

**BOARD OF SUPERVISORS MONTHLY MEETING
OF THE SAN CARLOS ESTATES WATER CONTROL DISTRICT
MONDAY, JULY 17, 2023 6:00 P.M.
GULF SHORE CHURCH, 25300 BERNWOOD PARKWAY, BONITA SPRINGS FL 34135**

1. **Call Meeting to Order:** Jim Bradford called the meeting to Order at 6:03 PM.
2. **Roll Call of the Board of Officers:** Present are Supervisors Jim Bradford (Jim), Chair; Jennifer Finazzo (Jennifer), Vice-Chair; Supervisor John Cellucci (John,); Engineer Ron Edenfield (Ron); Attorney, Richard Pringle (Richard), Audrey Medeiros, Manager and Superintendent of Operations (Audrey) and (8) guests. Secretary/Treasurer Chris Lawson (Chris) by phone
3. **Receive Engineer's Report on District Works:**

14 open permit applications under review; 2 new permits; 2 closed permits; inspections on 16 different lots

Ron gave an overview of the history of water management and regulations in Florida. Ron asked if a motion was made in the June meeting to authorize a survey of the District's water flows. It was not. The Board authorized Ron to find out how much a survey project as he described would cost so that the Board could then it.
4. **Manager's Report**

Audrey met with multiple companies to get information on cleaning the culverts in the District. She also discussed how the new development on Maddox/Cockleshell may impact the drainage in our neighborhood. Jim added that the City of Bonita Springs has reduced the building density from 600-700 homes to 250 homes. Ron elaborated on the community development and commented that the storm water flow from the development will not discharge into our system.
5. **Chair's Report:**

Jim updated everyone with the projects that are under discussion with the different government agencies. In addition, with the culvert pipe cleaning, the canals will be cut back and cleaned in the upcoming week(s). He gave the floor to John to provide an overview of the new website.
6. **Treasurer's Report:** Bills were presented for payment. The current income and expense, check detail, and income and expense year-to-date comparison reports were presented for the month of June, 2023. These reports have not been finalized because the bank statements have not been received. A new summary of the budget was presented to the Board to reflect the budget versus actual expenses, the actual difference, and the percentage variance.
7. **Attorney's Report:**

Richard announced that the meeting location change notice for this meeting and the August 21, 2023 meeting has been published. He brought a Resolution for the Board's adoption and approval – Adoption of the 2022 Lee County Emergency Management Mitigation Plan – that was discussed at the June 19, 2023 meeting. He reviewed the terms of the resolution and noted that it not only included adoption of the mitigation plan but also the opportunity to rescind participation should the Board ever elect to do so. He stated that he will make additional comments as other Agenda items come up.
8. **Amendments to the Meeting Agenda**

None

9. Public Input on Business Agenda Items (3-minute limit)

David Nadig – Discussed the Brad Gallagher matter and a statement made by a Board member in the last meeting that Brad made illegal use of property. He asked the Board not to make false statement(s) against his neighbors. He wanted to make it clear he believes that the property owner owns the right of way.

10. Business Agenda Items (Agenda Items Requiring Action)

a. Meeting Minutes Approval – 06/19/2023

b. Bill and Financial Report Approval – 07/31/2023 Bills and preliminary financial reports presented.

c. Gallagher Settlement Agreement

Richard commented that the underlying property owner rights (fee ownership rights) are subject to the District’s rights and overlay the property owner rights. He and Mr. Gallagher’s legal representations have continued their discussions about these rights and the pending settlement agreement. Richard requested that the Board authorize a Supervisor to work with him and direct him to reach a mutually agreeable settlement with Brad Gallagher and authorize said Supervisor to approve the settlement terms on behalf of the District. The Board named John to work with Richard on this matter.

d. State of Florida Card Purchasing Program Resolution

Richard brought a resolution for the Board’s consideration for the State of Florida Card Purchasing Program that was adopted into the revised policy and procedures at the June 19, 2023 meeting. He reviewed the terms of resolution for the Board. The Board adopted the resolution.

e. Contracts – Canal and perimeter road cleaning; roadway trimming; culvert cleaning

Jim asked the Supervisors to approve Gerald’s Tree Service to clean the canals and perform the normal maintenance and additional work for \$67,000. John suggested that the Board authorize an amount not to exceed the current contract of \$66,400 and then if there are additional costs to complete the work, that it be brought back to the Board to approve. Jim elaborated on his discussions with Gerald Tree Service and the discussed expanded scope of work. Richard recommended that the contract is amended with the expanded scope of services as described by Jim. The Board authorized Richard and Ron to work together to amend the current contract with the expanded scope of services.

e. Hurricane Ian – Damage issues/resolution/repairs/FEMA/Payments for repairs

No additional comments

f. 2023/2024 Budget Discussion

Richard suggested to the Board that a Budget Workshop is scheduled to allow for detailed budget discussions by the Board. A proposed draft budget based on those discussions will be brought to the Board for approval at the August meeting. The Board agreed. Audrey will make the arrangements for the workshop with Richard.

g. Culvert Cleaning – Vacuum Dig

Audrey reviewed the services of Vacuum Dig. Jim mentioned that discussions were conducted with two other vendors who were more costly. The project will start tentatively on 07/24/2023. Audrey elaborated that at the end of each workday, she would be contacted and advised of the progress made. She would then inspect the work performed. If the work is not satisfactory, the services will be terminated at no additional cost to the District.

John and Ron asked some questions about the terms of the contract and wanted confirmation that the company staff inspected the District in person and fully understood the needs of the District.

Motions approved by Board noted Business Agenda Items (Agenda Items Requiring Action):

- John made the motion to adopt the Board Resolution pertaining to the District’s participation in the 2022 Lee County Emergency Management Mitigation Plan. Jim seconded the motion. Motion passed 3-0.
- Approve the June 19, 2023 Monthly Meeting Minutes: John made the motion to approve the June 19, 2023 monthly meeting minutes. Jennifer seconded the motion. Motion passed 3-0.
- Approve the July 2023 bills presented at the meeting: John made the motion to approve the July 2023 bills and preliminary financial reports presented at the meeting. Jennifer seconded the motion. Motion passed 3-0.
- **Gallagher Settlement Agreement** - Jim made the motion to permit John to direct and collaborate with Richard to reach a mutually acceptable settlement agreement with Brad Gallagher and further authorize John to approve said final settlement agreement terms on behalf of the District. Jennifer seconded the motion. Motion passed 3-0.
- **State of Florida Card Purchasing Program Resolution** – John made the motion to adopt the resolution for the State of Florida card purchasing program and the described uses as they conform to the policy and procedures. Jennifer seconded the motion. Motion passed 3-0.
- **Contracts – Canal and perimeter road cleaning; roadway trimming; culvert cleaning**
John made the motion to authorize Gerald’s Tree Service to perform the services for the canal cleaning and trimming not to exceed the current contractual amount of \$66,400 and authorize Richard and Ron to work out the details for an amended contract to include the expanded scope of services discussed. Jennifer seconded the motion. Motion passed 3-0.
- **2023/2024 Budget Discussion**
Jim made the motion to hold a budget workshop which Audrey will coordinate with Richard for a day and time to discuss the next fiscal year’s budget. John seconded the motion. Motion passed 3-0.
- **Culvert cleaning – Vacuum Dig**
John made the motion to hire Vacuum Dig to clean the culverts provided the contract allows for immediate termination of the services with no additional fee if the work does not meet the standards of the District. Jennifer seconded the motion. Motion passed 3-0.

11. Public Input (3-minute limit)

David Nadig wanted confirmation that the culvert cleaning would not damage his driveway surface. Jim responded that it would not.

12. Supervisor Comments

None

13. Adjournment: Jim made the motion to adjourn the monthly meeting. John seconded the motion. Motion passed 3-0. Meeting adjourned at 8:04 pm.

**SAN CARLOS ESTATES WATER CONTROL DISTRICT
PRELIMINARY SUMMARY STATEMENT OF ACTIVITIES
For the Ten Months Ended July 31, 2023 (Unaudited)**

Revenues	Original Budget	Actual Amount	Variance (\$)	%
Fund Balance Carry Forward as of 10/01/2022	\$ 1,037,679			
Bank Interest	\$ 15,000	\$ 31,271	\$ 16,271	208%
CIP PH 1 LCTC Other Income	\$ 400	\$ 1,160	\$ 760	290%
CIP PH 1 Payoff Receipts	\$ 5,967	\$ -	\$ (5,967)	0%
CIP PH 1 Tax Revenue	\$ 562,325	\$ 562,032	\$ (293)	100%
General Maintenance LCTC Other Income	\$ 1,100	\$ 2,263	\$ 1,163	206%
General Maintenance Tax Revenue	\$ 595,652	\$ 594,401	\$ (1,251)	100%
Other Income	\$ 23,750	\$ 23,810	\$ 60	100%
Other Income - CIP PH 1 Bank refund	\$ -	\$ 1,800	\$ 1,800	N/A
Use and Connection Permit Fee	\$ 9,000	\$ 7,550	\$ (1,450)	84%
Total Revenues	\$ 1,213,194	\$ 1,224,287	\$ 11,093	101%

Total Revenues and cash carry forward¹²³ \$ 2,250,873

Expenditures				
Administration	\$ 79,308	\$ 53,013	\$ (26,295)	67%
Auditor	\$ 13,500	\$ 13,500	\$ -	100%
Bank Fees	\$ 3,000	\$ 2,695	\$ (305)	90%
CIP PH 1 Lee County Tax Collector Commissions	\$ 1,123	\$ 1,115	\$ (8)	99%
CIP PH 1 Lee County Tax Collector Discounts	\$ 16,870	\$ 18,801	\$ 1,931	111%
CIP PH 1 Loan Interest	\$ 36,445	\$ 18,556	\$ (17,889)	51%
CIP PH 1 Loan Principal Paydown	\$ 517,140	\$ 218,236	\$ (298,904)	42%
Drainage	\$ 134,800	\$ 4,715	\$ (130,085)	3%
Drainage attributable to Hurricane Ian	\$ -	\$ 163,905	\$ 163,905	N/A
Engineer	\$ 88,000	\$ 69,319	\$ (18,681)	79%
Engineer attributable to Hurricane Ian	\$ -	\$ 23,204	\$ 23,204	N/A
Gate	\$ 2,000	\$ 595	\$ (1,405)	30%
Gate attributable to Hurricane Ian	\$ -	\$ 11,175	\$ 11,175	N/A
General Maintenance Lee County Tax Collector Commissions	\$ 5,957	\$ 5,766	\$ (191)	97%
General Maintenance Tax Collector Discounts	\$ 17,870	\$ 19,985	\$ 2,115	112%
Insurance (FMIT)	\$ 16,000	\$ 12,769	\$ (3,231)	80%
Lee County Property Appraiser	\$ 5,800	\$ 5,957	\$ 157	103%
Lee County Property Appraiser CIP PH I	\$ -	\$ 769	\$ 769	N/A
Legal	\$ 44,000	\$ 15,843	\$ (28,157)	36%
Legal Attributable to Hurricane Ian	\$ -	\$ 2,250	\$ 2,250	N/A
Miscellaneous	\$ 11,000	\$ 17,226	\$ 6,226	157%
Miscellaneous Attributable to Hurricane Ian	\$ -	\$ 385	\$ 385	N/A
Roads	\$ 55,000	\$ 625	\$ (54,375)	1%
Roads attributable to Hurricane Ian	\$ -	\$ 12,031	\$ 12,031	N/A
Swale Mowing	\$ 125,400	\$ 98,325	\$ (27,075)	78%
Total Expenditures	\$ 1,173,213	\$ 790,759	\$ (382,454)	67%

Revenues over(under) expenditures \$ 39,981 \$ 433,528 \$ 393,547

Fund Balance/Cash Carry Forward¹²³ \$ 1,077,660

Total Expenditures and reserves¹²³ \$ 2,250,873

*1 - Assigned Funds: \$45,000 Short-Term Emergency Funds \$ 85,000

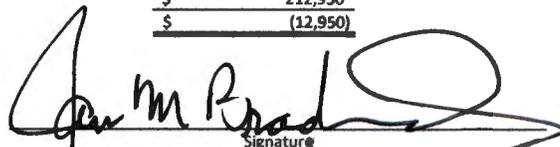
*2 - Assigned Funds: \$90,000 Operating Funds for Post-year-end Expenses \$ 90,000

*3 - Balance Unassigned Funds \$ 902,660

	JULY	JUNE
Cash Balances		
Bank of America - General Maintenance	\$ 175,617	\$ 189,572
Bank of America - CIP PH I	\$ 316,155	\$ 300,515
	\$ 491,772	\$ 490,087
Investments		
Northern Trust Bank	\$ 16,171	\$ 16,164
Florida Prime	\$ 963,263	\$ 958,871
	\$ 979,434	\$ 975,035
Total Cash and Investments	\$ 1,471,206	\$ 1,465,123
Hurricane Ian Funding From Reserves	\$ 200,000	
Hurricane Ian Expenditures	\$ 212,950	
Net Total	\$ (12,950)	

Submitted for approval on August 21, 2023

Approved by:


Signature