

**MINUTES OF MEETING
MEDITERRA
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on April 17, 2019 at 3:00 p.m., at The Sports Club at Mediterra (Bella Vita I), 15735 Corso Mediterra Circle, Naples, Florida 34110.

Present and constituting a quorum were:

Robert Greenberg	Chair
Ken Tarr	Vice Chair
Mike Bishko	Assistant Secretary
Thomas H. Van Tassel	Assistant Secretary
Mary Wheeler	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Jason Olson	Assistant Regional Manager
Alyssa Willson (via telephone)	District Counsel
Andy Tilton	District Engineer
Tim Richards	General Manager, MCA
Terry Wood	Director of Grounds Operations, MCA

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Tarr called the meeting to order at 3:06 p.m. Supervisors Bishko, Tarr, Van Tassel and Wheeler were present, in person. Supervisor Greenberg was not present at roll call.

SECOND ORDER OF BUSINESS

Chairman's Comments

There being no Chairman's comments, the next item followed.

THIRD ORDER OF BUSINESS

Public Comments [3 minutes per person]

There being no public comments, the next item followed.

FOURTH ORDER OF BUSINESS

Continued Discussion: Repurpose a Portion of Lake 74 for Recreational Purposes

This item was presented following the Eighth Order of Business.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2019

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2019. Mr. Bishko asked if the “insurance” line item budget deviated from last year’s budget due to a rate increase and if the “electricity” line item exceeded last year’s budget due to using generators. Mr. Adams stated the “insurance” line item exceeded budget due to policy changes that increased the costs and additional coverage related to Americans with Disability Act (ADA) website compliance. True-up figures would be added to the “electricity” line item during Fiscal Year 2020’s budget preparations, since it was inadvertently missed while forecasting for Fiscal Year 2019. The Financials were accepted.

SIXTH ORDER OF BUSINESS

Staff Reports

▪ **Key Activity Dates**

This item, previously Item 6D, was presented out of order.

Mrs. Adams provided the following updates:

- Annual Lake Audit: Lake Inspections were scheduled for April 29th and 30th at 9:00 a.m. at the bag drop. The Lake Audit was advertised as a workshop.
- Drain Pipe Cleaning Project: MRI Underwater Specialists (MRI) to commence the project the last week of April and expects to be completed within three to four weeks; everyone was provided the Report. The Board agreed The Interconnecting Drain Pipe Inspection and Cleanout Report would be an agenda item, annually, although it is also posted on the District’s website.

Mr. Greenberg arrived at the meeting at 3:12 p.m.

Mr. Adams stated that the March 29, 2019 meeting minutes were not included in this agenda due to the short turnaround time between that meeting and this meeting.

A. District Counsel: *Hopping Green & Sams, P.A.*

There being no report, the next item followed.

B. District Engineer: *Johnson Engineering, Inc.*

There being no report, the next item followed.

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

- **NEXT MEETING DATE: May 15, 2019 at 9:00 A.M.**

The next meeting will be held on May 15, 2019 at 9:00 a.m.

D. Operations Manager: *Wrathell, Hunt and Associates, LLC*

- **Key Activity Dates**

This item commenced before Item 6A; discussion resumed.

➤ Resident Complaint About Condition of Lake #71 at Lucarno Way: Resolved complaint about algae and debris. SOLitude Lake Management (SOLitude) treated Lake #71 for needlerush and spikerush and requested that London Bay monitor the area where debris, bottles, etc., were found; however, it was determined that London Bay was not building in the area. Going forward, Mrs. Adams would send clean emails to vendors for request.

➤ Draft letter to residents regarding Lake #52: Once Mr. Greenberg has reviewed the draft letter, Mrs. Adams would forward it to the remaining Board Members for final comment.

➤ Debris and Installation of 300' Wire Fence Encroaching into Area 13 of the Fire Reduction Program Adjacent to 29090 and 29100 Teramo Way Residences: Mrs. Adams would provide information to Ms. Willson to prepare a formal letter advising those residents that the District would engage a certified vendor to remove the 300' of fence extending into the conservation area and to cleanup debris, at a cost of \$2,900, and the District would bill those residents directly. Mr. Olson confirmed the fence extends 30' beyond their property line into the 60' fire zone area. Ms. Willson confirmed the District could bill the residents directly for the expense; since liens for this event cannot be placed on the tax bill.

On MOTION by Mr. Tarr and seconded by Mr. Van Tassel, with all in favor, authorization for District Counsel to prepare letters to the residents at 29090 and 29100 Teramo Way notifying them of encroachment violations into the conservation area and that the District would bill them directly for the costs to remove 300' of fence and debris and authorization for District Staff to engage a certified vendor for removal and cleanup, was approved.

➤ Removal of hurricane related limb debris in 41 ponds was completed for \$3,950, which was lower than the approved amount of \$5,000.

- Proposals for street sweeping were obtained and would be added to the Fiscal Year 2020 budget preparations.

Mr. Richards confirmed that the MCA engages Sweeperman to have the streets swept periodically and their landscape practices were to blow debris but not directly into the storm drains. In response to the question of where incidents of debris were located, Mr. Greenberg stated it was most likely occurring in areas with more than 25% blockage in the drain pipes. Mr. Adams felt that there should be no incidents of drains blocked more than 25% since the drains were inspected and cleaned just last year. Mrs. Adams would cross-reference the MRI Drain Pipe Cleaning Report area on the map, indicate which areas have more than 25% blockage and forward the map to Mr. Richards who would determine if blockage was caused by single-family or multi-family residences.

- Besides the SOLitude proposal, Mrs. Adams would obtain and email Mr. Chase an additional proposal from EarthBalance to cut down and remove trees behind his residence upon receipt.

SEVENTH ORDER OF BUSINESS

Old Business

There being no old business, the next item followed.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Bishko noted that a number of situations in the MRI Report had inconsistencies, such as:

- Lake 60: There was 50% and 40% blockage the last two years and 30% this year.

Discussion ensued regarding defining the types of structures and how they are recorded in the Report. Mrs. Adams would forward descriptions and photographs of the control structures referenced in the MRI Report to the Board. She would notify MRI to revisit their Report and provide explanations surrounding Mr. Bishko's concerns. This would be included for discussion on the next agenda, under Old Business, and she would bring copies of the lake bank restoration areas to disperse during the annual lake bank audit inspections.

- Lake 31: Was anyone looking at the site to determine what caused the 90% to 100% blockage, over three years, and what was implemented to preventing further erosion?

➤ Sand trap area – Map #94: It appeared as if The Club has a responsibility to do something to prevent further occurrences.

Mr. Greenberg asked how the District was tracking expenses for each lake bank's repairs so that data could be used during the proposed budget preparations. Mr. Adams replied no but recommended building a firm reserve to draw upon; the Board benchmarked \$50,000, over the last three years, as costs fluctuate each year.

Mr. Tarr stated an interested resident was raising questions again about the CDD's relationship with the deer hunting, culling, contacting the MCA staff, etc., and asked whether the District would have issues with regard to the insurance policy, since the Joinder Agreement with Mr. Cintron, the deer hunter, was executed under his landscaping business, rather than his deer hunting activities. Mr. Richards stated he and Mr. Adams were reviewing the license. Mr. Greenberg stated the District's only responsibility was to make sure the MCA honors the Licensing Agreement. Mr. Adams confirmed the Agreement was in place until January 31, 2025 and includes hold-harmless indemnifications. Mr. Richards was requiring a new Certificate of Insurance to Mediterra. Mr. Richards stated he would confirm that the agreement would be issued the way it should and confirm that the MCA and the District are additional insureds for Mr. Cintron's services.

Ms. Wheeler stated, when MRI was performing pipe cleaning inspections, heavy trucks damaged the sod at the bottom of Medici. Mr. Richards would tour the area and arrange for corrective action by the MCA.

▪ **Continued Discussion: Repurpose a Portion of Lake 74 for Recreational Purposes**
This item, previously the Fourth Order of Business, was presented out of order.

Mr. Tarr distributed and presented the site plan that Bonita Bay Group originally developed and presented to potential new homeowners. The Mediterra PUD files are available for review at the County's Zoning Department. Discussion ensued regarding the MCA owning certain areas of the property and the CDD giving certain property to the County to obtain zoning for Mediterra.

Mr. Greenberg stated there were preliminary discussions that were subject to District Counsel's further review confirming the ponds do not have to remain that size in order to meet the SFWMD's requirements. He wanted to begin preliminary discussions since it could take years to reach fruition; however, within the confines of the needs of the MCA and the CDD,

while The Club needs more space, the MCA staff office is small and a conference room is needed. Mr. Richards stated he would provide a Statement of Needs relating to space, once it is completed; he was currently working on short term options.

Mr. Greenberg asked for the cost to fill the lake. Mr. Tilton stated approximately \$750,000; however, no field work was performed and this was a rough estimate. SFWMD's position was that, as long as the District can show the section of pond that was added was no longer needed, they did not have a problem with this change. To do this, Mr. Tilton would need to review the calculations and confirm that the storm water system meets SFWMD's current criteria, without the added portion; the cost to do so would be \$5,000 to \$10,000.

In response to the question of where the water would go, Mr. Tilton stated it would be best to complete the project in the dry season so, during dewatering the lake, some of the water would go into the soil. He stated as a whole, the system would not be impacted by the volume of water that was displaced.

Mr. Tarr stated the only other property available was London Bay's two lots in Savona, that has their sales center. Mr. Greenberg asked if the Board wanted to continue pursuing this project. He provided an overview of the various steps that would occur. First, Mr. Tilton would submit to SFWMD a request to fill in the pond and a request to Collier County to grant the same latitude of a recreational authority provided to Mediterra North CDD by the City of Bonita Springs, before the merger. Mr. Greenberg and Mr. Adams mentioned the potential of initiating a land lease for the MCA property.

Mr. Greenberg stated he preferred the Board dissect the process of this project in a step by step basis since Mr. Johnson inferred certain tax implications were involved, depending on how the District proceeds. He suggested authorizing Mr. Tilton to perform an analysis to confirm whether the project could move forward and then define a timeline of the steps involved in completing the project. Mr. Tilton stated he would also need to speak with the U.S. Army Corps of Engineers (USACE) to see if there were any permitting requirements to back fill that stormwater area.

Each Board Member stated their intention to move forward with the project as long as the MCA was also in agreement with the project; the Board authorized the District Engineer to perform the analysis and confirm with SFWMD and USACE that the project was feasible.

Mr. Richards stated he would complete the Statement of Need, which should be a plus for the project.

On MOTION by Mr. Bishko and seconded by Mr. Tarr, with all in favor, authorizing the District Engineer to undertake any necessary studies, at a not-to-exceed cost of \$10,000, to determine whether Lake 74 can be restored to its original or near original size and make preliminary contact with such regulatory bodies, as deemed appropriate, regarding their preliminary response to such a request, was approved.

NINTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

TENTH ORDER OF BUSINESS

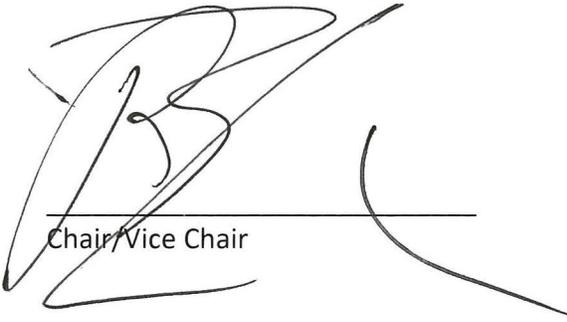
Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Van Tassel and seconded by Ms. Wheeler, with all in favor, the meeting adjourned at 4:30 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair