

***Pine Air Lakes  
Community Development District***

***March 23, 2017***

# *Pine Air Lakes*

## *Community Development District*

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March 16, 2017

**Board of Supervisors  
Pine Air Lakes  
Community Development District**

Dear Board Members:

The regular meeting of the Board of Supervisors of **Pine Air Lakes Community Development District** will be held on **March 23, 2017 at 2:00 p.m. at the offices of Coleman, Yovanovich & Koester, P.A., Northern Trust Bank Building, 4001 Tamiami Trail N., Suite 300, Naples, Florida 34103.** Following is a copy of the agenda:

1. Roll Call
2. Approval of the Minutes of the February 23, 2017 Meeting
3. Update on Costco Request for Consent to Warehouse Expansion
4. Consideration of Collier County Request for Subordination and Consent to Grant Easement
5. Staff Reports
  - A. Attorney
  - B. Engineer - Memo Clarifying Status of the Master Stormwater System
  - C. Field Report
  - D. Manager
6. Financial Reports
  - A. Approval of Check Register
  - B. Balance Sheet and Income Statement
7. Supervisors Requests and Audience Comments
8. Adjournment

Enclosed for your review is a copy of minutes of the February 23, 2017 meeting.

The fourth order of business is consideration of Collier County request for subordination and consent to grant easement; a copy of which is enclosed for your review.

The fifth order of business is staff reports. Enclosed under the engineer's report is a copy of a memo clarifying the status of the master stormwater system.

The financials are also enclosed. The balance of the agenda is routine in nature and staff will present their reports at the meeting. Any additional documentation will be provided under separate cover or presented at the meeting. I look forward to seeing you at the meeting and in the meantime if you have any questions, please contact me.

Sincerely,

  
Rich Hans  
Manager

cc: Greg Urbancic    Andy Tilton    David Robson    George Fogg

**MINUTES OF MEETING  
PINE AIR LAKES  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Pine Air Lakes Community Development District was held on Thursday, February 23, 2017 at 2:00 p.m. Coleman, Yovanovich & Koester, PA, Northern Trust Bank Building, 4001 Tamiami Trail N., Suite 300, Naples, Florida.

Present and constituting a quorum were:

Tom Conroy	Chairman
Doug Nelson	Assistant Secretary
Michael Durant	Assistant Secretary
Keith Embree	Assistants Secretary

Also present were:

Lisa Derryberry	District Manager
Greg Urbancic	District Counsel
Dave Robson	District Engineer
George Fogg	IBIS - Field Supervisor

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Derryberry called the meeting to order and called roll.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the  
January 26, 2017 Meeting**

Ms. Derryberry: The next item on the agenda is the approval of the minutes of the January 26, 2017 meeting. I'll take any corrections at this time.

Mr. Nelson: I'm not going to offer any corrections, but I just have a comment. Does it really matter who said what? If we were to correct that we would literally be here all day, and I don't know, but if we care then we have to have a better process like, hi I'm Doug, and then I speak.

Ms. Derryberry: Ok the voice might sound the same to the one who is transcribing.

Mr. Nelson: Right, and certainly no judgement passed here but, the words are correct, but who said them are not even close, when we get into conversations.

Mr. Robson: Quite a few CDDs ask somebody to state their name in advance of their speaking just to help the transcribers.

Mr. Nelson: Right, and it's mostly when we're back and forth in conversation so I don't know that it really matters who said what, but that's my two cents.

Mr. Urbancic: And you can make the minutes, you can decide to make the minutes as detailed as you want, as long as we have the motion and second, then that's all we need to have.

Mr. Conroy: That's accurate.

Mr. Nelson: Well as long as you're ok because you were credited with several of my comments.

On MOTION by Mr. Nelson seconded by Mr. Conroy with all in favor, the Minutes of the January 26, 2017 Meeting were approved.

**THIRD ORDER OF BUSINESS**

**Ratification of the Monitoring Well Installation and Quarterly Report Proposals for the Conservation Area**

Ms. Derryberry: Moving on to item No. 3, ratification of the monitoring well installation and quarterly report proposals for the conservation area. This actually relates back to an item from our last meeting which was a discussion of the letter from the South Florida Water Management District and a notice of submittal and inspection where Dave you were going to address that but could not make it to the meeting.

Mr. Robson: Right, I got hung up.

Ms. Derryberry: So the floor is yours.

Mr. Robson: Basically the response they were expecting was, even though we had two monitor reports that they had accepted, that we did not include monitoring data, the old, and we're going back to 2005 was when the original monitoring schedule that in 2007 they still had not done anything, we picked that permit up after 6 years of no action by the permittee, and at that point we went in and did the evaluation, submitted the first monitoring report. They made no comment about the hydraulic data requirement at that point in time. We could say that we ignored it thinking maybe they would ignore it, but they did not, not until 3 years later did they, so you saw the proposal, it's put a well in, start doing the quarterly downloads, and include it in the future ones, they aren't going to make us extend the monitoring period as long as we do that data for the next 3 monitoring reports. So we basically did cost avoidance for a couple of years but it caught up with us. Are there any other questions from anyone? We would expect no negative, the wetlands has struggled with exotics, and what they're thinking I believe is the hydrologic period is aggravating that. If hydrologic data in the future supports that, they could ask for modifications in which we have to do to provide more water to the conservation wetland over time. That may be simply a pump that has to shove water over there from one of the lakes but that would be, in my mind, the worst case scenario.

Mr. Fogg: I'd like to add just a couple of comments in relationship to that. I know where the original well was, it was just a stand pipe that wasn't indicated, but David indicated just basically a piece of pipe driven into the ground and they were doing monitoring reports, it used to be right behind the theater, about in this location. The company doing the monitoring was not very active in monitoring and the owner, The Landon Companies, was totally deficient in following up on things, and we've all been involved with them enough to know that they didn't do something unless they had to, so it got left out. I assumed when the well casing disappeared that this was at that point ok, I wasn't involved with it other than I knew that's what it was. The problem specifically with the exotic plants in the preserve and the reason I concur with David is that because that is almost 100% wedelia which is the most aggressive ground cover plant that I know of other than torpedo grass which likes water better, and the wedelia, we've been trying

to get rid of with various contractors now for about 25 years and have failed miserably. We just renewed our contract with the exotic pest control people and David and I will make it absolutely clear that the wedelia will disappear. I don't care how they make it disappear, it will disappear and it will disappear quickly.

Mr. Robson: We will ask them for an action plan that they can share with this group so that you'll know what the plan is.

Mr. Fogg: Apparently the herbicides that they've been using on it haven't been sufficient to kill it, it originally was invaded from the Stallman Nursery which used to be on the property around this area and it gradually crept into the preserve and as I said we failure miserably with the various contractors getting it gone. Part of the problem is the whole area is inundated for several months out of the year and the wedelia seems to be very happy to keep growing during that time period.

Mr. Robson: Normally though from my standpoint, wedelia is not a submerged aquatic plant. If the water depth is enough, it will not grow in there.

Mr. Fogg: I've seen the water depth in there up over my hips, or up to my hips I should say.

Mr. Robson: Right, but not long enough to get rid of it. Places where there is usually standing water, you'll have wedelia on one side and on the other side, there's none inbetween.

Mr. Fogg: Oh inbetween no, but there hasn't been standing water in there in 28 years, it isn't something that the development has caused, it's been that way for 28 years, that I know. It looks a lot like dune sunflower, which is a very great native ground cover plant and it sneaks in that way, you don't need to know anymore.

Mr. Robson: So people say if they could come up with a commercial use for it somebody could make a lot of money.

Mr. Conroy: Alright so on No. 3, ratification of this, do we need to do anything Greg or is it just confirming?

Ms. Derryberry: Yes.

Mr. Robson: Well the last thing is, the well installation is scheduled for mid-March so we move forward as authorized.

Ms. Derryberry: And copies of these documents did not make it into your agenda packet but these are the documents that you would be ratifying in regard to the well installation and the quarterly report.

Mr. Urbancic: So they've already been signed and you can do it in one motion if you want to ratify the execution of these two professional service agreements.

Mr. Conroy: Alright so I'll move that we ratify the monitoring well installation and survey and the monitoring well quarterly downloading and reporting contract that was executed January 27, 2017 between Johnson Engineering and the CDD.

On MOTION by Mr. Conroy seconded by Mr. Embree with all in favor, ratifying the monitoring well installation and quarterly report executing on January 27, 2017 between Johnson Engineer and Pine Air Lakes CDD was approved.

#### **FOURTH ORDER OF BUSINESS**

#### **Discussion of Costco Letter Requesting Consent to Warehouse Expansion**

Ms. Derryberry: Alright, item No. 4 is the Costco letter requesting consent to the warehouse expansion.

Mr. Urbancic: Just to set this up, at the last meeting you guys had requested that I send a letter to Costco basically saying we wanted to know some more information about their plans and maybe they could share their plans with us so what David is going to present is basically the offshoot of the Costco discussions.

Mr. Robson: Oh no, this isn't the Costco, I'm sorry I handed out the turbidity.

Mr. Urbancic: Ok, alright, we'll do that one after but the Costco one, I heard back from their lawyer who basically said, at first she didn't know it had plans and then figured out they did have plans, so we got those to David so he could take a look at them and then he subsequently had a conversation with their engineer, so I think that basically brings you up to speed with where we're at and I'll let David take it from there.

Mr. Robson: Eddie McDonald was the engineer's name, and there's plans they had shared with us that didn't make it into my bag. So they're taking an impervious area, they have the parking lot on what I'll call the west side of their building, they're adding a bakery shop and some stuff, and they are rearranging the parking lot a little bit and they're re-routing some of the roof water. So my question to him was, what about this one pipe, and he clarified that because it's confusing on the drawings and it will be clearer on the permit. He was calling the changes de minimis because there's like two little islands that are up where the parking lot narrows down at the north end and you have trees and so forth, and those will disappear in their new plan. That was the only non-pavement area in the whole thing. So as far as runoff in impervious areas, that's the very minor change to several hundreds of square feet being the limit of it, but I said it may be de minimis but you are altering the internal parking lot drainage and you're impacting the master stormwater drainage by running a new pipe and joining into that master stormwater drainage that is the operation and maintenance responsibility of the CDD. So I'm making the request that you submit your information to South Florida Water Management District, and if they call it de minimis and consider it fine, they'll write you a letter, then you share that letter with us, and we're good. Other than wanting South Florida Water Management to be up to date to the changes, and agreeing with you that it's minor, that's all we're asking. So he was going to run with that but the conversation with Greg is, do we need to follow up with the legal counsel at Costco to make sure that Mr. McDonald has done what he needs to do.

Mr. Conroy: Well they're going to need our consent right?

Mr. Urbancic: Yes.

Mr. Conroy: We're not signing our consent until we're satisfied with everything right?

Mr. Robson: All their changes except for the cut into the junction box of the master stormwater is all internal drainage that they are responsible for, so I'm not sure that they need our consent, that's why I called it a request.

Mr. Urbancic: Well they need it under a declaration.



Mr. Robson: Ok. They don't need it for my reasons, they need it for another.

Mr. Conroy: Right, for another reason so we're not going to give it until your reason is satisfied, if they give us a letter.

Mr. Robson: Yes, I'm satisfied contingent that South Florida Water Management has said fine.

Mr. Conroy: Then we'll wait for that.

Mr. Nelson: If the Water Management doesn't say fine, then what's the worst case scenario?

Mr. Robson: They'll have to modify their design to satisfy them.

Mr. Nelson: Wouldn't that impact us because they could come back and say, oh you're adding square footage, you've got more drainage, you're going to have to increase something, wouldn't that then impact us because their output would be more?

Mr. Robson: They would probably have to take some additional amount of their parking out and put a dry retention in.

Mr. Nelson: Ok, so that would all be on their back.

Mr. Conroy: Could they add to the lake in the back behind them?

Mr. Robson: They could ask us if it's possible but there's no room.

Mr. Fogg: There isn't any room left.

Mr. Conroy: Ok.

Mr. Urbancic: And they have parking area that they could burn 100 parking spaces if they wanted to.

Mr. Robson: Yes and they're burning some now and calling it de minimis.

Mr. Urbancic: Right.

Mr. Fogg: In Costco, there is no way there's any extra parking spaces.

Mr. Robson: Well by code that's what I'm referring to.

Mr. Nelson: So then my follow up to that is, is it beneficial to us or to them to help them through the South Florida Water Management and maybe give them a contact or some coaching so that you essentially arrive at a de minimis reaction, because South

Florida Water Management could look at this and say, and it depends on who you get, right?

Mr. Robson: No, with the square footage and the pre-existing permit on that, I doubt it. It is more of, now that change has been officially logged into the South Florida Water Management system.

Mr. Nelson: Ok so they're not going to come back and say, no or exert some authority that is ridiculous.

Mr. Robson: I don't think so, I have not seen any project with that minor of a change get anything other than that's a letter modification within the existing permit.

Mr. Nelson: Ok, well that's good news.

Mr. Robson: But that's the statement I want from South Florida Water Management.

Mr. Nelson: Sure and then you're covered.

Mr. Robson: Right.

Mr. Nelson: And then, not related to that, is the square footage by the docks, isn't that kind of an issue that we have to handle as a CDD because they're adding 7,000 square feet and it changes all the calculations and all of that?

Mr. Urbancic: In terms of our O&M assessments, yes. We'd probably re-look at their methodology upon which we base everything.

Mr. Nelson: We can't just say it's de minimis because of 7,000 square feet.

Mr. Urbancic: Right, and I believe I said that in my original letter to them which basically was, one we can't guarantee that you had the right to have the conditional footage, somebody else may claim they have the rights, and it may have some implications in terms of assessments to the extent you expand the warehouse.

Mr. Nelson: Who's the ultimate say so that you can add 7,000 square feet to the PUD?

Mr. Urbancic: Well I think the question is, if that space is already under the PUD do they need somebody else's approval in order to do that, or approval of Collier County just to come in and say, ok there's 7,000 square feet available, go ahead and use it. My

guess is the latter unless and until they get sued for trying to use it, but I don't think Collier County is going to care who has it as long as it's there and is usable.

Mr. Nelson: Right.

Mr. Conroy: Collier County is not keeping track of that.

Mr. Nelson: Well we had found that in previous cases when the neighbors care, and this one hopefully I don't know there's that scenario but if the neighbors care how big your place is and that space isn't there, every square foot matters.

Mr. Conroy: They keep track of the total, they think there's a 150,000 more square feet you can build and until you get near 1,000,000 square feet they're not going to worry about it.

Mr. Nelson: Ok, so 7,000 is probably not pushing that number at all. So the only real issue is re-assessing the methodology.

Mr. Conroy: That's what we need to make sure.

Mr. Nelson: Yes.

Mr. Urbancic: So if you're ok to consent subject to receiving that, then I'll just reiterate the fact that we'll likely change our methodology for assessments and they're subject to whatever zoning authorization they need.

Mr. Conroy: Yes.

Mr. Nelson: So a motion that the CDD is acceptable to Costco's additional square footage, contingent upon consent or a de minimis letter from South Florida Water Management District.

Mr. Conroy: Ok.

Mr. Robson: I don't think you have to put the de minimis in, approval letter from South Florida Water Management would be fine.

Mr. Conroy: What are we trying to do right now? I'm not sure we're trying to approval the Costco thing right now right?

Ms. Derryberry: No, at this point it was really just on the agenda for discussion with the benefit of having David here to discuss because that's what we did not have benefit of last time.

Mr. Conroy: Right, I don't think we have enough facts to approve it.

Mr. Urbancic: Well I think the question is are we ok consenting. They have a consent form that they want us to sign and what I was hearing from you guys was, at least from Doug was, that we're ok telling them, we will consent at such time as we get the South Florida Water Management District letter saying you're ok to go.

Mr. Nelson: So back to your question, what would prevent us from consenting then?

Mr. Conroy: I'd want to just make sure all our ducks are in a row before we have a vote because there may be something else that Dave finds out in the next month, we don't have to consent this month I don't think. You're going to send a letter, and we have not sent a letter, but have they confirmed that they're going to redo a reallocation of the O&M?

Mr. Urbancic: I didn't ask them to agree, I told them that likely it will be, if they go with the expansion it will modify the way we collect our assessments, so I was basically putting them on notice saying, hey your O&M assessments are going to go up.

Mr. Durant: Do they have to get these development rights from the guy who owns Dick's?

Mr. Urbancic: I mean that could be a private sort of dispute, like I think Tom and I were saying, they could go to the county and they look at its ledger and there's additional square footage to be built, the county is going to let them do it.

Mr. Durant: But Dick's is going to get a new assessment that's going to be less than what they paid last year right?

Mr. Urbancic: Well I don't think, it's not going to affect the debt assessment which has already been levied, it would affect our O&M assessment, just the normal operation and maintenance because we levy the operation and maintenance based on square footage as well.

Mr. Conroy: I think one of the questions is, or would be corollary to what Mike's asking, who do we take the 7,000 square feet from because our rolls show a 1,000,000 square feet theoretically? So if we're adding 7,000 square feet to the Costco, where do we

take it from, and I'm reasonably certain that Scott Fish sold 7,000 square feet to them. I don't know for a fact, I know he told me he was going to, but I don't know what happened since then. He told me he was going to sell 15,000 and now it's only 7,000. I think we ought to have some understanding of how that mechanism works so that if it came up Dick's we can reduce the Dick's and we can increase theirs or whatever we have to do because if we just add 7,000 square feet, now we have theoretically 1,007,000 square feet of space on our rolls.

Mr. Urbancic: I understand what you're saying, I guess I was just thinking about O&M, which O&M if we have more, we just bill that I think based upon however many feet are out there.

Mr. Conroy: Right but it should be debt too if in fact they transferred 8,000 square feet, or 7,800 square feet to Dick's.

Mr. Urbancic: So is that a question I should ask them to see whether or not there was a transfer of development rights?

Mr. Conroy: I think we should for purposes of our roll we need to understand because it's not fair for Dick's to be paying 8,000 square feet of debt at \$1 a foot, or \$8,000 a year for debt when it should be Costco.

Mr. Urbancic: Ok.

Mr. Conroy: So that's why I think maybe we ought to table the vote until we understand a little bit more there. Dave has a good handle on the de minimis thing.

Mr. Robson: Well I think Mr. McDonald does.

Mr. Conroy: And we have the letter and then we see if there's anything else that comes up.

Mr. Nelson: Ok.

Mr. Conroy: Does that make sense?

Mr. Nelson: Yes, so the motion dies.

Mr. Conroy: Ok, so that's the warehouse expansion.

Ms. Derryberry: Correct.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

Ms. Derryberry: Moving on to item No. 5 on the agenda, Staff Reports, attorney, Greg do you have anything additional?

**A. Attorney**

Mr. Urbancic: I didn't have anything further.

Ms. Derryberry: Ok.

**B. Engineer - Consideration of Letter Requesting Authorization from the CDD to Discharge Dewatering Effluent to Existing Stormwater Management Lakes Owned by the CDD**

Ms. Derryberry: Ok so we're going to move on to Dave's report now, under 5B, which is consideration of the letter requesting authorization from the CDD to discharge dewatering effluent to the existing stormwater management lakes owned by the CDD, so you're up Dave.

Mr. Robson: Ok. I handed out that letter and the discussion already started, Mike had already pushed us there, but this is a larger version of that map. This is the plan they have and the piping in all their parking area, it was 11.4 acres, this represents 8.4 of it, and they have their collection piping, they're tying into an existing catch basin over here. So when you're looking here, down over here is the conservation area, and here is that catch basin and then they're going into the lake up here at this end, but what they run into is to get all their underground piping in, and they run into the water cable, so they needed a dewatering permit. So if they go down 4' and they hit water but the pipe is designed to go down 6' lower, 2' lower they have to pump that water out of there.

Mr. Fogg: So they can put the pipe in and then backfill around it.

Mr. Conroy: Oh so this is just temporary?

Mr. Robson: Yes.

Mr. Fogg: Yes.

Mr. Embree: This is just during construction.

Mr. Robson: Yes, during construction, as a matter of fact, just during construction of the underground infrastructure.

Mr. Conroy: So it's nothing long term.

Mr. Robson: No, and so they approach Johnson Engineering who does an awful lot of this. So dewatering is a standard application that South Florida Water Management has and there's various ways to do it. When I was contacted by Kim Arnold, who heads up that group that does almost all the dewatering permit action for Johnson Engineering and frankly probably does 30% of it in all of Southwest Florida, and I said, wait a minute, where are they going to put it? She said, well in this little lake that's right up there at the north end. I said the Gordon Food's lake, and then I said let me give you a little bit of history on that lake, and I explained how sensitive AI had been let go and how we had to rehab it and I said, the CDD is going to ask for the highest standards of dewatering that there are. There are, and I'll just basically give you a background, there has been FDEP has issued, if a stormwater pond and really their target was residential development, that if they're working on a new part of a residential development, the other part has been built and a stormwater lake is here, they don't even have to get a permit to dump their dewater water into that stormwater lake without cleaning it up. The lake is going to function to clean it up as long as you do not allow that altered water, I'll call it, discharging to a water body that is not part of a stormwater treatment system. So somewhat of opine, that's all they had to do, if they would have just gone over there and put a plate on the front of that little control structure on the Gordon Food's lake and said we're going to hold all the water in here and it's not going to go anywhere, they wouldn't have even had to get a permit. Thankfully, either they don't know or they decided they didn't want to do that, I don't know which it is, they came to Johnson Engineering and Kim said after our conversation she recommended that they use the highest quality dewatering technique and that's well pointing if you're interested. You'll go by construction sites and you'll see this pipe above the ground with these hoses sticking out of the top of it, and those hoses are connected to pipes that go down into the ground and have screens on the bottom of them, so you'll find screens and they put a big suction pump on the end of that pipe at the top and it sucks the water up those pipes in the ground through those tubes into the big pipe and pump it and

discharge it downstream somewhere. With well pointing, versus a mud pump, if you want to call it that, where they dig a pit, they stick a suction pump in there and just pump, those have a very course screen on them and you can get a lot of solids, and you can get little pieces of leaves, you can get all that stuff which can end up going on down and out the pipe. With well pointing, that fine screen keeps all of that in the ground and the water is usually almost clear that comes out of well pointing, and the South Florida Water Management as the requirements that you can't discharge, and that's to a water body, anything that's more than 29 NTUs and that's turbidity units above the color of the lake, so you basically can't dirty up a lake. So you can raise it, you can put water that's a little dirtier in and then the solution to pollution is the lotion type thing that you would not expect any affect with that number being only 29 units. So we should have, this proposed dewatering and the consent we would be giving them to use that lake is using top technology where we'd have the least opportunity to dirty up the lake, and we have an easement, we don't own that lake, we have an easement for the operation and maintenance of it, and it is now part of our master stormwater system so that's why they understood that after talking with Kim Arnold and that's why the approval letter became an requirement.

Mr. Conroy: So this is just the Gordon Food lake?

Mr. Robson: Yes.

Mr. Conroy: And it's temporary?

Mr. Robson: Yes.

Mr. Embree: And is there some limit on how much they can pump in there, some number of gallons?

Mr. Robson: No, not really. The quality of it's limited, but there's a control structure on there and sort of back to this, the Gordon lake is sitting right here and that goes into this pipe, and it can go here, it can go to this lake this way, it can go this way, so once that lake discharges it and they'll raise that lake up to where the control structure will stop and now start letting water out. If they pump so slowly, and what is it now 2' low?



Mr. Fogg: About 4'.

Mr. Robson: Ok so they're going to have to fill it up that much before it ever leaves.

Mr. Durant: At the end of the day, the result of what they're doing is no different than a thunderstorm in an afternoon.

Mr. Robson: Using that technique I would not expect it to be any different, it could be using other techniques.

Mr. Durant: Right.

Mr. Conroy: So it just makes sense to approve it I guess?

Mr. Robson: Yes, my recommendation is approval.

Mr. Conroy: If we don't approve it, what do they do?

Mr. Robson: I think their lawyer would contact your lawyer.

Mr. Conroy: Well do we have any obligation to approve it?

Mr. Robson: Greg, can we stop them if they meet South Florida Water Management requirements, I don't think so?

Mr. Urbancic: Probably not, and you and I talked about this morning that you had seen instances where South Florida Water Management went ahead and gave them the authorization because it was basically in the scope of the entire permit.

Mr. Robson: Right, it's basically since, it's meeting the criteria that they have established and it's almost like you can't sell a piece of land that you don't give access to. We can't keep them from having access because it's within the overall permitted area.

Mr. Conroy: And their project is going to be within our overall permit.

Mr. Robson: Yes.

Mr. Urbancic: The only thing I mentioned to David is I thought you guys might say, well ok but I'd like for something in here to say, if we damage your lake and the property we're going to fix it. He made a good point that there's probably some protections because if they do some damage you're out of compliance of South Florida Water Management District but I don't know if you guys feel like we need to say something on that.

Mr. Robson: The Water Management permit will have stated in there, if you do not meet permit criteria you have to do this, this and this. So they have built in there fine systems, remediation and all of that is built in, that's standard language in permits.

Mr. Conroy: Are they getting the fee owner's permission, I would assume they need to get that, I mean we just have an easement of the lake, we don't own the lake.

Mr. Durant: No, I saw a deed in there, I thought it was transferred.

Mr. Conroy: No the fee owner is Gordon Foods. They conveyed the lake to whom?

Mr. Durant: I'm pretty sure it's conveyed to the CDD, there's a warranty deed in there.

Mr. Robson: I don't remember the CDD ever getting a warranty deed, and I have to say that I did not read all the pages since it was prepared internally.

Mr. Conroy: Well if we own it, then it's fine, but if we don't own it I think they need to get the owner's permission.

Mr. Robson: Well from a public standpoint and a maintenance and operation entity we are.

Mr. Conroy: No I understand that but still if you're throwing water on someone else's land, even though I've given you permission because I have an easement over it.

Mr. Robson: Well the easement says it can be done.

Mr. Nelson: Probably more important is, if there's other people that can come and say you did it wrong, you got FDEP, you've got South Florida Water Management, whether other entities have some jurisdiction of that to say you messed something up, as long as we're indemnified against anybody that can come back and say, you've raised the turbidity level, you've destroyed the littoral shelf, or you put whatever, so rust gets in there and all of a sudden we have rusty water and something dies.

Mr. Conroy: I would think they'd want some kind of general indemnity Greg that, if they in any way affect any of our stormwater downstream, I mean what if, as Dave was saying, if stuff goes into this lake and then raises it and flows into another lake

and then we have problems with this other lake, they should be responsible economically for any expenses of Dave trying to fix our problem.

Mr. Urbancic: There is a problem, if I instruct or do you want it from the actual owner of that property?

Mr. Conroy: The owner.

Mr. Urbancic: So have the owner as well sign this letter, join in on the letter.

Mr. Conroy: If the letter has the indemnity.

Mr. Urbancic: Well we would just say, we have to put this language in and have the owner sign it along with the contractor.

Mr. Conroy: Ok, I would think the owner and the contractor need to indemnify us.

Mr. Nelson: There's a lake maintenance access and drainage easement agreement, no deeds.

Mr. Robson: Ok, the warranty deed might have been for the land itself.

Mr. Conroy: I would think we need to get consent from the lake owner, unless you think differently with the owner but I think if we get the indemnity we're ok, but we're giving permission to put on something from a property we don't own, so it should be a pretty broad indemnity.

Mr. Urbancic: Ok.

Mr. Durant: It's kind of crazy for what's actually happening, all the stuff that has to go to make it happen.

Mr. Robson: And this all has happened pretty fast because they didn't think they needed it, they didn't put originally a dewatering permit in when they did their application for the project and it wasn't until even thinking that a side issue to this, and I'll bring it up this way, my understanding from an engineer's standpoint is a conflict of interest is that the definition of conflict of interest is always defined by the two parties involved. There is no legal definition, so to speak, it is determined by the two parties. To me the two parties are the CDD and this Enviro Struck or their owners. Johnson

Engineering is working for both, is that a conflict of interest, but I think the way we would hope, where I was able to instill the highest standards into the permit application.

Mr. Conroy: Well I think we need indemnities that makes sense.

Mr. Fogg: My guess is, by the time we make these decisions they'll have the work already done. The point is, they're moving ahead so fast there.

Mr. Conroy: Well they're not going to be able to start dewatering unless they get a permit right?

Mr. Dobson: Right.

Mr. Fogg: I wouldn't bet on it because they're moving that thing at rocket speed. I go by there very frequently and the building is well on its way to be complete, they're getting ready to put in the pavement on the parking lots and stuff. So they're moving and the drainage pipes or any pipes will be put in very shortly if they haven't already been put in.

Mr. Durant: Do we need a motion on this?

Mr. Robson: To authorize to get the letter revised.

Mr. Urbancic: Yes authorize us to, and was there a signature block for us?

Ms. Derryberry: For the District?

Mr. Urbancic: Yes to authorizing the dewatering around the conditions we stated which were essentially giving indemnity.

Mr. Conroy: From the owner and the engineer.

Mr. Urbancic: Or the contractor.

Mr. Conroy: Yes, the contractor.

On MOTION by Mr. Nelson seconded by Mr. Durant with all in favor, authorizing staff to send the letter to discharge dewatering effluent to existing stormwater management lakes owned by the CDD subject to the conditions of indemnity as stated on the record was approved.

Mr. Robson: Then one more thing, a potential future conflict of interest, now it doesn't exist yet but Johnson Engineering is also working for a client that is looking at a

project inside Pine Air Lakes that would potentially affect our master stormwater system. Now it's only potential because nothing has been submitted, nothing has been proposed, so it's just an awareness thing.

Mr. Durant: But we want you to do that.

Mr. Robson: Ok, but certainly any recommendations that go to that client might have to be fully permitted by South Florida Water Management, so again, I don't see that as a conflict.

Mr. Urbancic: I think you had one more item to update, wasn't there one more item that we discussed that you were going to approach the Board?

Mr. Robson: What am I forgetting?

Mr. Urbancic: There was another permit that was pulled and you wanted to at least report to the Board of what they didn't have to do with respect to their South Florida Water Management District permit?

Mr. Robson: Oh yes, ok now we're back to the dealership. Yes, it is startling to me, and I'm still and I apologize for not having an answer for you, but how could they do 5 acres of impervious and just not add anymore lakes? The application, and I have a copy of the entire application for the dealership here, they're not adding any more master stormwater system, all they're doing is tying into it. They convinced South Florida Water Management that the existing stormwater system is capable of accepting all of their runoff.

Mr. Nelson: That's interesting because if some other activity happens in the future that you may or may not be improved in, and they add a structure that's based on working under extreme conditions, you're going to test that system.

Mr. Robson: Right, but the staff report and everything that's in here, and it talks about the percent impervious allowed and they convinced them that this is within the impervious that's allowed by the existing stormwater system.

Mr. Nelson: So they have no onsite retainage in the 5 acres?

Mr. Robson: No, they've got treatment, there was treatment in each one of the inlets and so forth so they've done their secondary treatment before the water is ever discharged.

Mr. Nelson: But they're not holding it before they treat it, they just treat it.

Mr. Robson: Well they're doing the primary and almost total water quality component but the water storage, the stormwater accumulation it's all being done by the existing system, and they got a permit to do that.

Mr. Nelson: That's a pretty big deal.

Mr. Robson: Yes.

Mr. Conroy: Do you think it's accurate or do you think they screwed up?

Mr. Robson: They didn't even submit anything, they based it on percent of impervious and percent of impervious that's accepted by the overall permit and South Florida Water Management bought it.

Mr. Nelson: Have we experienced, in the past on the existing system a limit, in other words have we hit the limits of the system?

Mr. Fogg: Yes.

Mr. Robson: Yes.

Mr. Nelson: I do remember driving through a foot of water on Naples Blvd. last year or a year and a half ago.

Mr. Robson: And depending upon the size of the storm event it's one of those projections out there that yes, they understand when so much comes so fast it's going to happen for a short term, and they don't make everybody build to accept all that. What we did have that was an ongoing problem which some of you may recall is, this retention area that's adjacent to Costco, when it would fill up it would blow out that berm, so we strengthened that berm and it has not happened since then. Other than extreme events that gave short term street flooding which is considered acceptable by South Florida Water Management.

Mr. Nelson: Yes I think we said there was a clog or something.

Mr. Robson: Right when it's just isolated like that it could be a clog, but the design would say that if you got 6" in two hours you're going to have minor street flooding type of thing.

Mr. Fogg: That's not really the thing I remember.

Mr. Robson: What part are you remembering?

Mr. Fogg: Well yes that's correct, what I would like to point out is that this impervious runoff, since there is so much impervious surface in the car dealership, could in fact raise the water level in the preserve significantly and I don't know whether any of that, that doesn't fit normal engineering thinking because if all this water, overflow water from here ends up in here, all the overflow water from here comes down this drainage swale and ends up in here.

Mr. Robson: Well the one thing it's supposed to be and I'll go back to this linkage business, even if they're putting it in here and here, this is a 60" pipe, and this is a 72" pipe and they are large pipes.

Mr. Nelson: So once it's in the preserve, it should get out.

Mr. Robson: Well the water level that's in the preserve should match the water level in the lake, which should match the water level in the lake, which should match the water level in the lake.

Mr. Fogg: It doesn't.

Mr. Robson: Well if we had proof that would be good to have.

Mr. Fogg: The water level in here is not, there's no connection at this point from this preserve to anything.

Mr. Robson: Oh yes there is, there's a wired in section right here that's connected directly to this lake.

Mr. Fogg: No water has ever gone through there in all the time I've been here.

Mr. Robson: Well this lake has to get high enough for that to happen.

Mr. Fogg: Well the water goes from here down to here as I understand it, this line is the overflow from this lake down into the preserve.

Mr. Robson: No this is the connection of this preserve to that overall water level in the whole system.

Mr. Nelson: So the preserve has to get pretty deep before it flows into the lake.

Mr. Robson: Yes because more than likely due to runoff this is going to raise up faster than runoff, the rain falling here.

Mr. Fogg: It has in the past done that, and there is an overflow in here that prevents the water to come down this way.

Mr. Robson: No that's a direct connection from this lake to this area.

Mr. Fogg: Yes I know but it's an overflow.

Mr. Robson: It's a submerged pipe.

Mr. Fogg: Ok. I must be completely not understanding.

Mr. Robson: Well we can look at it, but that's the way the plans show it.

Mr. Fogg: Well I know what it was supposedly designed for, everything was designed, as you say, you don't show the outfall from here into the canal over here.

Mr. Robson: Because both of these do that, there's two of them.

Mr. Nelson: So that leads to the question, how frequently do we clean those pipes?

Mr. Robson: Most times pipe cleaning is due to problems and not in advance, some people do inspections.

Mr. Nelson: Well we had an inspection two years and we went through this, we did an inspection. My mom's house in Melbourne flooded because of a pipe that wasn't cleaned.

Mr. Robson: And that's quite often true in residential developments.

Mr. Nelson: So to George's point, if we're not having any running off and it's staying there, it's going to start ponding up and potentially create some problems so that's why I was wondering if we have scheduled maintenance.

Mr. Robson: No, there hasn't been any inspections that I'm aware of.

Mr. Fogg: I've never heard of any, I've never heard it discussed period, and I've been involved in this for 25 years.



Mr. Nelson: So let's look at the bigger picture of George's comment which is, and we were talking about this very briefly last month, the car dealership has about some acreage of impervious surface, of which there's a couple of acres that's percolating drainage.

Mr. Robson: There's 3 acres down here that's going to remain undeveloped, and that's out of the 11.4 acres.

Mr. Nelson: Ok so those 3 acres probably have unimpeded flow between them and the conservation area.

Mr. Robson: Actually at this point there's an inlet over in this corner that allows the water going out, and once it got into here it could flow from pipe to there but not directly from here to there, it has to go this way.

Mr. Nelson: Ok, so if the car dealership puts water to that 3 acres and then it flows into the conservation area, theoretically we could see water levels in the conservation area which we've never seen before.

Mr. Robson: He's curved all the way around inlets in the middle, the water goes to an inlet here that is pipe I'm showing going across to here, and then the other part of the parking lot comes up and goes through a pipe into Gordon's lake.

Mr. Conroy: So nothing in 3 years.

Mr. Robson: Correct.

Mr. Fogg: There's nothing going into the preserve?

Mr. Robson: The preserve has to get it, and it's weird the way you think of it.

Mr. Nelson: Well see this is not preserve, this is 3 acres, the preserve is over here.

Mr. Robson: Right.

Mr. Fogg: Oh pardon me, I thought it was here.

Mr. Nelson: So he's looking at this area versus this area because the dealership is here.

Mr. Robson: Right, and when you look at it, there's two pipes down here, one is small and one is large. One's 18" and the other one is 60", the 18" connects the wetland to the southwest lake, the 60" connects to the southwest lake to all the rest of the system

from this direction versus the 72" that connects it to the rest of the system. So that's why I stated there's not a direct connection. The water that is putting into the lake could go into the same pipe system as they're going into the catch basin into the same pipe system and can go to this lake or it can come up to this lake, and then once it's in this lake, if the water level is higher here than here, water is going to flow over to the wetlands.

Mr. Fogg: Well something seems drastically wrong because if we're not getting adequate water, and we may not be, into the preserve, right now it's going to be only worse because I assume that this overflowed into here rather than coming back this way.

Mr. Conroy: Can I make a suggestion? Can you guys work this out, and figure out what's going on, because we can sit here for 45 minutes talking about which way the pipes are going but we're just going in circles here.

Mr. Nelson: I think the direction, picking up what you're saying is that we just need to make sure the system works.

Mr. Conroy: We need to understand the system works, and each of you need to have an understanding of what's going on there consistently with each other's position and the only thing I want to know is do we have any skin in the game with respect to a permit that's been issued properly by the Volvo dealership even though it seems surprising that they could do 5 acres without a quarter acre of lake, but if they have to pass, they got a pass.

Mr. Robson: There are conditions in the permit that if after construction there is harm to adjacent properties, that there is a process.

Mr. Conroy: Which means what?

Mr. Robson: Meaning if we detect that it is having a negative impact on the master stormwater system, we approach South Florida Water Management and then they have to, these people have to sit down with South Florida Water Management and discuss remediation.

Mr. Conroy: Ok, so what do we do? There's nothing for us to do right?

Mr. Urbancic: I don't know if they're still in their, is there an appeal period or something?

Mr. Robson: We missed it back in July.

Mr. Urbancic: Ok, short of that there's probably not anything we can do.

Mr. Conroy: Alright, then I think we move on, it is what it is, they got their engineers to do it.

Mr. Robson: Right but certainly, George and I need to talk about what the real operational aspects are.

Mr. Conroy: Yes but I think you can do that offsite, we don't need to bang it out here.

Mr. Robson: Right and we ought to really do it over there.

Mr. Conroy: Of course that's what you need to do, do it over there.

Mr. Nelson: Right.

Mr. Embree: Yes.

Mr. Conroy: The only other thing we may want to think about is some process why, so we missed this in July, why did we miss it in July, did we get notified of anything like this, should we have had a discussion in June about it?

Mr. Robson: I put in the request to the Water Management District that anything to do with the Pine Air Lakes permit number, we'd be notified.

Mr. Conroy: So that's the modification of our permit?

Mr. Robson: Yes.

Mr. Conroy: And we were not notified?

Mr. Robson: Correct.

Mr. Nelson: Well there's 3 acres left, so we ought to keep an eye out for that.

Mr. Fogg: That's this piece in here right?

Mr. Robson: Right, and there's a piece there you have.

Mr. Fogg: This piece and this still is developed in here. This piece in here, the section south of Dick's and this parcel down in here are the only undeveloped parcels on the site.

Mr. Conroy: So is there anything else we can do to make sure we get notification of the permit?

Mr. Robson: They don't have a formal process, they have been very good in the past with other permit numbers, when I've made the request I get on the mailing list.

Mr. Conroy: But again, they're doing it right, it not our beef right, unless we have a problem, and as long as there's restitution that if we have a problem we go to someone and they fix it. I think we move on.

Ms. Derryberry: Ok.

Mr. Conroy: Anything else on that?

Mr. Embree: What about Mike's point about having the pipes inspected to clean them?

Mr. Conroy: I think it will be done by George and Dave.

Mr. Embree: Ok.

Mr. Conroy: And if you think we need to clean the pipes, let's start cleaning the pipes.

Mr. Fogg: Well if we could, is this a direction that the Board would like us to take is to inspect the pipes and clean them if necessary?

Mr. Robson: Well we can come back with a cleaning proposal.

Mr. Fogg: Well yes the proposal.

Mr. Conroy: I want you guys to be consistent on understanding where the water flows because our two experts are at odds with each other.

Mr. Robson: Alright we'll get together.

Mr. Conroy: Then when you're out there, give us a report as to what you see.

Mr. Fogg: Well that requires running an inspection of the pipes with equipment.

Mr. Robson: Well let's first, run through the operation of the system and then step 2 would be if at the end of that we think there's some operational problems that's the way to do it.

Mr. Conroy: Right, that's right.

Mr. Robson: Now I'll read just to reinforce what I said, the District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland

conservation areas or buffers, or other surface waters have occurred due to the project related activities. So that's why I'm saying it was built into the permit that if we have a problem due to what they've done, we can evoke that.

Mr. Conroy: Ok.

Ms. Derryberry: Ok.

Mr. Conroy: Alright, let's move one.

### **C. Field Report**

Ms. Derryberry: Ok, we'll move on to the field report, George do you have anything for us today?

Mr. Fogg: I have a very brief report today. I know this is unusual but number one, you said at the last meeting that you wanted to see that those dead royal poinciana trees were taken off the road. They're gone, they've been replaced by new trees and that's been taken care of, in fact it was done last week.

Mr. Conroy: Thank you.

Mr. Fogg: And that was a valid request, I had been working up to it, I was getting it done and we just accelerated it. The second thing that has happened and I've reported on this before, is that we have had on the lake report, we have had an indigent person living in that little park area there. I've called the police three times now, they have notified him to get off our property and I've been by several times and I haven't seen him, but I just got a report from Rich today on the way, when I was driving here that the trash can there is overflowing again. We get it emptied once a week, the indigent was filling it up with his garbage and stuff.

Mr. Conroy: Explain where this is again George.

Mr. Fogg: Yes, there's a little park area at the northeast corner of the airport lake.

Mr. Conroy: Ok.

Mr. Nelson: There's little benches there and trees.

Mr. Fogg: Yes there's a bench and some shrubs.

Mr. Conroy: Is there hiding places, can we take down the shrubs so it's exposed so it's not comfortable to live there?

Mr. Fogg: It isn't a hiding place, the guy has just been living and he sleeps on the bench, and keeps his gear under the bench, and he's there, and I think we've got that gone but the problem is, it may not be, the trash overflowing may not be just his, it may be somebody using it for their trash disposal. If we're not able to keep it clean, we just got a second request on direction from the county saying get it cleaned out. Apparently it got filled up over the weekend and it is a mess and we'll get it done tomorrow but we have basically a couple of choices, one is that we can remove the trash can and then we don't have to worry about the trash can overflowing, or we can in fact get rid of that whole area which was required by the county in order to get the permit to build the lake originally. My feeling at this point is that I will insist that our landscape maintenance people which do the trash pickup, clean it up, if necessary not once a week but a couple of times a week, they're only out there once a week but I can have somebody come through and make sure it's cleaned up say a couple of times a week, so that's my first course of action. The second would be, if we are still unable to get it taken care of and we don't see any indigent person that means that somebody is dumping trash in there that shouldn't be, so we can either get rid of the trash can and the bench.

Mr. Conroy: Well what kind of trash is it, is it like McDonald's bags or is it industrial trash, boxes from a store?

Mr. Fogg: It seems to be just miscellaneous trash like you would have around a house type of thing. I don't understand it, it hasn't been a problem until this year.

Mr. Conroy: Are they putting it in the trash can?

Mr. Fogg: Yes.

Mr. Conroy: Why don't we get a bigger trash can? Just get a bigger trash can so it could just be dumped once a week, I don't know but if we have to pay someone to dump it twice a week as opposed to one big trash can.

Mr. Fogg: Well I don't think it will affect our cost for maintaining the site.

Mr. Conroy: Ok.

Mr. Fogg: I think I can get that done anyway, I'd rather try that first. I think the alternative, your suggestion is a good one, we might just install a second trash can but I

would rather take care of it with the one that's there. There's almost never anybody sitting on the bench.

Mr. Conroy: I get that, it's a park area right, it's supposed to be for the public, they can come and they can sit down and rest for a few minutes.

Mr. Fogg: That's exactly what it's for.

Mr. Conroy: If it's actually being used properly by people who are supposed to be there and they go sit and they dump their garbage, then let's get a bigger trash can so the trash can doesn't overflow. So if it's used well, let's accommodate the reasonable people who are using it, but if it's being used by someone sleeping there, then get one of those benches with the armrest every foot or two so that you just sit down there and you can't sleep.

Mr. Fogg: Well the police will roust the guy out of there, and I haven't seen him recently and I thought we'd gotten it taken care of and apparently he's back.

Mr. Conroy: Ok, but that's why I asked what the type of trash is because if it's normal lunch type trash then it's being used properly.

Mr. Fogg: Well it's more than I guess lunch trash, it's things like used clothing.

Mr. Nelson: He's dumpster diving.

Mr. Conroy: Ok.

Mr. Fogg: And I'm torn, I hate to kick a homeless person out of a place, but I just wanted you to be aware that it is an ongoing thing, I thought we had resolved the problem and it's back on, but we'll get it taken care of one way or the other.

Mr. Conroy: Ok, you handle it. My thought is, if it's proper normal kind of trash that people are using the park, get a bigger trash can, and let them use the park, and enjoy it.

Mr. Fogg: Then we might need to put another trash can and that might be the best way to do it but we'll find a resolution of that. I just wanted you to be aware of it. There is one other potential problem and I don't know what it is yet, but some of the plants right down at the end of Naples Blvd. before it comes into Pine Ridge Road, they are

suffering, probably a water problem but we have the maintenance people working on it, and I just wanted you to know that otherwise things seem to be in good shape.

Ms. Derryberry: Ok.

Mr. Conroy: Ok Lisa let's move on we're well over an hour now. Thank you George, thank you Dave.

**D. Manager**

Ms. Derryberry: Ok under the manager's, the only thing is our next meeting if needed is March 23rd.

**SIXTH ORDER OF BUSINESS**

**Financial Reports**

**A. Approval of Check Register**

**B. Balance Sheet and Income Statement**

Ms. Derryberry: Moving on to financial reports, we have approval of the check register which is behind tab 6A in your book.

On MOTION by Mr. Conroy seconded by Mr. Embree with all in favor, the Check Register was approved.

Ms. Derryberry: And the next item would be the balance sheet and income statement. If there are no questions, a motion to approve would be in order.

On MOTION by Mr. Conroy seconded by Mr. Nelson with all in favor, the Balance Sheet and Income Statement were approved.

**SEVENTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments**

Ms. Derryberry: Ok there's no audience here today for any comments, are there any other Supervisors requests?

Mr. Conroy: No.



**EIGHTH ORDER OF BUSINESS      Adjournment**

Ms. Derryberry: Ok if there is nothing else, a motion to adjourn would be in order.

Mr. Fogg: I'd just like to ask one question if I could, what's the status on any future development in our area so I can have my maintenance properly ready to handle anything that might come up? Are these stores in here likely to be developed?

Mr. Conroy: Yes, that's going to be done there.

Mr. Fogg: So that's the replication of what's over here?

Mr. Conroy: Exactly I think it's a 20,000 square foot building.

Mr. Fogg: What about this piece down in here?

Mr. Conroy: No plans there.

Mr. Fogg: So nothing going in there?

Mr. Conroy: No.

Mr. Fogg: And the restaurant over here is that going in?

Mr. Conroy: Yes that is a restaurant and retail site there but nothing confirmed yet.

Mr. Fogg: Ok, so that's still the same status.

Mr. Conroy: Correct, ok.

Mr. Fogg: Ok, thank you.

Ms. Derryberry: Alright, we just need a motion to adjourn then.

On MOTION by Mr. Conroy seconded by Mr. Durant with all in favor the meeting was adjourned.

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Secretary / Assistant Secretary

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Chairman / Vice Chairman

PROJECT: Misc #99999 (Naples Blvd/SDP PL20160000297 / Naples Infinity Volvo)  
PARCEL: 386RTFUE / 386SWUE  
Folio: Portions of #62014000021 & #62014000047 (Parcels previously combined as #66760013041)

## SUBORDINATION AND CONSENT TO GRANT OF EASEMENT

THIS SUBORDINATION AND CONSENT TO GRANT OF EASEMENT is given this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by **PINE AIR LAKES COMMUNITY DEVELOPMENT DISTRICT**, an independent special district established pursuant to **Chapter 190, Florida Statutes**, whose mailing address is c/o Governmental Management Services-South Florida, LLC, 5385 N. Nob Hill Road, Sunrise, FL 33351 (hereinafter referred to as "CDD"), in favor of **COLLIER COUNTY**, a political subdivision of the State of Florida, its successors and assigns, whose mailing address is 3299 Tamiami Trail East, c/o the Office of the County Attorney, Suite 800, Naples, Florida 34112 (hereinafter referred to as "County").

### WITNESSETH:

WHEREAS, CDD is the owner and holder of interests in the subject property by virtue of multiple documents recorded in the Public Records of Collier County, Florida, including but not limited to the Notice of Establishment of the CDD recorded November 26, 2007 in Official Records Book 4305, Page 633; as affected by Notice of Financing Plan of the CDD recorded January 23, 2009 in Official Records Book 4422, Page 953; as affected by the Amended Notice of Financing and Maintenance of improvements of the CDD recorded April 1, 2016 in Official Records Book 5257, Page 1176; and that certain Assignment of Dedications (Pine Air Lakes Units 1-6 Plats) of drainage and access easements recorded on September 26, 2011 in Official Records Book 4722, Page 591 (hereinafter referred to as the "Encumbered Property"); and

WHEREAS, CDD has jurisdiction over the Encumbered Property and, as such, may impose and levy taxes or assessments, or both taxes and assessments, on the Encumbered Property; and

WHEREAS, County has requested from the fee simple owner of the Encumbered Property (hereinafter referred to as "Fee Owner") a perpetual non-exclusive easement for the purpose of constructing, operating and maintaining roadway, bikepath and sidewalk improvements, transportation facilities, including but not limited to street lighting, traffic signal mast arm assemblies, traffic signal controller cabinets, vehicle detector mechanisms and signage, both above and below the surface of the ground, and any and all manner of public and private utility facilities (if such facilities have County's consent and proper authorization), over, under, on and across a portion of the encumbered premises legally described in Exhibit "A", attached hereto and incorporated herein by virtue of this reference (which premises are hereinafter referred to as "386RTFUE"); and

WHEREAS, County has requested from the Fee Owner a perpetual non-exclusive easement for the purpose of constructing and maintaining sidewalk and utility facilities thereon, including public as well as private utilities such as electric, telephone and cable television (if such facilities have Collier County's consent and proper authorization) over, under, on and across a portion of the encumbered premises legally described in Exhibit "B", attached hereto and incorporated herein by virtue of this reference (which premises are hereinafter referred to as "386SWUE") (386RTFUE and 386SWUE hereinafter collectively referred to as the "Easement Property"); and

WHEREAS, County has requested that CDD consent to the Fee Owner's grant of the hereinabove described easements, subordinate its interest in the Easement Property to the interest that County has in the Easement Property, and memorialize the fact that County is not subject to any fees, rates and charges, taxes and assessments levied by the CDD, to which request CDD has agreed.

NOW, THEREFORE, in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CDD does hereby consent to the Fee Owner's grant of easements to County over, under, upon and across the Easement Property, and does hereby subordinate the lien of its Encumbrances to the Fee Owner's grant of those certain easements described herein over, under, on and across the Easement Property and any interest of County in any roadway, bikepath, sidewalk, traffic and utility facilities located therein or affixed thereto. Except as subordinated to the easements described herein over, under, on and across the Easement Property, or any traffic and utility facilities located therein or affixed thereto (both above and below the surface of the ground), said Encumbrance shall remain in full force and effect.

IN WITNESS WHEREOF, CDD has set its hand and seal the date and year first written above.

PINE AIR LAKES COMMUNITY  
DEVELOPMENT DISTRICT, an  
Independent special district established  
Pursuant to Chapter 190, Florida Statutes

\_\_\_\_\_  
Witness (Signature)

Name: \_\_\_\_\_  
(Print or type)

\_\_\_\_\_  
Witness (Signature)

Name: \_\_\_\_\_  
(Print or type)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing Subordination and Consent to Grant of Easement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by \_\_\_\_\_, as \_\_\_\_\_ on behalf of PINE AIR LAKES COMMUNITY DEVELOPMENT DISTRICT, an independent special district established pursuant to Chapter 190, Florida Statutes, who:

\_\_\_\_\_ is personally known to me

OR

\_\_\_\_\_ who has produced \_\_\_\_\_ as proof of identity.

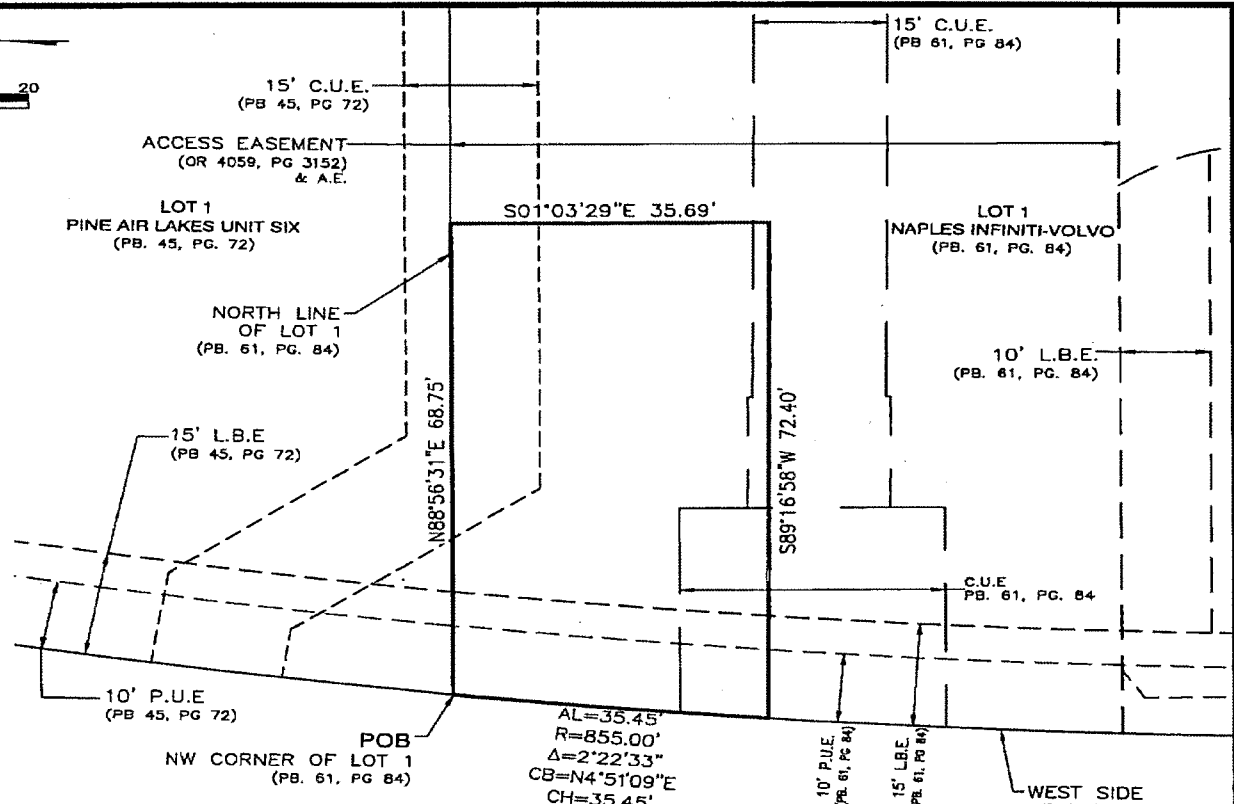
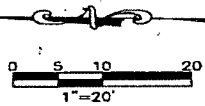
(affix notarial seal)

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Print Name of Notary Public)  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

Approved as to form and legality

\_\_\_\_\_  
Emily Pepin  
Assistant County Attorney



**LEGEND**

AL	=	ARC LENGTH
CH	=	CHORD LENGTH
CB	=	CHORD BEARING
DESC.	=	DESCRIPTION
PB	=	PLAT BOOK
PG	=	PAGE
POB	=	POINT OF BEGINNING
R	=	RADIUS
Δ	=	DELTA ANGLE
CUE	=	COUNTY UTILITY EASEMENT
AE	=	ACCESS EASEMENT
LBE	=	LANDSCAPE BUFFER EASEMENT
PUE	=	PUBLIC UTILITY EASEMENT

- NOTES:**
1. THIS SKETCH IS NOT A SURVEY.
  2. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 1, NAPLES INFINITI-VOLVO, AS RECORDED IN PLAT BOOK 61, PAGE 84 TO BEAR N88°56'31"E.
  3. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.

TIMOTHY J. DEVRIES      DATE  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. LS 6758  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**SIGNAL LOOP EASEMENT  
 LYING IN LOT 1  
 NAPLES INFINITI-VOLVO**  
 PLAT BOOK 61, PAGE 84  
 SECTION 11, TOWNSHIP 49 SOUTH, RANGE 25 EAST  
 COLLIER COUNTY, FLORIDA



6610 Willow Park Dr., Suite 200  
 Naples, Florida 34109  
 Phone (239) 597-0575  
 Fax: (239) 597-0578  
 LB No.: 6952

JOB NUMBER	REVISION	SECTION	TOWNSHIP	RANGE	SCALE	DATE	DRAWN BY	FILE NAME	SHEET
160008.00.01	0	11	49 S	25 E	1"=20'	2/6/17	CLS	AS03 SD	1 OF 2

**EXHIBIT A**  
 Page 1 of 4

**PARCEL NO. 386 RTFUE**



**DESCRIPTION**

A PARCEL OF LAND LYING IN LOT 1, NAPLES INFINITI-VOLVO, AS RECORDED IN PLAT BOOK 61, PAGE 84, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1 THENCE N.88°56'31"E. ON THE NORTH LINE OF SAID LOT 1 FOR 68.75 FEET;

THENCE S.01°03'29"E. DEPARTING SAID NORTH LINE FOR 35.69 FEET;

THENCE S.89°16'58"W. 72.40 FEET TO AN INTERSECTION WITH THE WEST SIDE OF SAID LOT 1 AND POINT ON A CURVE;

THENCE NORTHERLY ON SAID WEST SIDE FOR 35.45 FEET ALONG THE ARC OF A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 855.00 FEET THROUGH A CENTRAL ANGLE OF 02°22'33" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.04°51'09"E. FOR 35.45 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

CONTAINING 2,508 SQUARE FEET OR 0.06 ACRES, MORE OR LESS.

BEARINGS MENTIONED HERINABOVE ARE BASED ON THE NORTH LINE OF SAID LOT 1 TO BEAR N.88°56'31"E.

February 20, 2017 9:28 AM K:\2016\160008.00.01 Infnit -Volvo Naples, Minor Plat\001 Platfing & Permitfing\AS03\Sketches\160008.00.01 AS03 SD.dwg

**SIGNAL LOOP EASEMENT  
LYING IN LOT 1  
NAPLES INFINITI-VOLVO**  
PLAT BOOK 61, PAGE 84  
SECTION 11, TOWNSHIP 49 SOUTH, RANGE 25 EAST  
COLLIER COUNTY, FLORIDA



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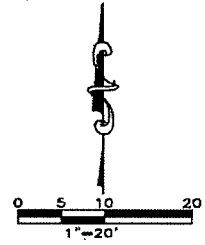
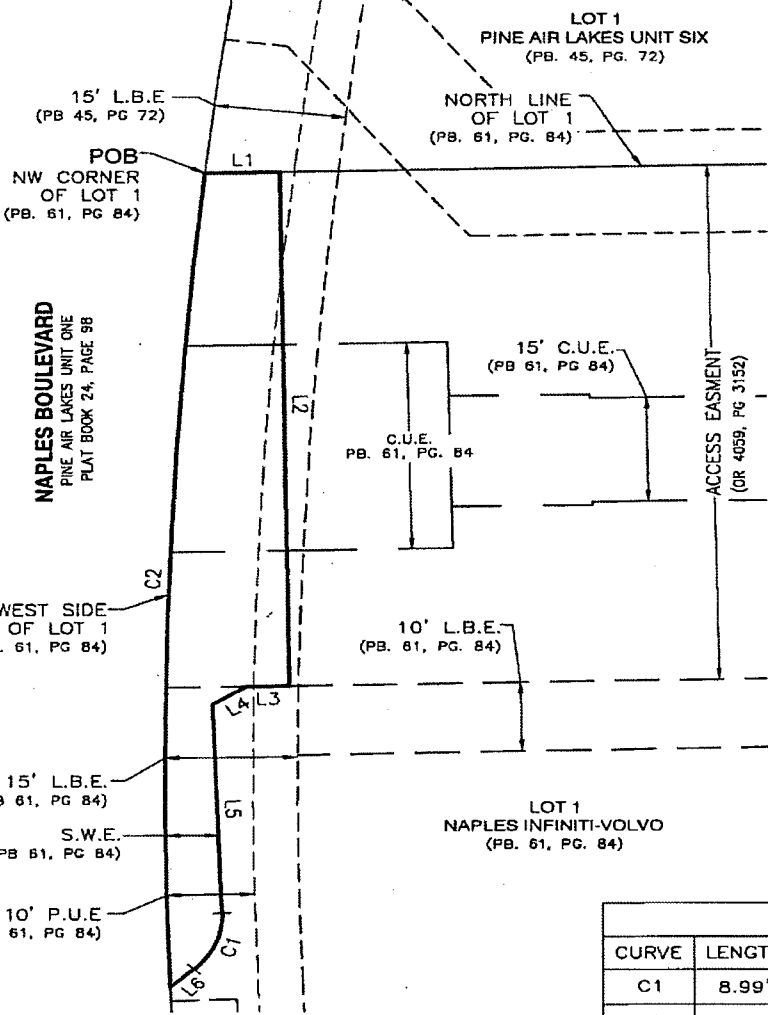
JOB NUMBER	REVISION	SECTION	TOWNSHIP	RANGE	SCALE	DATE	DRAWN BY	FILE NAME	SHEET
16008.00.01	0	11	49 S	29 E		2/6/17	CLS	AS03 SD	2 OF 2

**EXHIBIT**   A    
Page   2   of   4  

**PARCEL NO.**   386RTFUE  



February 20, 2017 5:47 AM K:\2016\160008.00.01 Infinal -Voice Naples, Minor Plat\001 Plotting & Permitting\AS03\Sketches\160008.00.01 AS03 SD-2.dwg



**LEGEND**

- AL = ARC LENGTH
- CH = CHORD LENGTH
- CB = CHORD BEARING
- DESC. = DESCRIPTION
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- R = RADIUS
- Δ = DELTA ANGLE
- CUE = COUNTY UTILITY EASEMENT
- AE = ACCESS EASEMENT
- LBE = LANDSCAPE BUFFER EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- SWE = SIDEWALK EASEMENT

LINE TABLE		
LINE	BEARING	LENGTH
L1	N88°56'31"E	8.46'
L2	S00°42'10"E	75.00'
L3	S88°56'31"W	4.77'
L4	S57°07'18"W	4.69'
L5	S01°50'29"E	30.45'
L6	S45°00'00"W	3.81'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	8.99'	11.00'	46°50'29"	S21°34'46"W	8.74'
C2	118.91'	855.00'	7°58'06"	N02°03'23"E	118.81'

- NOTES:**
1. THIS SKETCH IS NOT A SURVEY.
  2. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 1, NAPLES INFINITI-VOLVO, AS RECORDED IN PLAT BOOK 61, PAGE 84 TO BEAR N88°56'31"E.
  3. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.

TIMOTHY J. DEVRIES DATE  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. LS 6758  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**SIDEWALK EASEMENT  
 LYING IN LOT 1  
 NAPLES INFINITI-VOLVO**  
 PLAT BOOK 61, PAGE 84  
 SECTION 11, TOWNSHIP 49 SOUTH, RANGE 25 EAST  
 COLLIER COUNTY, FLORIDA

**RWA ENGINEERING**

6610 Willow Park Dr., Suite 200  
 Naples, Florida 34109  
 Phone (239) 597-0575  
 Fax: (239) 597-0578  
 LB No.: 6952

JOB NUMBER 160008.00.01	REVISION 0	SECTION 11	TOWNSHIP 49 S	RANGE 25 E	SCALE 1"=20'	DATE 2/6/17	DRAWN BY CLS	FILE NAME AS03 SD	SHEET 1 OF 2
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EXHIBIT A  
 Page 3 of 4

PARCEL NO. 386 SW1E



**DESCRIPTION**

A PARCEL OF LAND LYING IN LOT 1, NAPLES INFINITI-VOLVO, AS RECORDED IN PLAT BOOK 61, PAGE 84, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1 THENCE N.88°56'31"E. ON THE NORTH LINE OF SAID LOT 1 FOR 8.46 FEET; THENCE S.00°42'10"E. DEPARTING SAID NORTH LINE FOR 75.00 FEET;

THENCE S.88°56'31"W., FOR 4.77 FEET;

THENCE S.57°07'18"W., FOR 4.69 FEET;

THENCE S.01°50'29"E., FOR 30.45 FEET TO A POINT OF CURVATURE;

THENCE SOUTHERLY 8.99 FEET ALONG THE ARC OF A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 11.00 FEET THROUGH A CENTRAL ANGLE OF 46°50'29" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.21°34'46"W. FOR 8.74 FEET;

THENCE S.45°00'00"W. FOR 3.81 FEET TO AN INTERSECTION WITH THE WEST SIDE OF LOT 1 AND A POINT ON A CURVE;

THENCE NORTHERLY ON SAID WEST SIDE 118.91 FEET ALONG THE ARC OF A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 855.00 FEET THROUGH A CENTRAL ANGLE OF 07°58'06" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.02°03'23"E. FOR 118.81 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

CONTAINING 1,126 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

BEARINGS MENTIONED HERINABOVE ARE BASED ON THE NORTH LINE OF SAID LOT 1 TO BEAR N.88°56'31"E.

February 20, 2017 9:47 AM K:\2015\160008.00.01 Infniti - Volvo Naples, Minor Plat\001 Platting & Permitting\AS03\Sketches\160008.00.01 AS03 SD-2.dwg

**SIDEWALK EASEMENT  
LYING IN LOT 1  
NAPLES INFINITI-VOLVO**  
PLAT BOOK 61, PAGE 84  
SECTION 11, TOWNSHIP 49 SOUTH, RANGE 26 EAST  
COLLIER COUNTY, FLORIDA



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JOB NUMBER	REVISION	SECTION	TOWNSHIP	RANGE	SCALE	DATE	DRAWN BY	FILE NAME	SHEET
160008.00.01	0	11	49 S	29 E		2/6/17	CLS	AS03 SD	2 OF 2

**EXHIBIT** A  
Page 4 of 4

**PARCEL NO.** 386 SWUE



TO: Pine Air Lakes CDD

DATE: February 27, 2017

FROM: David Robson, P.E.

RE: Permitted Stormwater Ponds

At the February 23<sup>rd</sup> Board of Supervisor meeting the discussion of the approved SFWMD ERP Application 160505-17 Naples Infiniti-Volvo dealership I expressed my concerns of SFWMD approving the project with stormwater discharge into the existing constructed master stormwater system without expanding the stormwater pond system, 4 ponds total.

Pine Air Lakes permit 11-00715-S conceptual plan approved 16.90 acres of total stormwater ponds to allow 77.9% impervious area, building and pavement combined or 122.7 acres of the 178.42 total project acres (149.9 acres Pine Air Lakes, 29.0 acres Pine Ridge Industrial Park, and 0.9 acres Naples Boulevard). Application 16505-17 states the total impervious area of 122.7 acres will be met by the project.

My explanation should have included that the actual total acres of stormwater ponds constructed has not been verified by field measurement to my knowledge and was not required by SFWMD before approval of Application 160505-17.

The expansion of the SW lake by Application 131220-8 Dick's Sporting Gods Naples was certified by Franklin Porter, P.E. of Lochrane Engineering as being "constructed in substantial conformance with plans and specifications" without providing documentation such as a survey the completed size of the SW lake.

My actual concern is that the SW lake is not 8.54 acres in total as shown in the approved plans. The NE lake is documented at 4.02 acres, NW lake at 3.34 acres, GFS lake at 1.0 acre for a total of 7.36 acres. If the SW lake is 8.54 acres as shown in Application 131220-8 then the total would be 16.9 acres, meets the conceptual plan and allows the dealership to use the existing stormwater system to discharge its stormwater. This SW lake size concern was included in the November 28, 2016 letter by District Council to Paul Johnson, Jr., Esq, representing Up Development, permittee of Application 131220-8.

I feel that I poorly expressed my concern during the February 23<sup>rd</sup> meeting so I prepared this memo to clarify the status of the master stormwater system.



**PINE AIR LAKES**  
*Community Development District*

**Check Run Summary - General Fund**  
**March 23, 2017**

<b>Date</b>	<b>Check Numbers</b>	<b>Amount</b>
<b>Accounts Payable</b>		
03/01/17	1810-1815	\$20,180.66
03/14/17	1816-1820	\$11,242.60
<b>Total</b>		<b>\$31,423.26</b>

PINE AIR LAKES - GF  
 BANK A PINE AIR LAKES CDD

CHECK DATE	VEND#	INVOICE DATE	EXPENSED TO...	YRMO	DPT	ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	#
3/01/17	00068	2/10/17	5245960	201702	320	-54100-46200				*	4,950.00		
		FEB 17	MAINTENANCE										
2/20/17	2936512	201702	320-54100-46202							*	424.00		
		3	GALLON FAKAHTCHEE										
2/20/17	2936513	201702	320-54100-46202							*	490.57		
		INSTALL	7 GAL PLUM										
2/20/17	2936514	201702	320-54100-46202							*	664.43		
		INSTALL	7 GAL COCO PLUM										
2/20/17	2936515	201702	320-54100-46202							*	672.00		
		3	GAL DWARF BOUGANVILLIA										
2/20/17	2936520	201702	320-54100-35000							*	257.50		
		BATTERY	TIMER										
2/20/17	2936546	201702	320-54100-46202							*	2,750.00		
		REPLACE	3 TREES										
BRIGHTVIEW LANDSCAPE SERVICES													
3/01/17	00045	2/13/17	220329	201701	320	-54100-46803				*	400.00		
		MONTHLY	WATER USE PERMIT										
CARDNO													
3/01/17	00003	2/21/17	5-714-83	201702	310	-51300-42000				*	135.80		
		DELIVERIES	THRU-2/21/17										
FEDEX													
3/01/17	00021	2/23/17	74241-26	201702	320	-54100-48200				*	206.19		
		SERVICE	THRU-2/23/17										
2/23/17	98770-16	201702	320-54100-48200							*	339.23		
		SERVICE	THRU-2/23/17										
FLORIDA POWER & LIGHT													
3/01/17	00053	3/01/17	03012017	201703	300	-20300-20100				*	15.89		
		SPECIAL	ASSESSMENT										
PINE AIR LAKES CDD													
3/01/17	00060	3/01/17	03012017	201703	300	-20300-20000				*	8,875.05		
		SPECIAL	ASSESSMENT										
PINE AIR LAKES CDD													
3/14/17	00016	3/01/17	367921	201703	320	-54100-46800				*	554.00		
		MAR 17	-LAKE & WETLAND SVC										
AQUATIC SYSTEMS, INC.													
3/14/17	00004	3/01/17	134	201701	310	-51300-31500				*	1,365.00		
		SERVICE	THRU 01/31/2017										
COLEMAN, YOYANOVICH & KOESTER, P.A.													
PAL PINE AIR LAKES SROSINA													

10,208.50 001810  
 400.00 001811  
 135.80 001812  
 545.42 001813  
 15.89 001814  
 8,875.05 001815  
 554.00 001816  
 1,365.00 001817

CHECK DATE	VEND#	INVOICE DATE	INVOICE YRMO	DPT ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT
3/14/17	00030	3/01/17	140	201703	310-51300-34000			*	3,022.08	
		MAR 17		MGMT FEES						
3/01/17	140	3/01/17	140	201703	310-51300-31600			*	166.67	
		MAR 17		DISSEMINATION SVCS						
3/01/17	140	3/01/17	140	201703	310-51300-31400			*	25.00	
		MAR 17		ASSESSMENT R.CERT.						
3/01/17	140	3/01/17	140	201703	310-51300-35101			*	41.67	
		MAR 17		WEBSITE ADMIN						
3/01/17	140	3/01/17	140	201703	310-51300-51000			*	20.00	
		MAR 17		OFFICE SUPPLIES						
3/01/17	140	3/01/17	140	201703	310-51300-42000			*	9.43	
		MAR 17		POSTAGE						
3/01/17	140	3/01/17	140	201703	310-51300-42500			*	63.75	
		MAR 17		COPIES						
GOVERNMENTAL MANAGEMENT SERVICES										
3/14/17	00017	3/02/17	40	201702	320-54100-47600			*	5,300.00	3,348.60
		LNDSCAPE MAINT		THRU 02/17						
IBIS										
3/14/17	00009	2/28/17	119	201702	310-51300-31100			*	675.00	5,300.00
		SERVICE THRU 02/12/2017								
JOHNSON ENGINEERING										

TOTAL FOR BANK A 31,423.26  
 TOTAL FOR REGISTER 31,423.26

PAL PINE AIR LAKES SROSINA

**PINE AIR LAKES  
COMMUNITY DEVELOPMENT DISTRICT**  
Special Assessment Receipts  
Fiscal Year 2017

\$250,894.88      \$586,987.26      \$297,151.27      \$1,135,033.41  
ASSESSED THROUGH COUNTY

**TOTAL ASSESSMENT LEVY**

DATE	DESCRIPTION	AMOUNT	DISCOUNTS/PENALTIES	COMMISSIONS	PROPERTY APPRAISER	INTEREST	NET RECEIPTS	O&M Portion	2012 DSF Portion	2008 DSF Portion	Total
10/11/2016	INVOICE	\$0.00	\$0.00	\$0.00	\$17,025.46	\$0.00	(\$17,025.46)	(\$3,763.41)	(\$8,804.79)	(\$4,457.26)	(\$17,025.46)
10/26/2016	CK#300077239	\$22,218.84	\$1,166.49	\$421.05	\$0.00	\$0.00	\$20,631.30	\$3,354.27	\$17,277.03	\$0.00	\$20,631.30
11/29/2016	CK#300077745	\$369,094.08	\$14,763.76	\$7,086.61	\$0.00	\$0.00	\$347,243.71	\$72,532.58	\$256,424.28	\$18,286.85	\$347,243.71
12/15/2016	CK#300078756	\$574,744.23	\$22,989.79	\$11,035.09	\$0.00	\$0.00	\$540,719.35	\$134,868.47	\$260,803.39	\$145,047.49	\$540,719.35
12/30/2016	CK#300078982	\$134,673.92	\$4,040.22	\$2,612.67	\$0.00	\$0.00	\$128,021.03	\$20,254.07	\$0.00	\$107,766.95	\$128,021.02
1/25/2017	INTEREST	\$0.00	\$0.00	\$0.00	\$0.00	\$60.71	\$60.71	\$13.42	\$31.40	\$15.89	\$60.71
1/30/2017	CK#300079331	\$11,109.43	\$333.28	\$215.52	\$0.00	\$0.00	\$10,560.63	\$1,716.97	\$8,843.65	\$0.00	\$10,560.63
	<b>TOTAL</b>	<b>\$1,111,840.50</b>	<b>\$43,293.54</b>	<b>\$21,370.94</b>	<b>\$17,025.46</b>	<b>\$60.71</b>	<b>\$1,030,211.26</b>	<b>\$228,976.37</b>	<b>\$534,574.96</b>	<b>\$266,659.92</b>	<b>\$1,030,211.26</b>

Assessed on Roll:

GROSS AMOUNT ASSESSED	PERCENTAGE	ASSESSMENTS COLLECTED	ASSESSMENTS TRANSFERRED	AMOUNT TO BE TFR.
O & M	22.1046%	\$228,976.37	\$(228,976.37)	\$0.00
2012 DEBT SERVICE	51.7154%	\$534,574.96	\$(525,699.91)	\$8,875.05
2008 DEBT SERVICE	26.1800%	\$266,659.92	\$(266,644.03)	\$15.89
<b>TOTAL</b>	<b>100.00%</b>	<b>\$1,030,211.26</b>	<b>\$(1,021,320.31)</b>	<b>\$8,890.95</b>

97.96% Gross Collections  
\$23,192.91 Balance Remaining to Collect

DATE	CHECK #	2012 DSF	2008 DSE
12/17/2016	1784/1785	\$ 264,896.52	\$ 13,829.59
1/6/2017	1796/1797	\$ 260,803.39	\$ 252,814.44
<b>TOTAL</b>		<b>\$ 525,699.91</b>	<b>\$ 266,644.03</b>
Amount due:		\$ 8,875.05	\$ 15.89

TRANSFERS TO DEBT SERVICE:

**PINE AIR LAKES**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**COMBINED BALANCE SHEET**  
February 28, 2017

	<u>Major Funds</u>		<u>Total Governmental Funds</u>
	<u>General</u>	<u>Debt Service</u>	
<b><u>ASSETS:</u></b>			
Cash	\$33,209	---	\$33,209
Due from Other Funds	---	\$8,891	\$8,891
Investment - State Board Surplus	\$236,559	---	\$236,559
Investment - State Board Reserves	\$322,723	---	\$322,723
Investments:			
<b><u>Series 2008</u></b>			
Reserve	---	\$254,271	\$254,271
Interest	---	\$1	\$1
Revenue	---	\$339,616	\$339,616
Bond Redemption	---	\$4,570	\$4,570
<b><u>Series 2012</u></b>			
Reserve	---	\$500,000	\$500,000
Revenue	---	\$637,851	\$637,851
Deposits	\$1,024	---	\$1,024
<b>TOTAL ASSETS</b>	<u>\$593,515</u>	<u>\$1,745,200</u>	<u>\$2,338,715</u>
<b><u>LIABILITIES:</u></b>			
Accounts Payable	\$19,030	---	\$19,030
Due to Other Funds	\$8,891	---	\$8,891
<b>TOTAL LIABILITIES</b>	<u>\$27,921</u>	<u>\$0</u>	<u>\$27,921</u>
<b><u>FUND BALANCES:</u></b>			
Nonspendable:			
Prepaid Items and Deposits	\$1,024	---	\$1,024
Restricted:			
Debt Service	---	\$1,745,200	\$1,745,200
Assigned to:			
Maintenance Reserves	\$322,723	---	\$322,723
Unassigned	\$241,847	---	\$241,847
<b>TOTAL FUND BALANCES</b>	<u>\$565,594</u>	<u>\$1,745,200</u>	<u>\$2,310,794</u>
<b>TOTAL LIABILITIES &amp; FUND BALANCES</b>	<u>\$593,515</u>	<u>\$1,745,200</u>	<u>\$2,338,715</u>

**PINE AIR LAKES**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**GENERAL FUND**

Statement of Revenues, Expenditures, and Changes in Fund Balance  
For The Period Ending February 28, 2017

	ADOPTED BUDGET	PRORATED BUDGET THRU 2/28/17	ACTUAL THRU 2/28/17	VARIANCE
<b>REVENUES:</b>				
Maintenance Assessments	\$232,705	\$228,976	\$228,976	\$0
Interest Income	\$500	\$208	\$1,715	\$1,507
<b>TOTAL REVENUES</b>	<b>\$233,205</b>	<b>\$229,185</b>	<b>\$230,691</b>	<b>\$1,507</b>
<b>EXPENDITURES:</b>				
<b>ADMINISTRATIVE:</b>				
Supervisors Fees	\$6,000	\$2,500	\$2,000	\$500
FICA Expense	\$459	\$191	\$153	\$38
Engineering	\$10,000	\$4,167	\$4,518	(\$351)
Arbitrage Services	\$1,200	\$1,200	\$1,200	\$0
Attorney	\$12,000	\$5,000	\$4,648	\$353
Attorney-Special Counsel	\$25,000	\$10,417	\$414	\$10,003
Annual Audit	\$3,700	\$1,542	\$0	\$1,542
Management Fees	\$36,265	\$15,110	\$15,110	\$0
Disclosure Report	\$2,000	\$833	\$833	(\$0)
Trustee Fees	\$7,250	\$7,250	\$7,217	\$33
Assessment Roll	\$300	\$125	\$125	\$0
Telephone	\$50	\$21	\$3	\$18
Postage	\$1,250	\$521	\$592	(\$71)
Printing & Binding	\$500	\$208	\$116	\$93
Insurance	\$6,515	\$6,515	\$6,042	\$473
Legal Advertising	\$2,500	\$1,042	\$0	\$1,042
Other Current Charges	\$550	\$229	\$194	\$35
Office Supplies	\$150	\$63	\$40	\$23
Dues, Licenses & Subscriptions	\$175	\$175	\$175	\$0
Website Compliance	\$500	\$208	\$208	(\$0)
<b>Total Administrative</b>	<b>\$116,364</b>	<b>\$57,317</b>	<b>\$43,588</b>	<b>\$13,728</b>
<b>Maintenance</b>				
Landscape Maintenance	\$60,800	\$25,333	\$24,750	\$583
Preserve Maintenance	\$1,600	\$667	\$0	\$667
Preserve Monitoring	\$4,200	\$4,200	\$4,131	\$69
Tree Pruning & Replacement	\$7,000	\$2,917	\$2,710	\$207
Irrigation Repairs & Maintenance	\$3,500	\$1,458	\$658	\$801
Annual Plantings	\$7,000	\$2,917	\$6,831	(\$3,914)
Electricity	\$6,500	\$2,708	\$2,929	(\$221)
Lake Maintenance	\$9,020	\$3,758	\$3,170	\$588
Management Fee (IBIS)	\$22,800	\$9,500	\$8,550	\$950
Reporting-SFWMD	\$4,800	\$2,000	\$2,000	\$0
Contingency	\$42,357	\$17,649	\$0	\$17,649
<b>Total Maintenance</b>	<b>\$169,577</b>	<b>\$73,107</b>	<b>\$55,729</b>	<b>\$17,379</b>
<b>TOTAL EXPENDITURES</b>	<b>\$285,941</b>	<b>\$130,424</b>	<b>\$99,317</b>	<b>\$31,107</b>
<b>EXCESS REVENUES (EXPENDITURES)</b>	<b>(\$52,736)</b>		<b>\$131,375</b>	
FUND BALANCE - Beginning	\$52,736		\$434,219	
FUND BALANCE - Ending	<u>\$0</u>		<u>\$565,594</u>	

**PINE AIR LAKES**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**DEBT SERVICE FUND**  
**Series 2008**

*Statement of Revenues, Expenditures, and Changes in Fund Balance  
For The Period Ending February 28, 2017*

	ADOPTED BUDGET	PRORATED THRU 2/28/17	ACTUAL THRU 2/28/17	VARIANCE
<b>REVENUES:</b>				
Interest Income	\$25	\$10	\$462	\$452
Special Assessments	\$275,606	\$266,660	\$266,660	\$0
<b>TOTAL REVENUES</b>	<b>\$275,631</b>	<b>\$266,670</b>	<b>\$267,122</b>	<b>\$452</b>
<b>EXPENDITURES:</b>				
Interest - 11/1	\$107,325	\$107,325	\$107,325	\$0
Interest - 5/1	\$107,325	\$0	\$0	\$0
Principal - 5/01	\$60,000	\$0	\$0	\$0
<b>TOTAL EXPENDITURES</b>	<b>\$274,650</b>	<b>\$107,325</b>	<b>\$107,325</b>	<b>\$0</b>
<b>EXCESS REVENUES (EXPENDITURES)</b>	<b>\$981</b>		<b>\$159,797</b>	
<b>FUND BALANCE - Beginning</b>	<b>\$182,493</b>		<b>\$438,677</b>	
<b>FUND BALANCE - Ending</b>	<b>\$183,474</b>		<b>\$598,474</b>	

**PINE AIR LAKES**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**DEBT SERVICE FUND**  
*Series 2012*

Statement of Revenues, Expenditures, and Changes in Fund Balance  
For The Period Ending February 28, 2017

	ADOPTED BUDGET	PRORATED THRU 2/28/17	ACTUAL THRU 2/28/17	VARIANCE
<b>REVENUES:</b>				
Interest Income	\$1,000	\$417	\$1,289	\$873
Special Assessments	\$544,520	\$534,575	\$534,575	\$0
<b>TOTAL REVENUES</b>	<b>\$545,520</b>	<b>\$534,992</b>	<b>\$535,864</b>	<b>\$873</b>
<b>EXPENDITURES:</b>				
Interest - 11/1	\$87,555	\$87,555	\$87,555	\$0
Interest - 5/1	\$87,555	\$0	\$0	\$0
Principal - 5/1	\$375,000	\$0	\$0	\$0
<b>TOTAL EXPENDITURES</b>	<b>\$550,110</b>	<b>\$87,555</b>	<b>\$87,555</b>	<b>\$0</b>
<b>EXCESS REVENUES (EXPENDITURES)</b>	<b>(\$4,590)</b>		<b>\$448,309</b>	
FUND BALANCE - Beginning	\$194,236		\$698,417	
FUND BALANCE - Ending	<b>\$189,646</b>		<b>\$1,146,726</b>	



**PINE AIR LAKES  
COMMUNITY DEVELOPMENT DISTRICT  
Long Term Debt Report  
FY 2017**

*Series 2008, Special Assessment Bonds*

Interest Rate:	6.75%	
Maturity Date:	5/1/2039	
Reserve Fund Requirement:	Maximum Annual Debt Assessment	
Bonds outstanding - 9/30/2016		\$3,180,000.00
Less:	May 1, 2017 (Mandatory)	\$0.00
<b>Current Bonds Outstanding</b>		<b>\$3,180,000.00</b>

*Series 2012, Special Assessment Bonds*

Interest Rate:	3.90%	
Maturity Date:	5/1/2026	
Bonds outstanding - 9/30/2016		\$4,490,000.00
Less:	May 1, 2017 (Mandatory)	\$0.00
<b>Current Bonds Outstanding</b>		<b>\$4,490,000.00</b>

<b>Total Current Bonds Outstanding</b>	<b>\$7,670,000.00</b>
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**PINE AIR LAKES**  
**Community Development District**  
**Maintenance Reserves**

	<i>FY 2016 AMOUNT ON RESERVE</i>	<i>FY17 BUDGET RESERVE LINE ITEMS</i>	<i>FUNDS SPENT IN FY 2017</i>	<i>FY 2017 AMOUNT ON RESERVE</i>
<i>Shrub Replacement Reserve</i>	\$127,452	\$0	\$0	\$127,452
<i>Irrigation Reserve</i>	\$103,902	\$0	\$0	\$103,902
<i>Lake Fountain Reserve</i>	\$54,305	\$0	\$0	\$54,305
<b>TOTALS</b>	<b>\$285,659</b>	<b>\$0</b>	<b>\$0</b>	<b>\$285,659</b>