



**QUARRY
COMMUNITY DEVELOPMENT
DISTRICT**

**COLLIER COUNTY
REGULAR BOARD MEETING
JUNE 17, 2019
1:00 P.M.**

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

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
REGULAR BOARD MEETING
June 17, 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. May 22, 2019 Regular Board Meeting Minutes.....Page 2
- H. Presentation – CDD 101.....Page 10
- I. Old Business
 - 1. Status of Contractor Negotiations for Phase 1 Repairs
 - 2. Introduction of Engineer of Record and Update on Repairs to Fieldstone Drainage & Spinner Cove Seawall
 - 3. Update on Lake Maintenance Transition from QCA and Weed Harvester Disposition
- J. New Business
 - 1. Discussion on Preserve Issues
 - a. Ratification of Sign Purchase & Installation.....Page 11
 - b. Discussion on Sheriff’s Enforcement of Trespassing and Consider Approval of Resolution No. 2019-09 – Adopting a Policy Regarding Certain Activities on District Lakes; Providing Trespass Enforcement Authority.....Page 13
 - 2. Consider Approval of Not-To-Exceed Service Letter with JR Evans Engineering.....Page 17
- K. Administrative Matters
 - 1. Engineer Report
 - 2. Legal Report
 - a. Consideration of District Manager Transition Timing
 - b. Consider Approval of Variance Agreement for Shoreline Project Repairs.....Page 19
 - c. Discussion on Work Within CDD Easements.....Page 20
 - 3. Manager Report
 - a. Financials.....Page 21
- L. Board Members Comments
 - 1. FEMA Update – Tim Cantwell
- M. Adjourn

Naples Daily News

NaplesNews.com

Published Daily
Naples, FL 34110

Affidavit of Publication

State of Florida
Counties of Collier and Lee

Before the undersigned they serve as the authority, personally appeared Natalie Zollar who on oath says that she serves as **Inside Sales Manager** of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Customer	Ad Number	Copyline	P.O.#
QUARRY COMMUNITY DEV DIST	2130148	QUARRY COMMUNITY DEV	

Pub Dates
October 5, 2018

Natalie Zollar

(Signature of affiant)

Sworn to and subscribed before me
This October 05, 2018

Karol E Kangas

(Signature of affiant)



**QUARRY COMMUNITY
DEVELOPMENT DISTRICT
FISCAL YEAR 2018/2019
REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Quarry Community Development District will hold Regular Meetings at 11:00 a.m. at The Quarry Beach Club located at 8975 Kayak Drive, Naples, Florida 34120, on the following dates:

**October 16, 2018
November 20, 2018
December 18, 2018
January 15, 2019
February 19, 2019
March 19, 2019
April 16, 2019
May 21, 2019
June 18, 2019
July 16, 2019
August 20, 2019
September 17, 2019**

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors will participate by telephone; therefore, a speaker telephone will be present at the location of these meetings so that Supervisors can attend the meetings and be fully informed of the discussions taking place either in person or by telephone. Meetings may be continued to a date, time, and place certain to be specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

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

**QUARRY COMMUNITY
DEVELOPMENT DISTRICT**

**www.quarrycdd.org
October 05, 2018 No.2130148**

**QUARRY COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING & REGULAR BOARD MEETING
MAY 22, 2019**

A. CALL TO ORDER

The May 22, 2019, Regular Board Meeting of the Quarry Community Development District was called to order at 11:00 a.m. at the Quarry Beach Club located at 8975 Kayak Drive, Naples, Florida 34120.

B. PLEDGE OF ALLEGIANCE

C. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Naples Daily News* on April 26, 2019, as legally required.

D. 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 (via phone)	Present
Supervisor	Timothy B. Cantwell	Present
Supervisor	William G. Flister	Present
Supervisor	Lloyd Schliep	Present

Staff members in attendance were:

District Manager	Kathleen Dailey	Special District Services, Inc.
District Counsel	Jere Earlywine	Hopping Green & Sams
District Engineer	Jeffrey Satfield	CPH Engineering

Also in attendance were Jeff Walker of Special District Services, Inc. (via phone); Bob Koncar & Justin Faircloth of Inframark; Josh Evans of Evans Engineering; Cheryl Ollila, QCA President; and the following residents: John Halbesma, Bill Hutzler, James Lecca, Thel Whitley, Gene Burget, Brian Kearns, Don Sandoli, Jim Kinsler, Steve Santoro, Kevin Mooney, Pete Bartolik, Steve & Barbara Williams, Henry Robinson, Laura Severance, Jim & Pat Arnaiz, Jody Tatro and Pam Toorock.

E. ADDITIONS OR DELETIONS TO THE AGENDA

Ms. Dailey requested that the budget be moved to after approval of the minutes. There was a consensus to make that change.

F. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

James Lecca asked about the level of the lakes. Laura Severance clarified that Heritage Bay does not control the water levels, as that is regional. Mr. Cantwell added that the Quarry District cannot dictate the water levels.

Mr. Cingle read a statement thanking Kathleen Dailey, Josh Evans, Wes Haber, the new Board Members, Lou Guadio, Paul Benvie and Jeffrey Satfield for all their efforts to complete the herculean task to get Phase 2 of the project underway. He also recognized the Isaacmans who are residents for their work and contribution to getting their portion of the project completed at their own cost.

G. APPROVAL OF MINUTES

1. April 16, 2019, Regular Board Meeting

The April 16, 2019, Regular Board Meeting minutes were presented for approval.

A **motion** was made by Mr. Cantwell, seconded by Mr. Flister and passed unanimously approving the April 16, 2019, Regular Board Meeting minutes, as presented.

The Regular Board Meeting was then recessed and the Public Hearing was opened.

H. PUBLIC HEARING

1. Proof of Publication

Proof of publication was presented that notice of the Public Hearing had been published in the *Naples Daily News* on May 1, 2019, and May 8, 2019, as legally required.

2. Receive Public Comment on Intent to Levy Non-Ad Valorem Assessments

Mr. Earlywine went over the process and announced that the closing would take place on May 29th. Mr. Evans addressed the Engineer's Report and gave the opinion that the project was feasible and priced to market conditions. Mr. Walker went over the assessment report and stated the assessment provides sufficient benefit and is fairly and reasonable allocated. There was general discussion regarding lot size, assessments and bond language.

3. Consider Adjusting and Equalizing Non-Ad Valorem Special Assessments Based on Comments from the Public

This item was not applicable.

4. Consider Approval of the Project and the Levy of Special Assessments

Mr. Earlywine explained that approval of the resolution approves the project, the levy of assessments and also adopts the Engineering Report as an exhibit.

5. Consider Resolution No. 2019-05 (1) Levying Special Assessments; and (2) Adoption of Final Assessment

Resolution No. 2019-05 was presented, entitled:

**RESOLUTION 2019-05
SPECIAL ASSESSMENT BONDS, SERIES 2019,
SHORELINE RESTORATION PROJECT**

A RESOLUTION AUTHORIZING DISTRICT PROJECTS FOR ACQUISITION AND/OR CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITTED BY SUCH PROJECTS TO PAY THE COST THEREOF; SETTING FORTH THE SPECIFIC TERMS OF THE DISTRICT'S \$3,508,296 SPECIAL ASSESSMENT BONDS, SERIES 2019 (SHORELINE RESTORATION PROJECT); PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190, AND 197, FLORIDA STATUTES; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO GOVERNMENTAL BODIES; PROVIDING FOR SUPPLEMENTATION OF THE IMPROVEMENT LIEN BOOK; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

A motion was made by Mr. Flister, seconded by Mr. Cantwell and passed unanimously to adopt Resolution No. 2019-05, as presented.

The Public Hearing was then closed and the Regular Board Meeting was reconvened.

I. OLD BUSINESS

1. Status of Contractor Negotiations for Phase 1 Repairs

This item was covered under the budget discussions.

J. NEW BUSINESS

1. Consider RFPs for District Management Services

Mr. Cingle advised that one proposal had been received from Inframark, a full-service management company, for the maintenance and operations of the CDD. He added that Inframark was the manager of Heritage Bay and opined that hiring them would provide an integrated approach to managing all three lakes in the two developments. He hoped this would eventually save the District money.

A motion was made by Mr. Schliep, seconded by Mr. Flister and passed unanimously for legal counsel to begin negotiations for an agreement with Inframark.

2. Consider Resolution No. 2019-06 – Resetting the Public Hearing on the Rules of Procedure

Resolution No. 2019-06 was presented, entitled:

RESOLUTION 2019-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE QUARRY COMMUNITY DEVELOPMENT DISTRICT RESCINDING RESOLUTION 2019-04 IN ITS ENTIRETY; DESIGNATING A DATE, TIME AND PLACE OF PUBLIC HEARING AND AUTHORIZING THE PUBLICATION OF A NOTICE OF SUCH HEARING FOR THE PURPOSE OF ADOPTING RULES OF PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Cantwell, seconded by Mr. Flister and passed unanimously approving Resolution No. 2019-06, setting the Public Hearing for August 19, 2019.

3. Consider Approval/Ratification of Form of District Engineer Agreement with CPH

Mr. Cingle stated that CPH had provided a rate sheet and it was up to the District to manage the budget based off the hourly rates.

A **motion** was made by Mr. Schliep, seconded by Mr. Flister and passed unanimously approving/ratifying the form of District Engineer Agreement with CPH.

4. Consider Work Authorization #1 for CPH for Phase 2 Construction Inspection Services

A **motion** was made by Mr. Cantwell, seconded by Mr. Schliep and passed unanimously approving Work Authorization #1 for CPH in the amount of \$110,000 for Phase 2 Construction Inspection Services.

5. Consider Approval/Ratification of Form of Quality Assurance Management Services Agreement with ECS

A **motion** was made by Mr. Cantwell, seconded by Mr. Flister and passed unanimously approving/ratifying the form of Quality Assurance Management Services Agreement with ECS in the amount of \$49,580.75.

6. Consider Approval/Ratification of Form of Phase 2 Construction Contract with Quality Enterprises

A **motion** was made by Mr. Flister, seconded by Mr. Cantwell and passed unanimously approving/ratifying the form of Phase 2 Construction Contract with Quality Enterprises in the amount of \$1,941,921.

7. Consider Resolution No. 2019-07 – Authorizing the Sale of Series 2019 Bonds

Resolution No. 2019-07 was presented, entitled:

RESOLUTION NO. 2019-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE QUARRY COMMUNITY DEVELOPMENT DISTRICT (THE “DISTRICT”) AUTHORIZING THE ISSUANCE OF \$3,508,296.00 IN AGGREGATE PRINCIPAL AMOUNT OF THE QUARRY COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, SERIES 2019 (SHORELINE RESTORATION PROJECT) (THE “BONDS”), TO PAY ALL OR A PORTION OF THE DESIGN AND CONSTRUCTION COSTS OF CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS RELATING TO THE EROSION OF CERTAIN LAKE BANKS WITHIN THE DISTRICT CAUSED BY HURRICANE IRMA AND INCIDENTAL COSTS RELATING THERETO (THE “SHORELINE RESTORATION PROJECT”), PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AS AMENDED; APPOINTING HANCOCK WHITNEY BANK TO SERVE AS TRUSTEE; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE RELATING TO THE BONDS IN SUBSTANTIALLY THE FORM ATTACHED HERETO; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PLACEMENT AGREEMENT; AUTHORIZING THE PRIVATE PLACEMENT OF THE BONDS TO HANCOCK WHITNEY BANK, PURSUANT TO THE CONDITIONS SET FORTH HEREIN AND IN THE BOND PLACEMENT AGREEMENT; PROVIDING THAT SUCH BONDS SHALL NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE DISTRICT (EXCEPT AS OTHERWISE PROVIDED HEREIN), COLLIER COUNTY, FLORIDA, OR OF THE STATE OF FLORIDA OR OF ANY OTHER POLITICAL SUBDIVISION THEREOF, BUT SHALL BE PAYABLE SOLELY FROM THE PLEDGED REVENUES WHICH INCLUDE THE SPECIAL ASSESSMENTS TO BE ASSESSED AND LEVIED ON THE PROPERTY WITHIN THE DISTRICT BENEFITED BY THE PROJECT; DESIGNATING THE BONDS AS “QUALIFIED TAX-EXEMPT OBLIGATIONS” WITHIN THE MEANING OF SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING FOR OTHER RELATED MATTERS AND PROVIDING AN EFFECTIVE DATE.

Mr. Earlywine went over the bond sale resolution, which designates signatories, provides the trust indenture and approves all the associated documents.

A **motion** was made by Mr. Schliep, seconded by Mr. Cantwell and passed unanimously to adopt Resolution No. 2019-07.

8. Consider Resolution No. 2019-08 – Adopting a Fiscal Year 2019/2020 Proposed Budget

Resolution No. 2019-08 was presented, entitled:

RESOLUTION 2019-08

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF QUARRY COMMUNITY DEVELOPMENT
DISTRICT APPROVING PROPOSED BUDGETS FOR
FISCAL YEAR 2019/2020 AND SETTING A PUBLIC
HEARING THEREON PURSUANT TO FLORIDA LAW;
ADDRESSING TRANSMITTAL, POSTING AND
PUBLICATION REQUIREMENTS; ADDRESSING
SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE.**

Mr. Walker went over the new increases in line items, including lake maintenance, reserves, engineering, legal and for a full service management company. Mr. Cingle added that he had met with the QCA president and that it is the intention for maintenance to go back under the CDD. He added that there will be a decrease in the QCA fees for lake maintenance.

Mr. Omland indicated he felt a line item needed to be established for remedies to Phase 1 and the legal issues involved in that process. He had spoken to the attorney representing the District in this matter and felt that \$150,000 was a conservative estimate and may possibly be recoverable. He gave a status on the negotiations and noted that a pretrial mediation date had been tentatively set for August 12. There was general discussion on the expense and comments by the public on the need to address problems. It was consensus of the Board to add the \$150,000 line item to the budget for litigation.

A **motion** was made by Mr. Schliep, seconded by Mr. Cantwell and passed unanimously to adopt Resolution No. 2019-08, as amended, adding a line item in the amount of \$150,000 for litigation.

K. ADMINISTRATIVE MATTERS

1. Engineer's Report

a. FEMA Update

Mr. Evans stated that all documents requested had been submitted for final review. He noted that he was informed that there were questions from FEMA regarding the eligibility of the project to receive funding based on public access to the lake. He explained a letter was sent responding to the issue detailing that the Quarry lakes serve a regional function and convey water for multiple counties. He pointed out that the District has not received a denial letter, but if it does, it will have 90 days to appeal. Mr. Cantwell opined that FEMA was broke and is looking for ways to hold back funding. Mr. Earlywine stated they reached out to other CDDs in the state and found three in similar situations. Mr. Cingle clarified that FEMA may reject the District's application because of the hard gates at the entrances to the community, which only allow occupants and their guests into the development. Ms. Dailey stated she had given the Chairman the names and experience of several law firms that specialize in FEMA appeals.

After discussion, a **motion** was made by Mr. Schliep, seconded by Mr. Flister and passed unanimously authorizing Mr. Cantwell to work with staff on FEMA issues on behalf of the Board, to review the proposals from the law firms and to execute a contract not to exceed \$10,000, if a denial letter is received from FEMA.

2. Legal Report

a. Update Regarding Status of Negotiating Homeowner Demands – Tim Cantwell

Mr. Cantwell stated that three demand letters from residents were received last fall by the District. He explained that two had dissolved and that staff and the insurance company had responded appropriately. As it concerned disturbances to property, Mr. Cantwell stated that he has assured the homeowner that the District will do whatever is possible to mitigate disturbances during Phase 2 of the project.

3. Manager's Report

a. Financials

The financials were briefly reviewed.

b. Schedule

Ms. Dailey went over the upcoming meeting schedule, noting that June 17, 2019, was the next meeting date, followed by July 15 and August 19, when the budget public hearing would take place.

c. Supervisor Fees

Ms. Dailey requested clarification from each Supervisor whether or not they wanted to take the \$200 per meeting stipend. Messrs. Cingle, Omland and Flister turned down the stipend. Messrs. Cantwell and Schliep accepted the stipend. Ms. Dailey let them know that paperwork would need to be submitted prior to the stipend going into effect.

L. BOARD MEMBER COMMENTS

1. Discussion Regarding Staging and Access Plan – Lloyd Schliep

Mr. Schliep stated that the boat dock area would be used as the staging area for stone, as long as it is feasible. He further noted that they have the discretion to use the original site on the north side, but would give notice if that was necessary.

2. Discussion Regarding Boat Dock Renovation Plan – Lloyd Schliep

Mr. Schliep stated that this issue was ongoing and he was awaiting additional written information on the renovation plans to be turned over to the new engineer of record.

M. ADJOURNMENT

The Regular Board Meeting was adjourned at 1:25 p.m. on a **motion** made by Mr. Cingle, seconded by Mr. Flister and passed unanimously.

Secretary/Assistant Secretary

Chair/Vice-Chair

Quarry CDD “101”

What’s a CDD?

- Established under the Uniform Community Development Act of 1980 (Chapter 190, F.S.)
- Provides a mechanism to finance, construct and maintain high quality improvements and amenities
- Separate from, and NOT an arm of, the County, the City or the HOA

CDD vs. HOA

- Governmental entity
 - Sunshine Laws / Open Records / Sovereign Immunity
- Issues tax exempt bonds
- Revenue collection and enforcement
- Public Procurement
- Typically no architectural review
- ELECTED Board of Supervisors – each have 2 or 4 year terms

Powers of the CDD

- Allowed by F.S. 190:
 - Construct and maintain PUBLIC infrastructure
 - Issue short- and long-term bonds
 - Levy and collect non-ad valorem assessments for debt service
 - Levy and collect operating and maintenance assessments
 - Contract for services
- Not Allowed by F.S. 190
 - Regulate land use/zoning
 - Issue building permits
 - Issue development orders
 - Provide Police services
 - Enforce code compliance

What does my CDD do for me?

- The CDD financed certain community infrastructure with tax exempt bonds
 - Stormwater System
 - Wetlands Mitigation
- Infrastructure now owned & operated by the CDD
 - Stormwater Management System – pipes, control structures, lake banks, perimeter berms, dry detention areas, and lakes
 - Conservation Property and Easements

Let’s talk about the numbers

- Two Components – shows up on tax bill
 - Part 1 – Debt Service Assessments
 - Part 2 – Operations & Maintenance Assessments
 - Based on operating budget and approved at annual public hearing
 - Varies from year to year
- Special Assessments – shows up on tax bill
 - Annual assessments on platted lots placed on county property tax bill
 - Quarry has two current special assessments to cover IRMA repairs
 - HOA fees are separate

Date: 6/3/2019
Estimate # : 30034

Created By:
Jim Geiger
239-594-8494
jim@lykins-signtek.com



5935 Taylor Rd.
Naples FL. 34109

PHONE 239-594-8494
FAX 239-591-3940

Estimate/Contract

Prepared By Lykins Signtek, Inc. for : QUARRY CDD
Address: 9282 QUARRY DR NAPLES FL 34120

To: GEORGE CINGLE
From: Jim Geiger

Phone: 316-0598
Fax:

Quote Description: NO TRESPASSING SIGNS

Item Description	Quantity	@	Price
1) 063 alum, 12w x 18h, white background, red text to read NO TRESPASSING VIOLATORS WILL BE PROSECUTED QUARRY CDD Mounted on T-bar stakes. As per customer approved proof. Installed	30	\$73.50	\$2,205.00

Sub Total: \$2,205.00
Sales Tax: \$0.00
Total: \$2,205.00

****NOTE : 50% deposit required to start job
NO TAX, THEY ARE CDD**

Signs are custom produced to your specifications.

All orders of \$250.00 or less require pre-payment unless prior credit arrangements are in place.

I accept the above proposal and agree to pay for said work promptly upon completion of same.

Authorized Signature: George Cingle Date: 06/10/19

Deposit Amount: \$1,103.00 CHECK/CC # _____

Terms and Conditions:

Prices on this estimate are valid for 30 days.

A deposit of 60% is required for CBU's and 50% on other products with the balance due upon completion.

Signing of this document constitutes a legal and binding contract between parties named on this agreement.

Customer is responsible for landscape amenities within install area or as required for permitting

Lykins Signtek is NOT responsible for Irrigation or Private Underground Lines.

Goods sold remain the property of seller until paid in full.

Customer agrees to provide necessary information to obtain permit, electrical supply to sign or fixture location, and/or provide color and logo information where specified.

Customer is responsible for any cap rock, lime rock or unforeseen digging conditions

1.5 % Monthly Late Fee applied to all past due invoices

Warranties:

Workmanship: All signs or fixtures fabricated and installed by Lykins Signtek and its affiliates are warranted against defects in material and workmanship for one year, parts and labor.

RESOLUTION 2019-09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE QUARRY COMMUNITY DEVELOPMENT DISTRICT ADOPTING A POLICY REGARDING ACTIVITIES WITHIN DISTRICT PRESERVES; PROVIDING TRESPASS ENFORCEMENT AUTHORITY; AUTHORIZING THE ISSUANCE OF A LETTER REGARDING THE SAME; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Quarry Community Development District (“**District**”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purposes of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted improvement plan and Chapter 190, Florida Statutes; and

WHEREAS, the District owns and/or has responsibility for certain real property including but not limited to certain preserve areas (“**Preserves**”); and

WHEREAS, the District desires to adopt a formal policy (“**Policy**”) prohibiting activities within the Preserves; and

WHEREAS, the District desires to secure the assistance of the Collier County Sheriff’s Office or such other law enforcement agencies as may be available, to prevent trespassing on District property in contravention of the Policy.

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

SECTION 1. ADOPTION OF POLICY REGARDING ACTIVITIES WITHIN THE PRESERVES. The Board hereby adopts the policy attached hereto as **Exhibit 1** prohibiting activities within the Preserves.

SECTION 2. AUTHORITY REGARDING ENFORCEMENT OF TRESPASS LAWS; FORM OF TRESPASS LETTER. The Board hereby acknowledges that District Staff, including the District’s Managers – _____ of _____ – and any of the staff or representatives of the foregoing, have the authority to act on behalf of the District with respect to the enforcement of the District’s rules and policies, including but not limited to taking any actions necessary to the enforcement and/or prosecution of a trespass violation on behalf of the District and pursuant to Florida law. In addition, the Board hereby authorizes the District Manager to issue to the District’s residents and to the Collier County Sherriff’s Office a copy of this resolution and the attached trespass letter – substantially in the form attached as **Exhibit 2** – providing authorization with respect to the enforcement of trespass laws as they relate to the District’s prohibition of activities within the Preserves.

SECTION 3. GENERAL AUTHORIZATION. The Chairman, members of the Board of Supervisors and District staff are hereby generally authorized, upon the adoption of this Resolution, to do all acts and things required of them by this Resolution or desirable or consistent with the requirements or intent hereof.

SECTION 4. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Quarry Community Development District.

PASSED AND ADOPTED on the 17th day of June, 2019.

ATTEST:

QUARRY COMMUNITY DEVELOPMENT DISTRICT

Secretary / Assistant Secretary

By: _____
Its: _____

EXHIBIT 1: Preserves Policy

EXHIBIT 2: Letter Regarding Trespass Enforcement

EXHIBIT 1

CONSERVATION PRESERVE POLICY

The conservation preserves (“**Preserves**”) owned and/or operated by the Quarry Community Development District (“**District**”) are part of a regulated system of improvements designed to preserve natural habitat within the community. They are regulated under federal, state and local law and are not intended for hiking, waste disposal, or other activities. Accordingly, other than activities being conducted by the District and in furtherance of operating and maintaining the Preserves, it is the District’s policy to prohibit any activities within the Preserves. THE FAILURE OF ANY INDIVIDUAL TO COMPLY WITH THIS POLICY MAY RESULT IN CIVIL AND/OR CRIMINAL LIABILITY AND/OR PENALTIES, INCLUDING BUT NOT LIMITED TO TRESPASS ENFORCEMENT.

EXHIBIT 2

[INSERT LETTERHEAD]

_____, ___, 2019

Collier County Sheriff's Office
[INSERT ADDRESS]

Re: Quarry Community Development District Authorization for
Law Enforcement Officers to Enforce Trespass Violations

To Whom It May Concern:

I serve as District Manager for the Quarry Community Development District and am authorized to issue this letter on behalf of the District. Pursuant to District Resolution 2019-____, a copy of which is attached, please be advised that:

1. The District's policies forbid activities within the community preserve areas; and
2. The District hereby authorizes any law enforcement officer to order trespassers to leave the preserves for violation of the District's policy (as stated in Item 1 above), and to otherwise enforce the provisions of Sections 810.08 and 810.09 of the Florida Statutes and any other applicable law against any such trespassers; and
3. The following are authorized to contact law enforcement officers in Collier County, Florida and provide this written authorization to law enforcement officers for the purpose of enforcing the District's policy (as stated in Item 1 above) and Florida law: (a) _____, the District's Managers, with _____; and (b) any of the staff or representatives of the foregoing; and
4. The Board of Supervisors and staff of the Quarry Community Development District will aid in the prosecution of any individuals arrested pursuant to this grant of authority.

Should you have any questions regarding this authorization, please contact me at _____.

Sincerely,

Kathleen Dailey
District Manager

Attachment A: Resolution 2019-__ (with attachments)

QUARRY COMMUNITY DEVELOPMENT DISTRICT

2501 BURNS RD., STE. A • PALM BEACH GARDENS, FLORIDA 33410
(561) 630 - 4922

June __, 2019

J.R. Evans Engineering, P.A.
c/o Josh Evans
9351 Corkscrew Road, Suite 102
Estero, Florida 33928

Re: Letter Agreement for Limited Engineering Services

Dear Josh,

As you may know, the Board of Supervisors of the Quarry Community Development District ("**District**") recently approved a new agreement with your firm, J.R. Evans Engineering, P.A., on a month-to-month basis and in connection with the wrap-up of your prior work for the District, including but not limited to meeting with the District's new District Engineer, working to secure FEMA funding and such other tasks as may be authorized in writing (e.g., by e-mail or otherwise) by the District's Chairperson or Manager (together, "**Services**"). Please allow this letter to serve as the form of the agreement for the Services. All Services shall be provided in a workmanlike manner and consistent with industry standards.

Please continue to provide these limited Services in an amount not-to-exceed \$3,000 total ("**Total Amount**"), without prior written authorization from the District's Chairperson and Manager. If you reasonably expect that the Services are going to exceed the Total Amount, please let us know in advance so that we can determine whether to authorize any further work. Absent any written authorization from the District's Manager or Chairperson, please note that the District's maximum liability for fees and costs under this Agreement shall be limited to the Total Amount. In exchange for the Services, the District shall pay to Consultant consideration on an hourly basis, and using the rates set forth in **Exhibit A**. This letter agreement may be terminated at any time and by either party upon written notice. This agreement supersedes all prior agreements between the parties, and shall apply on a going forward basis to be effective as of the date first written above.

If you are in agreement with the proposal set forth herein, please sign below. Thank you for your assistance with this matter.

Sincerely,

Quarry Community Development District

Accepted and authorized by:

Kathleen Dailey
District Manager

By: Josh Evans, P.E.
J.R. Evans Engineering, P.A.

Exhibit A: Hourly Rates



Hourly Rate Codes (effective 12/01/18):

Principal Engineer	\$195
Senior Project Manager	\$165
Project Manager	\$145
CRS/NFIP Consultant	\$150
Public Utilities Coordinator	\$150
Project Engineer II	\$125
Project Engineer I	\$115
Senior Designer/GIS Specialist	\$125
Designer	\$115
Project Coordinator	\$80
Construction Inspector	\$85
Intern	\$70
Administrative	\$50

Reimbursable Expenses:

Other Incidental Expenses: Actual Cost plus 15%

Mileage: Current IRS Mileage Rate

Expert Witness at 200% of Scheduled Rate

Reproduction: Administrative Rate plus below cost:

24x36 B/W Print \$1.50/sheet

24x36 Color Print \$15/sheet

24x36 Color Aerial - \$35/sheet

8 ½ x 11 B/W - \$0.25/sheet

8 ½ x 11 Color - \$1.00/sheet

11 x 17 B/W - \$1.25/sheet

11 x 17 Color - \$2.50

**CONSIDER APPROVAL OF VARIANCE
AGREEMENT FOR SHORELINE
PROJECT REPAIRS**

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**

DISCUSSION ON WORK WITHIN CDD EASEMENTS

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**

Quarry Community Development District
Budget vs. Actual
October 2018 through May 2019

	Oct '18 - May 19	18-19 Budget	Year To Date Budget Oct 18 - April 19	\$ Over Annual Budget	% of Annual Budget	Oct 18 - May 19 % Of Total	Budget % Of Total
Income							
01-3100 · O & M Assessments	150,037.95	149,801.00	148,000.00	236.95	100.16%		
01-3810 · Debt Assessments 2015 Bond)	1,233,637.30	1,239,460.00	1,229,000.00	-5,822.70	99.53%		
01-3811 · Debt Assessments 2018 Loan	321,188.80	323,010.00	320,800.00	-1,821.20	99.44%		
01-3820 · Debt Assess-Paid To Trustee-15	-1,164,118.15	-1,146,501.00	-1,140,000.00	-17,617.15	101.54%		
01-3821 · Debt Assess-Paid To Trustee-18	-303,089.15	-298,784.00	-296,250.00	-4,305.15	101.44%		
01-3830 · Assessment Fees	-32,818.06	-60,357.00	-38,000.00	27,538.94	54.37%		
01-3831 · Assessment Discounts	-63,206.87	-68,063.00	-66,000.00	4,856.13	92.87%		
01-9400 · Other Income	887.50	0.00	0.00	887.50	100.0%		
Total Income	142,519.32	138,566.00	157,550.00	3,953.32	102.85%		
Gross Profit	142,519.32	138,566.00	157,550.00	3,953.32	102.85%		
	Oct '18 - May 19	18-19 Budget	Year To Date Budget Oct 18 - April 19	\$ Over Annual Budget	% of Annual Budget	Oct 18 - May 19 % Of Total	Budget % Of Total
Expense							
01-1310 · Engineering/Maintenance	25,087.02	25,000.00	16,664.00	87.02	100.35%	23.04%	18.04%
01-1311 · Management Fees	25,760.00	38,640.00	25,760.00	-12,880.00	66.67%	23.66%	27.89%
01-1314 · Consulting Fee	6,091.00	0.00	0.00	6,091.00	100.0%	5.59%	0.00%
01-1315 · Legal Fees	17,162.51	14,000.00	9,328.00	3,162.51	122.59%	15.76%	10.10%
01-1317 · Legal Extraordinary	12,453.00	0.00	0.00	12,453.00	100.0%	11.44%	0.00%
01-1318 · Assessment/Tax Roll	0.00	5,000.00	0.00	-5,000.00	0.0%	0.00%	3.61%
01-1320 · Audit Fees	0.00	4,300.00	0.00	-4,300.00	0.0%	0.00%	3.10%
01-1330 · Arbitrage Rebate Fee	500.00	600.00	600.00	-100.00	83.33%	0.46%	0.43%
01-1450 · Insurance	5,500.00	7,512.00	7,512.00	-2,012.00	73.22%	5.05%	5.42%
01-1480 · Legal Advertisements	5,215.52	1,400.00	928.00	3,815.52	372.54%	4.79%	1.01%
01-1511 · Bank Service Charges	170.30	500.00	328.00	-329.70	34.06%	0.16%	0.36%
01-1512 · Miscellaneous	1,518.33	1,500.00	1,000.00	18.33	101.22%	1.39%	1.08%
01-1513 · Postage and Delivery	1,328.96	650.00	432.00	678.96	204.46%	1.22%	0.47%
01-1514 · Office Supplies	1,880.80	700.00	464.00	1,180.80	268.69%	1.73%	0.51%
01-1540 · Dues, License & Subscriptions	175.00	175.00	175.00	0.00	100.0%	0.16%	0.13%
01-1550 · Trustee Fees GF	5,025.63	9,000.00	5,050.00	-3,974.37	55.84%	4.62%	6.50%
01-1750 · Website Management	1,000.00	1,500.00	1,000.00	-500.00	66.67%	0.92%	1.08%
01-1850 · Reserves	0.00	28,089.00	18,720.00	-28,089.00	0.0%	0.00%	20.27%
Total Expense	108,868.07	138,566.00	87,961.00	-29,697.93	78.57%	100.0%	100.0%
Net Income	33,651.25	0.00	69,589.00	33,651.25	100.0%		

Bank Balance As Of 5/31/19	97,669.65
Accounts Payable As Of 5/31/19	46,448.17
Accounts Receivable As Of 5/31/19	0.00
Available Funds As Of 5/31/19	51,221.48