



**QUARRY  
COMMUNITY DEVELOPMENT  
DISTRICT**

**COLLIER COUNTY  
SPECIAL BOARD MEETING  
APRIL 1, 2019  
11:00 A.M.**

Special District Services, Inc.  
27499 Riverview Center Boulevard, #253  
Bonita Springs, FL 33134

[www.quarrycdd.org](http://www.quarrycdd.org)  
561.630.4922 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**QUARRY COMMUNITY DEVELOPMENT DISTRICT**  
The Quarry Beach Club  
8975 Kayak Drive  
Naples, Florida 34120  
**SPECIAL BOARD MEETING**  
April 1, 2019  
11:00 a.m.

- A. Call to Order
- B. Pledge of Allegiance
- C. Proof of Publication.....Page 1
- D. Establish Quorum
- E. Additions or Deletions to Agenda
- F. Comments from the Public for Items Not on the Agenda
- G. Approval of Minutes
  - 1. March 19, 2019 Regular Board Meeting Minutes.....Page 2
- H. Old Business
  - 1. Status of Contractor Negotiations
  - 2. Discussion on Construction Oversight Contracts
- I. New Business
  - 1. Review Phase 2 & 3 Cost Estimates
  - 2. Update on Financing and Assessments
  - 3. Discussion Regarding Creation of Committees
    - a. Presentation on State Laws Impacting District Committee Meetings
  - 4. Discussion Regarding Revising the Regular Board Meeting Schedule for Fiscal Year 2018/2019 and Setting Committee Workshop Schedule
  - 5. Discussion of RFQ for Full-Service CDD Management Company
  - 6. Consider Resolution No. 2019-01 – Authorizing the Chair and District Manager to Authorize Certain Expenditures.....Page 8
- J. Administrative Matters
- K. Board Members Comments
  - 1. Report on Heritage Bay Umbrella Association Meeting – G. Cingle
  - 2. Discussion on Letter to Homeowners – G. Cingle
  - 3. Long Range Strategic Planning – T. Cantwell
- L. Adjourn

**Naples Daily News**

March 25, 2019

Miscellaneous Notices

**NOTICE OF SPECIAL BOARD OF SUPERVISORS' MEETING  
OF THE QUARRY COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Quarry Community Development District will hold a Special Meeting of the Board of Supervisors on April 1, 2019, at 11:00 a.m. at The Quarry Beach Club located at 8975 Kayak Drive, Naples, Florida 34120.

The purpose of the Special Meeting is for the Board to consider any business which may properly come before the Board. The meeting is open to the public and will be conducted in accordance with provisions of Florida law. The meeting may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for this meeting may be obtained from the District's website or from the District Manager, Special District Services, Inc., 27499 Riverview Center Blvd., #253, Bonita Springs, Florida 34134. There may be occasions when staff or other individuals may participate by speaker telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact District Office at 239-444-5790, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, who can aid you in contacting the District Office.

A person who decides to appeal any decision made by the Board or the Committee with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Meetings may be cancelled from time to time without advertised notice.

Kathleen Dailey  
District Manager

**QUARRY COMMUNITY DEVELOPMENT DISTRICT**

[www.quarrycdd.org](http://www.quarrycdd.org)

March 25, 2019 No.2253997

**QUARRY COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
MARCH 19, 2019**

**A. CALL TO ORDER**

The March 19, 2019, Continued Regular Board Meeting of the Quarry Community Development District was called to order at 11:05 a.m. at the Quarry Beach Club located at 8975 Kayak Drive, Naples, Florida 34120.

**B. PROOF OF PUBLICATION**

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Naples Daily News* on October 5, 2018, as legally required.

**C. ESTABLISH A QUORUM**

It was determined that the attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting:

Chair	George Cingle	Present
Vice Chair	Stanley T. Omland	Present
Supervisor	Timothy B. Cantwell	Present
Supervisor	William G. Flister	Present
Supervisor	Vacant	

Staff members in attendance were:

District Manager	Michael McElligott	Special District Services, Inc.
District Counsel	Wes Haber (via telephone)	Hopping Green & Sams
District Engineer	Josh Evans	JR Evans Engineering

Also in attendance were Quality VP Lewis Gaudio and residents Lloyd Schliep, Jim Kinsler, Rodney Whisman, Brian Kearns, Pam Roorock, David Murch, D. Isaacman, Frank Anthony, John Cynkar, Gerard Bener, Norma Goldman, Beth Summer, Susan Pieples, Moe & Michele Matrone, Al Giallorenzi, Jerry & Debby Smith, Marcia & Tony Pandkiris, Jerry Svette, David Young, Rynold Goldber, Jeremy Robinson, Jody Tatro, Phil Reavis, Cathy Jones and Laura Severance.

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

Mr. Cingle asked to add “Nomination to the Vacant Board Seat” and a “Discussion Regarding the Construction Manager and Quality Manager Contracts”, both under New Business. There were no objections.

**G. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

Mr. Jerry Smith asked if there could be an update to the FEMA reimbursement process. Josh Evans said he would add that to his discussion later in the meeting.

## **F. APPROVAL OF MINUTES**

### **1. February 19, 2019, Regular Board Meeting**

The February 19, 2019, Regular Board Meeting minutes were presented for approval.

A **motion** was made by Mr. Omland, seconded by Mr. Cantwell and passed unanimously approving the February 19, 2019, Regular Board Meeting minutes, as presented.

### **2. March 6, 2019, Continued Board Meeting**

The March 6, 2019, Continued Board Meeting minutes were presented for approval.

Mr. Omland noted that his middle initial was incorrect under item “E.” and asked it to be changed from R to T. Mr. Cingle noted that under item I.1., “November 30, 2019” should be “November 1, 2019”. Mr. Cingle also pointed out that there was language at the beginning of item I.2. Referencing a construction manager that did not occur. Mr. McElligott said he would update that to only reference the Quality Assurance manager as that was the item being discussed.

A **motion** was made by Mr. Omland, seconded by Mr. Cantwell and passed unanimously approving the March 6, 2019, Continued Board Meeting minutes, as amended.

## **H. OLD BUSINESS**

### **1. Discussion and Ranking of Irma Repair Restoration Phase II Proposals**

Mr. Cingle explained that since the last meeting Dragonfly had sent an email to the District requesting that their proposal be withdrawn. This led to a discussion among the Board where it was pointed out that Dragonfly was most likely not going to be selected anyways for several reasons. A **motion** was made by Mr. Omland, with a second by Mr. Cingle to grant Dragonfly’s request to withdraw their proposal. That **motion** carried 4-0.

This left the Board with only one proposal to discuss, the Quality proposal. A lengthy discussion ensued among the Board where different aspects of Quality’s proposal were examined and examples of other jobs Quality had done in the area were referenced to demonstrate their exemplary work. There were also several questions asked by residents in the audience that were answered by either the Board or District staff. A question was then asked from the Board to the district attorney, Mr. Haber, if that since we were down to just one proposal, was it acceptable to negotiate specific aspects of the proposal with Quality. Specifically, the original RFP asked for a lump sum price which inherently requires a bidder to gross up the estimated amount of materials need in case of unforeseen issues. The Board asked that since there is only one proposal they are considering, can they ask Quality to change their proposal to a unit price proposal. However the Board wanted to maintain the right to still accept the proposal as presented should Quality not agree to negotiate any of their proposal terms. Mr. Haber explained that the Board has the right to approve the Quality proposals subject to conditions and that the negotiation of terms as explained by the Board could be a condition. Mr. Haber also reminded the Board that it is recommended the condition of financing should also be a condition if the Board accepted the Quality proposal.

After some more discussion, a **motion** was made by Mr. Cantwell, seconded by Mr. Cingle to accept the proposal by Quality with the following 2 conditions: First, acceptance is conditional on the District obtaining the necessary financing to pay for the project. Second, acceptance is conditional on the willingness of Quality to negotiate change in their proposal from a lump sum price to a per unit price, with the understanding that the Board has the right to still accept the original proposal should Quality decide they do not wish to negotiate any changes in their original proposal. That **motion** passed 4-0.

The Board then briefly discussed whom should represent the Board at during negotiations with Quality over terms. In addition to district staff, a **motion** was made by Mr. Cantwell, with a second by Mr. Cingle to nominate Mr. Flister to be the Board member present during these negotiation. That **motion** passed 4-0.

It was noted that Mr. Lewis Gaudio, Vice President of Quality was in attendance in the audience at the meeting. Mr. Cingle asked Mr. Gaudio if he understood what the Board was asking for and Mr. Gaudio said he did.

## **I. NEW BUSINESS**

### **1. Discussion Regarding Financing for Phase II**

This discussion began with the Board asking a question to staff with regards to financing timing. Mr. Haber explained that there are several steps the district has to follow. Some of the initial steps, such as the board approving a preliminary financing proposal and corresponding preliminary assessment methodology are dependent on knowing the total amount of construction funds needed. Once that number is known, the Board may be able to approve the preliminary items at the following Board meeting. Once the preliminary assessment methodology is approved by the Board, a public hearing will be scheduled no less than 30 days after sending mailed notices to all the landowners being assessed. From there it is a matter of all financing documents being prepared, reviewed, and approved by the various professionals involved. Typically, the quickest this could happen is 2-3 months from the time the initial proposals are accepted by the Board and the public hearing is set.

With a summary time table explained, the discussion turned to the actual amount needing to be financed. Mr. Cingle explained that he believed it would be best to include not only the Phase II project cost and soft cost associated with the Construction Manager and Quality Manger and testing, but to also include the estimated cost for needed repairs of Phase I (also referred to as Phase III). There was discussion among the Board and professionals and it was agreed that it would be best to roll the Phase III cost into this financing rather than risk needing a third financing and incurring more transactional cost. Staff explained that should negotiations with the parties involved in the Phase I project result in the District not needing to fully fund Phase III, any unused construction funds would be used to pay down the principal and reduce the assessments. The Board agreed it would be in the best interest of the District to include Phase III estimated cost in this current financing as long as it did not delay the process. Also during this discussion Mr. Cingle and Mr. Haber noted that while they are still finalizing the contracts for the Construction Monitor and Quality Manager, that that original estimates were probably a little low and we will need to get new numbers to Mr. Bennett. Mr. Cingle indicated that he was working with Mr. Evans to finalize a figure for all construction funds needed to be able to supply to Mr. Bennett.

At this point Mr. Evans also updated the Board on the FEMA reimbursement status. Mr. Evans handed out an updated checklist to show where in the process the District is on obtaining its'

obligation. Mr. Omland asked that if future version of this checklist, could Mr. Evans list the date items occurred.

At this point Mr. Cingle relayed some information he had received regarding another neighboring CDD and the possibility of not receiving the expected FEMA funding. Mr. Cingle asked staff the possibility of FEMA not reimbursing the District at all. Mr. Evans explained that once FEMA issues an obligation for funding, those funds have to go to the State of Florida and the State has to release those funds to the District. Mr. Evans said that while he has not experienced issues with funding once FEMA had approved and obligated the funds, he could not guarantee 100% that the State would fund. Mr. McElligott with SDS stated that in the various districts SDS manages that have had FEMA reimbursements approved and obligated, that he has never see the State hold up the funding.

## **2. Update from Mr. Omland Regarding Phase I Defects**

Mr. Omland explained that there had been some scheduling conflicts so there was not much to report today to the Board. However, Mr. Omland did have a meeting scheduled for later today so there should be more to report at the next meeting. Mr. Omland did ask if it was necessary for the Board to take formal action as it relates to the intent of the Board to correct the Phase I defects. He explained that while there had been numerous discussion he did not remember a formal action and he had been questioned about it by some residents. Mr. Haber explained that it was not necessary to make a motion to show the intent of the Board to work towards repairing Phase I defects. The minutes of past meetings show the Boards intent. Also, should there be found to be any technical or financial reason the Board is prevented from fully correcting all Phase I defects, a motion stating the District would do so could create legal issues. A discussion followed and the Board as a whole agreed that not motion was needed, that the minutes of this meeting and past meetings completely show that the intent of the Board to make every reasonable attempt to correct all defects in the Phase I project.

## **3. Update Regarding Status of Acquiring a Construction Litigation Firm**

Mr. Omland explained that he received information reading 3 different law firms from Mr. Haber. After some research, Mr. Omland recommended the firm of Grant Fridkin Pearson, P.A. Mr. Omland indicted the attorney at that firm he would deal with is Michael Traficante. Mr. Omland explained that he had an engagement letter from Mr. Traficante that requires a \$2,500.00 security deposit. Once the engagement letter was signed and the deposit paid, Mr. Omland would be able to consult with Mr. Traficante as needed.

After a brief discussion, a **motion** was made by Mr. Cantwell, seconded by Mr. Flister, to retain Grant Fridkin Pearson, P.A for construction litigation representation and authorize the signing of the engagement letter and pay the \$2,500.00 deposit. That **motion** carried 4-0.

## **4. Discussion Regarding Designating Specific Committees**

Mr. Cingle explained that the Board intends to create the 3 following committees: Finance Committee, Engineering and Maintenance Committee, and Strategic Planning Committee. Mr. Cingle informed the audience that the Board will be looking for volunteers, so anyone interested please attend the next meeting where those committee members will be sat. Mr. Cingle also

indicated that he would get with the HOA to send out a mass email to the community asking for volunteers for these committees and asking that they attend the next meeting.

#### **5. Discussion Regarding Revising the Regular Board meeting Schedule for Fiscal Year 2018/2019 and Setting committee Workshop Schedule**

The Board has decided that do to the multitude of issues and the time sensitive decisions needing action, that for at least the remainder of this fiscal year and most likely further, there needs to be a Board meeting scheduled twice a month. Mr. Cingle indicated that the first meeting each month would be for the committees to report to the Board, with the second meeting being just a standard Board meeting. After comparing personal schedules, it was determined that going forward the District will have scheduled meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month, at 11:00am, in the current Beach Club room. This new schedule will go into effect starting with the month of May. The Board also decided to add a special meeting on April 1<sup>st</sup>, at 11:00am at the current location. Also, a representative from the golf course in the audience asked if it was possible to move up the time of the meeting of the April 16<sup>th</sup> meeting from 11:00am to 9:00am due to a golf tournament honoring our Veterans. The Board agreed to make the change.

A **motion** was made by Mr. Omland, with a second from Mr. Cantwell, to change the district meeting schedule to the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month, at 11:00am, and the Beach Club, commencing with the month of May 2019, to also add a Special Board meeting for April 1, 2019, at 11:00am at the Beach Club, to change the meeting time of the April 16, 2019 Board meeting from 11:00am to 9:00am, and to authorize SDS to run all the necessary advertisements for these meeting. That **motion** passed 4-0.

#### **6. Consider Appointment to Fill Vacant Board Seat**

Mr. Cingle nominated Lloyd Schliep to fill the remaining vacant Board seat. Mr. Schliep is in the audience and introduced himself. Mr. Haber was asked by the Board to briefly explain the qualifications and responsibilities for being a Board member, which he did.

A **motion** was then made by Mr. Cantwell, with a second from Cingle to appoint Mr. Schliep to the Quarry CDD Board. That **motion** carried 4-0.

Mr. McElligott welcomed Mr. Schliep to the Board and explained that since we did not have a Notary Public present to swear him in, that Mr. Schliep could be present but not vote on any items until the next Board meeting after he is sworn in.

The Board had a discussion regarding Mr. Schliep's qualifications and experience and determined he would be a good Board representative to work with Mr. Evans to be more intimately informed and involved in the FEMA reimbursement process. Mr. Schliep had no objection.

A **motion** was made by Mr. Omland, with a second by Mr. Cantwell to appoint Mr. Schliep as the Board representative in FEMA matters. That **motion** carried 4-0.

#### **7. Status Update on Construction Monitoring and Quality Monitoring and Testing Contracts.**

Mr. Cingle explained that this item was already somewhat covered in discussions earlier in the meeting. Mr. Cingle explained that he and Mr. Haber are still working to get the contracts finalized.



Mr. Cingle also informed the Board that a better estimate for these 2 contacts and any contingency related to them would be \$500,000.00. This amount will be included as part of the construction funds needed in the current financing along with the cost of Phase II and Phase III.

## **J. ADMINISTRATIVE MATTERS**

### **1. Financial Report**

Mr. McElligott went over the Financial Report in the meeting book. No action was required.

## **K. BOARD MEMBER COMMENTS**

Mr. Cantwell asked if Velocity was included in the negotiating meetings with the other Phase I entities? Mr. Omland answered that yes, Velocity is.

Mr. Flister brought up the need to make sure the contractor for Phase II, and possibly Phase III is aware of various issues specific to Quarry, such as drainage pipe locations, docks, etc. Mr. McElligott and Mr. Evans indicated that those are the type of items that will be brought to the contractor attention in a preconstruction meeting once the contract is finalized and work is getting ready to start.

There was a request from Mr. Cantwell and echoed by Mr. Flister to send the Board members copies of the current maintenance agreement the CDD has with the HOA. Me. McElligott said he would send that to the Board via email. .

Mr. Omland commented that he was surprised that the CDD meetings did not start with a pledge to the flag and asked if we could start that practice at the next meeting. Mr. McElligott stated that since there was a flag present in the meeting room, he would add the pledge to the agenda starting with the next meeting.

## **L. ADJOURNMENT**

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 1:08 p.m. on a **motion** made by Mr. Cingle, seconded by Mr. Omland and passed unanimously.

---

Secretary/Assistant Secretary

---

Chair/Vice-Chair

## **RESOLUTION 2019-01**

### **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE QUARRY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE DISBURSEMENT OF FUNDS FOR PAYMENT OF CERTAIN NON-CONTINUING EXPENSES WITHOUT PRIOR APPROVAL OF THE BOARD OF SUPERVISORS; PROVIDING FOR A MONETARY THRESHOLD; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, The Quarry Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes (the "Act"); and

**WHEREAS**, the Act authorizes the District to adopt resolutions which may be necessary for the conduct of District business; and

**WHEREAS**, the Board of Supervisors of the District (the "Board") typically meets monthly to conduct the business of the District, including authorizing the payment of District operating and maintenance expenses; and

**WHEREAS**, to conduct the business of the District in an efficient manner, non-recurring expenses, which are expenses for which the District does not have an existing agreement, and other disbursements for goods and services must be processed and paid in a timely manner; and

**WHEREAS**, between scheduled meetings, it may be necessary to timely approval of disbursements and payment of expenses; and

**WHEREAS**, the Board determines this Resolution is in the best interest of the District and is necessary for the efficient conduct of District business; the health, safety, and welfare of the residents within the District; and the preservation of District assets or facilities.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE QUARRY COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The Board hereby authorizes the disbursement of funds for payment of invoices of non-continuing expenses which are 1) required to provide for the health, safety, and welfare of the residents within the District; or 2) required to repair, control, or maintain a District facility or asset beyond the normal, usual, or customary maintenance required for such facility or assets, pursuant to the following schedule:

1. Non-Continuing Expenses that are less than \$5,000 - with approval of the District Manager and Chairman of the Board of Supervisors.

**SECTION 2.** Any payment made pursuant to this Resolution shall be submitted to the Board of Supervisors at the next scheduled meeting for approval and ratification.

**SECTION 3.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of April, 2019.

Attest:

**THE QUARRY COMMUNITY  
DEVELOPMENT DISTRICT**

---

Secretary/Assistant Secretary

---

Chairperson, Board of Supervisors