limit): Douglas , lives on Sunny Lane. He should receive the contract by 10/24/2023. Thanked the Board members for their confidence. He will take care of the exotics. The sprayed plants will contain a blue dye.

12. Supervisor Comments: Mosquito control was notified that Manager will open the gates if we are notified in advance.

13. Adjournment: 7:53 PM