

**MINUTES OF MEETING  
PARKLANDS WEST  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Parklands West Community Development District held Public Hearings and a Regular Meeting on September 14, 2023 at 1:00 p.m., at The Renaissance Center, 28191 Matteotti View, Bonita Springs, Florida 34135.

**Present were:**

Frank Percuoco  
Robert Wyant  
William Dardy  
James Lukas

Chair  
Vice Chair  
Assistant Secretary  
Assistant Secretary

**Also present:**

Chuck Adams  
Shane Willis  
Greg Urbancic (via telephone)  
David Caplivski (via telephone)  
Eric Howard (via telephone)  
Robert Perfetto  
Gina Smith

District Manager  
Operations Manager  
District Manager  
Grau & Associates  
District Engineer  
Resident  
Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Percuoco called the meeting to order at 1:00 p.m.

Supervisors Percuoco, Wyant, Dardy and Lukas were present. Supervisor Levin was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

Resident Gina Smith questioned why individuals and companies are using a service road behind her home to dump debris from Hurricane Ian and to park trailers and trucks containing pallets of sod and mulch. She voiced her opinion that it is very unpleasant and unfair to

residents whose lanais overlook this area, which she thinks has become a dumping/staging area, and nothing is being done to resolve this issue.

Mr. Percuoco stated it is unfortunate that this is occurring but the area in question is a vacant property that the CDD does not own or control. Mr. Willis stated that the area is owned by the Parklands Lee CDD and Sea Castle Development. Mr. Adams stated Mr. Ken Bloom and the Association will be asked to increase patrols, from a security perspective.

**THIRD ORDER OF BUSINESS**

**Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2022, Prepared by Grau & Associates**

Mr. Caplivski, from Grau & Associates, stated an annual audit is required, per Florida Statutes and because of the bonds. He presented the Audited Financial Report for the Fiscal Year Ended September 30, 2022 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

Asked about the meaning of the “emergency conditions” verbiage in Section 5, Mr. Caplivski stated the verbiage says that the CDD is not in a financial emergency.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022**

Mr. Adams presented Resolution 2023-06.

**On MOTION by Mr. Percuoco and seconded by Mr. Lukas, with all in favor, Resolution 2023-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2023/2024 Budget**

**A. Proof/Affidavit of Publication**

**B. Consideration of Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Willis presented Resolution 2023-07 and read the title. Mr. Adams reviewed the proposed Fiscal Year 2024 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

Discussion ensued regarding outstanding items, the assessment increase in the General Fund, the “Accounting services” and “Engineering” line items, a telemetry survey, depth of the ponds, future flood prevention and requiring the District Engineer to provide best practices for maintaining the stormwater system.

**On MOTION by Mr. Percuoco and seconded by Mr. Lukas, with all in favor, the Public Hearing was opened.**

Resident Robert Perfetto asked about the CDD’s stormwater system maintenance, the pipes and the \$20,000 “Engineering” line item. He asked if the CDD is in compliance. Mr. Adams stated the CDD is in compliance and is reviewing the system, which is currently 20 years old, and setting a benchmark as to where it was originally during its design and how it compares with the original design, whether there are deficiencies that need to be addressed and inspected, etc. The performance of the system indicates that it is working as it was designed, as there was no flooding in anyone’s home during recent storm events.

**On MOTION by Mr. Percuoco and seconded by Mr. Lukas, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Wyant and seconded by Mr. Dardy, with all in favor, Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law**

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**
- C. Consideration of Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Willis presented Resolution 2023-08 and read the title.

Mr. Adams stated this Resolution is referred to as the assessment levying resolution and directs the District Manager to finalize and transmit the lien roll to the Tax Collector for placement of assessment on the property tax bill.

**On MOTION by Mr. Percuoco and seconded by Mr. Lukas, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Percuoco and seconded by Mr. Lukas, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Percuoco and seconded by Mr. Wyant, with all in favor, Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Ratification of Coleman, Yovanovich & Koester, P.A., Proposal for District Counsel General Legal Representation**

Mr. Adams presented the Coleman, Yovanovich & Koester, P.A., Proposal for District Counsel General Legal Representation, which was previously executed by the Chair.

Mr. Dardy noted that the fee structure, although comparable to market rates, lists fees for the primary attorney and the assistant and asked if both professionals must be compensated in every instance when service is provided. Mr. Urbancic stated no, the Assistant’s fee will only be charged when the Associate Attorney assists on a case or performs a task in his stead.

**On MOTION by Mr. Percuoco and seconded by Mr. Lukas, with all in favor, the Coleman, Yovanovich & Koester, P.A., Proposal for District Counsel General Legal Representation, was ratified.**

**EIGHTH ORDER OF BUSINESS**

**Discussion/Consideration: Superior Waterway Services, Inc., Aquatic Management Agreement [Rip-Rap Spraying]**

Mr. Percuoco recalled that, at the May meetings, the CDD Boards discussed the Golf Club and asked for the lake maintenance contractor to spray the weeds and the riprap, regardless of whether they were submerged. Mr. Willis obtained a quote of \$13,200 per year for the spraying project and, at the present time, the Golf Club has chosen an option that will involve the CDD, so there is no longer a need to consider or vote on this item.

This item was tabled.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2023**

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2023.

The financials were accepted.

**TENTH ORDER OF BUSINESS**

**Approval of May 11, 2023 Regular Meeting Minutes**

Mr. Willis presented the May 11, 2023 Regular Meeting Minutes.

**On MOTION by Mr. Percuoco and seconded by Mr. Wyant, with all in favor, the May 11, 2023 Regular Meeting Minutes, as presented, were approved.**

**ELEVENTH ORDER OF BUSINESS**

**Other Business**

Mr. Adams provided an update regarding the bank filing for the refinancing. He stated that the paperwork will be finalized within the next few weeks and the Board can have the discussion regarding legal fees for the closing.

Mr. Dardy asked how to respond to complaints he receives about the Golf Course's spraying killing vegetation and making the ponds an eyesore. Mr. Wyant stated the lake maintenance company is obligated to spray the weeds and not go above the control level or into the littoral areas; however, water levels in the lakes are currently at historic lows and this would not be occurring if there was normal rainfall and the lakes were at proper levels.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Coleman, Yovanovich & Koester, P.A.**

Mr. Urbancic thanked the Board for engaging his firm. He stated that, commencing in January 2024, Supervisors must attend four hours of ethics training; more information will be provided at the January meeting.

**B. District Engineer:**

There was no report.

**C. District Manager: Wrathell, Hunt & Associates, LLC**

- **NEXT MEETING DATE: January 11, 2024 at 1:00 P.M.**

- **QUORUM CHECK**

**THIRTEENTH ORDER OF BUSINESS**

**Audience  
Requests**

**Comments/Supervisors'**

In response to a resident's question regarding the CDD's plan for the ponds, Mr. Adams stated a proposal will be presented at the next meeting for below ground/below water inspections to be performed by MRI and then a report of MRI's findings will be presented at the May 2024 meeting.

Mr. Adams responded to questions regarding the ethics training requirement, ethics classes offered by law firms and Florida Statutes.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Wyant and seconded by Mr. Dardy, with all in favor, the meeting adjourned at 2:02 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair