

**MINUTES OF MEETING  
MEDITERRA  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on May 18, 2022 at 9:00 a.m., in the Bella Vita I Room at the Sports Club at Mediterra, 15735 Corso Mediterra Circle, Naples, Florida 34110.

**Present were:**

Robert Greenberg	Chair
Ken Tarr	Vice Chair
Mary Wheeler (via telephone)	Assistant Secretary
John Henry	Assistant Secretary
Vicki Gartland	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis (via telephone)	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Andy Tilton	District Engineer
Bill Bowden	MCA GM
Kane Wei	Abraham Construction Group, President

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:00 a.m. Supervisors Greenberg, Tarr, Henry and Gartland were present in person. Supervisor Wheeler was attending via telephone.

**SECOND ORDER OF BUSINESS**

**Public Comments (3 minutes)**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Chairman's Comments**

There was nothing to report.

- **Consideration of MCA's request to install cap rock on CDD property.**  
**This item was an addition to the agenda.**

On behalf of the MCA, Mr. Bill Bowden, MCA General Manager, requested approval to install a 2' cap rock limestone stacked wall near the 11<sup>th</sup> fairway, close to the front wall, along Veterans Memorial Boulevard; it was also installed at another golf hole. He viewed the areas on the map. The wall would protrude 5' to 8' from beyond the wall.

Mr. Greenberg asked if this is for structural purposes, beyond aesthetic, and the other location where it was installed. Mr. Bowden stated that the purpose is partially structural but it is mostly for aesthetics. Ms. Gartland believed the area is between the 9<sup>th</sup> or 10<sup>th</sup> north tee. Mr. Tarr asked if, visually, the caprock is the same one showing on the right-hand side at the west gate. Mr. Bowden replied affirmatively. It was noted the boulders at the main fountain are faux rock.

Mr. Greenberg asked if an easement is needed. Mr. Bowden replied affirmatively, it is needed because the wall would be encroaching on CDD property in some areas. Mr. Bowden stated the photographs were delivered to Ms. Wheeler's residence this morning. Ms. Wheeler confirmed that she received them.

Mr. Greenberg stated that this is either an easement or a license to install and maintain. Mr. Tarr questioned why the easement area would be so extreme, which he thought is odd. Mr. Adams stated that it is following the edge of the lake. Mr. Bowden stated it was pulled from the records. Ms. Gartland stated that she had no issue with the request, as she assumed the only other option would be to install plants. Mr. Bowden stated there was nothing specified except dirt and a wall. Mr. Bowden stated that the MCA is funding the project.

Mr. Greenberg asked Ms. Willson if a license, an easement or just permission is needed.

Ms. Willson stated that, since this involves installation and maintenance, her recommendation is for the CDD to issue a license agreement. Mr. Greenberg stated his concerns and his opinion that, if there is ever flooding and erosion, the MCA should be responsible for the repairs and restoration. Ms. Willson stated that could be built into the terms of the license. Mr. Greenberg asked about liability for those entering the easement to perform those tasks. Ms. Willson stated the license should include the provision that they will have to indemnify and defend the CDD and anyone performing those tasks will also have to be properly insured and name the CDD as additional insured. Mr. Bowden stated he would convey

this, find out if the maintenance aspect is acceptable to the MCA and provide an answer by the end of the day.

Discussion ensued regarding identifying ownership in certain areas.

Ms. Gartland and Mr. Greenberg asked how far down the cap rock would be installed and the number of linear feet. It was noted that the cut sheet measured 5' to 8' protruding from the wall in two peak areas and Kane Wei noted they would use about 5' to 10' linear feet of cap rock and fill in about 2' in depth from the existing berm to the new berm height.

**On MOTION by Mr. Tarr and seconded by Mr. Henry, with all in favor, granting a License Agreement to the MCA to install cap rock on CDD property, subject to the terms and conditions outlined in terms of indemnification, restoration, repair and liability, and authorizing Ms. Willson to prepare the License Agreement between the CDD and MCA, subject to Mr. Bowden providing answers from the MCA, and authorizing the Chair to make necessary changes to the draft License Agreement, was approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-05, Approving Proposed Budgets for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Mr. Greenberg presented Resolution 2022-05, which commences the proposed Fiscal Year 2023 budget discussions. The Board and Staff reviewed and commented on the proposed Fiscal Year 2023 budget line items, as follows:

- Series 2022 Bonds: Mr. Tarr commented that the budget did not reflect that the principal payment on the bonds was paid. Mr. Adams stated that the Report only reflects through March 31, 2022. This activity and other amounts up through May 1, 2023, will be reflected in the next version of the proposed Fiscal Year 2023 budget.
- Building Reserves: Discussion ensued regarding whether the amount in reserves is excessive. Mr. Henry and Ms. Gartland stated they preferred to be more conservative, due to

other increases in the community. It was noted that the proposed Fiscal Year 2023 budget anticipates an assessment reduction of about \$150.

- SOLitude Lake Management: Mr. Tarr asked when the contract ends and stated that it concerns him that the contract runs on a calendar year instead of the CDD's fiscal year. He asked about the force majeure clause. Mrs. Adams stated that the terms are from February 1 through January 31; the contract expires in 2024. Regarding the potential increase in the contract, Mrs. Adams stated that Mr. Kurth advised her that SOLitude will not seek any type of increase once the contract is up for renewal. Renegotiation and 30-day cancellation notice were discussed.
- District Management Services: Mr. Tarr asked if WHA's fees are increasing. Mr. Adams replied no.
- Electricity: Mr. Tarr reported he received a notice from Florida Power & Light (FPL) about increasing costs. As a result of the price increase, the Board agreed with Mr. Tarr's suggestion to increase the line item by 5% or 6%. Mr. Adams will increase the "Electricity" budget line item to \$33,000.
- Property Appraiser Fees: Mr. Tarr asked about the change in fees. Mr. Adams explained that each County has certain criteria and charges fees differently.
- Mailed Notice to Homeowners: Mr. Tarr asked for clarification as this will not be required since the CDD assessments are decreasing. Mr. Greenberg stated his intention to send a letter to homeowners about the Fiscal Year 2023 budget and overall status of the community.
- Mr. Tarr asked Mr. Adams what he thinks is the biggest exposure to the CDD, in terms of expenditures. Mr. Adams stated having another collapsed pipe. Mr. Adams replied affirmatively when asked if he believed the reserve amount is sufficient to cover a \$100,000 expense.
- Fire Mitigation: Mr. Tarr discussed the MCA's need for a mid-year inflation adjustment for Staff and proposed the CDD increase this amount. Mrs. Adams stated that Cintron is struggling and is not going to finish the project by the Friday deadline so Cintron will incur penalties of \$500 per day.

Mr. Greenberg wanted to discuss this matter further as a separate item, as the CDD may have to give Cintron some relief and he does not want to lose them as a potential vendor.

Mr. Henry cautioned about doing something like this. If they are not viable, then they are not viable. Mrs. Adams noted that the other contractor, EarthBalance, underbid the project; however, they are wetland contractors and know the sensitivity of conservation areas whereas Cintron does not. EarthBalance and SOLitude both know where they need to be and why.

Discussion ensued about the budget and possible \$250,000 cost for mitigation for the trail. Mr. Henry stated he might not be in favor of this, especially with the current economy. Mr. Tarr and Mr. Greenberg referred to The Club's desire to remain competitive and the opinion that a nature walkway trail would add a tremendous amenity and keep property values up. Mr. Henry stated he supports that too, but it must make financial sense.

Ms. Gartland asked questions about the proposed Fiscal Year 2023 assessment and the reduced amount. She asked about the bonds and if the \$200,000 was reasonable. Mr. Adams replied that the savings for the average homeowner will be about \$150 and the \$200,000 was chosen as a starting point for discussions. He believed Cintron underbid the project and noted that the CDD will collect funds over a three-year period.

Ms. Wheeler stated that all her questions were answered.

- Narrative Section: Mr. Adams stated that he still needs to revise items in the narrative section.
- Trail: Mr. Greenberg discussed his reasoning for creating the trail and the rational to remain competitive with other residential areas. He noted it is a big project so he was not surprised by the amount needed.

Mr. Greenberg discussed the Fiscal Year 2022 assessment increase and The Club imposing another special assessment increase for its three upcoming projects. In order to maintain property values and give residents the best possible quality of life while remaining competitive will require making difficult decisions. He recommended retaining funds as much as possible and, if they do not proceed with the trail, they can either repurpose the funds, reduce assessments or return it to the homeowners.

Mr. Tarr discussed his conversation with Mr. Bowden and expressed his support of Mr. Greenberg's stance about retaining funds.

Mr. Henry stated that he supports installing a walking trail, but he has several issues he thinks the Board should consider.

Conversation ensued regarding the MCA maintaining the property, allotting separate line items and determining what is a reasonable amount for the CDD to keep as reserve funds.

Ms. Gartland stated that she supports installing a walking trail but agreed with Mr. Henry's comment, as she is uncomfortable putting funds aside for something the CDD might do.

➤ Addition to Budget: Add "Exploration and Investigation into creating a Nature Trail through the preserve" line item for \$500,000.

Discussion ensued regarding surveying residents, the MCA supporting the build and \$100,000 being a sufficient amount to begin the mitigation process.

Ms. Wheeler stated her support of the trail, and keeping assessments as proposed.

Budget line-item changes were discussed. Mr. Adams stated the Fiscal Year 2023 assessments will decrease slightly to \$1,015.18.

Mr. Tarr wanted it known that the CDD did a fabulous refinancing job, due to Mr. Henry.

Discussion ensued regarding allotting reserve funds for aerators that will need to be replaced and adjusting the contractual services "Cane toad" line item. Designating Board Members for projects and scheduling a workshop with the MCA were discussed.

Regarding the changes to the Fiscal Year 2023 budget being considered, Mr. Adams stated that the increase to fund balance becomes \$161,997, which consists of three months working capital at \$218,427, Future Fire Mitigation Cleanup at \$80,000 and Unassigned Funds at an even \$300,000. The total per door assessment becomes \$985.69.

Ms. Gartland felt that any assessment decrease will look good to residents. Ms. Wheeler asked if this gives each homeowner a \$60 decrease. Mr. Greenberg stated the Fiscal Year 2022 \$1,053.55 Operations and Maintenance assessments will decrease in Fiscal Year 2023 to \$985.69. Ms. Wheeler stated that she is not in favor of decreasing assessments and to keep assessments flat.

Mr. Greenberg polled the Board on an informal motion to keep assessments flat. Supervisors Tarr and Wheeler were in favor, Supervisors Henry and Gartland were not in favor.

Mr. Greenberg amended the motion on the table, which would result in keeping the assessment levels the same as Fiscal Year 2022, with the \$168,000 going into the line item for "Investigation of the Trail", resulting in the Fiscal Year 2023 assessment levels remaining the same as in Fiscal Year 2022. Mr. Henry stated he does not support the changes in the motion.

Mr. Greenberg made a substitute motion, noted below, which holds the Fiscal Year 2023 assessment levels the same as Fiscal Year 2022 and repurposes some of the funds that were discussed as noted.

Mr. Henry felt that putting \$168,000 to mitigation for something that might not happen does not make sense. Mr. Greenberg reasoned why it is; he wants the CDD to substantially fund this line item so the community is not assessed to build the trail.

The following changes would be made to the proposed Fiscal Year 2023 Budget:

Page 1, "Engineering": Change "50,000" to "\$169,480"

Page 2, "Contractual services": Change "237,400" to "\$240,000"

Page 2, "Lake bank-erosion repairs": Change "75,000" to "80,000"

Page 2, "Electricity": Change "31,500" to "\$33,000"

Page 2, "Future aeration replacement": Change "9,900" to "15,000"

These changes will result in the Fiscal Year 2023 assessment being \$1,053.55 and increase to fund balance by \$161,998. Assessments will remain flat, year-over-year.

**On MOTION by Mr. Greenberg and seconded by Mr. Tarr, with Mr. Greenberg, Mr. Tarr and Ms. Wheeler in favor and Mr. Henry and Ms. Gartland dissenting, amending the proposed Fiscal Year 2023 budget to hold the assessments at the same amount as Fiscal Year 2022, authorizing Staff to repurpose funds as discussed, resulting in a Fiscal Year 2023 assessment of \$1,053.55 and an increase to fund balance of \$161,998, was approved. [Motion passed 3-2]**

Upon establishing a quorum for the public hearing, it was noted Ms. Gartland and Ms. Wheeler will be reimbursed for their travel expenses to attend the August public hearing. The June meeting will be cancelled.

**On MOTION by Mr. Tarr and seconded by Mr. Henry, with all in favor, Resolution 2022-05, Approving Proposed Budgets for Fiscal Year 2022/2023, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 17, 2022 at 9:00 a.m., at the Sports Club at Mediterra, Bella Vita I Room, 15735 Corso Mediterra Circle, Naples, Florida 34110; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

Mr. Greenberg presented Resolution 2022-06. He asked about the meeting time. Mr. Adams stated that during season it is difficult to hold meetings in the morning because the room is typically booked by other groups. Mr. Greenberg asked if a December meeting is necessary. Mr. Adams explained that meetings scheduled for every month except July and the entire meeting schedule is advertised but the December meeting is usually cancelled.

Mr. Tarr believed that, since Mr. Adams reported that the CDD holds monthly meetings but it does not, the Report must be modified. Asked if the CDD is required to have monthly meetings, Mr. Adams replied no. Ms. Gartland stated that afternoon meetings would be a conflict for her. Mr. Adams and Mr. Greenberg each stated their preference for morning meetings. Mr. Adams suggested scheduling the meetings at 9:00 a.m. for as many months as possible. Mr. Greenberg asked for the meeting times to be set for the same times as the current schedule for now, while Staff tries to change all meeting times to the morning. He stated since the dates and times can be changed, the Board would try to accommodate Ms. Gartland’s schedule to the best of its ability.

**On MOTION by Mr. Greenberg and seconded by Mr. Henry, with all in favor, Resolution 2022-06, Designating Dates, Times and Locations for the Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, at the same times as the Fiscal Year 2022 meetings but with the intent to schedule as many morning meetings as possible, and Providing for an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Discussion/Consideration: Johnson Engineering, Inc., Stormwater Management Needs Analysis Report**

Mr. Tilton referred to the 20-Year Stormwater Management Analysis Report as a planning document required of all governments by the State Legislature. The initial Report is



due by June 30, 2022 and every five years thereafter. The CDD did not have a lot of expansion planning to do; it will likely be mostly the operation and maintenance (O&M) side of planning items like the collapsed pipe that had to be replaced.

Mr. Tilton stated that this reporting requirement will force those communities who do a poor job on their O&M to address it and acknowledge if they have an issue.

Mr. Tilton stated he is open to questions or items that need to be changed in the Report but the Report is due in June so he needs conditional approval of the Report and authorization to make changes since there is no June meeting.

Mr. Greenberg motioned to approve the 20-Year Stormwater Management Needs Analysis Report, subject to the Board Members submitting their comments to Mr. Adams within the next 30 days for transmittal to Mr. Tilton and with Mr. Adams authorizing Johnson Engineering to file the Report after final review, on or before the due date.

Mr. Henry asked for Mr. Tilton's recommendations. Mr. Greenberg and Mr. Adams stated that the Board already addressed this when it budgeted \$300,000. Mr. Tilton felt that \$300,000 will more than cover his recommendation to reserve \$124,000. Mr. Greenberg asked if Mr. Adams wanted to create a separate line item. Mr. Adams noted that the amount includes repairing the two pipes that collapsed.

Ms. Gartland seconded Mr. Greenberg's motion.

Mr. Greenberg stated it is fine for anyone with comments or questions to give them to Mr. Adams now but changes that need to be made should be sent to him. Mr. Tarr stated he wanted Mr. Tilton to answer his questions. Mr. Tarr recalled when the CDD replaced the reinforced concrete pipe with a plastic pipe, he was specifically told the plastic pipe has a 50-year life which matched the remaining life of the older pipes. He asked why that pipe now has 100 years.

Mr. Tilton stated that as long as that pipe does not get crushed, it will probably outlast the 100 years. The Florida Department of Transportation (FDOT) arbitrarily gave a 50-year life span on it for FDOT purposes because the FDOT does not have good means and methods to assess how long it will last.

Mr. Tarr asked if Mr. Tilton now believes it is a 100-year pipe despite being told previously that it has a 50-year life. Mr. Tilton replied that he is comfortable with 100 years.

Mr. Tarr asked why it says the date installed is unknown when the CDD knows when it was installed. Mr. Tilton stated that he did not have a set of plans but he will research the records to find the information.

Ms. Wheeler commented that a pipe might have a life of 100 years but a lot of pipes have an early death while a lot will last more than 100 years. A pipe might have a life guarantee of 100 years but a pipe made at a factory that has one small problem or one fix that was not caught could burst long before 100 years. If everything goes perfectly, they give it a 100-year life span but it might last 150 years and a 100-year life span is not a guarantee.

Mr. Greenberg stated it seemed to him that the pipe is not what fails, it is either the underlay or the seams; and asked if that was right. Mr. Tilton stated that often times those are the things that fail early. He noted different mechanisms will cause pipe failures, if it is a concrete pipe, chemical reactions can happen causing it to slowly degrade and, if it is a metal pipe, one chemical or another can cause it to corrode. This is the reason the FDOT is having a tough time with the plastic, as most of those normal mechanisms that they are used to, concrete and metal, do not basically affect the plastic.

Mr. Tarr stated that he did not understand why there are three categories of unknown pipes totaling 800' that we do not know what they are made from.

Mr. Tilton stated that this was true based on the information they had and if someone has that information, they can send it to him. He noted the challenge is that a lot of these areas are underwater.

Mr. Tarr voiced his opinion that talk about what could happen and so much unknown information, saying the pipes are going to last for 56 years, when the CDD does not know what it is, is stretching the imagination. Mr. Tilton asked if he wanted him to put in the Report that the pipes could fail tomorrow. Mr. Tarr replied no and stated he was being analytical about the information that is unknown and then being told when they think it is going to fail is difficult for him to accept. Regarding his comment on statistics, Mr. Tilton stated that the only thing that he is basing this on is, generally, the pipes here were concrete; there are some that are not known but the assumption was that they are concrete.

Mr. Tarr asked if his Board colleagues understand where he is going with this questioning.

Mr. Greenberg replied no and expressed his opinion that this Report will be filed away and the CDD is not bound by the assumptions.

Mr. Tarr asked if there is another way to present this.

Ms. Gartland stated the Report will meet the criteria of a State guidelines and the CDD is reporting its due diligence by creating enough reserve.

Mr. Tarr requested modifications to the Report. Mr. Greenberg noted this is Mr. Tilton's Report and the Board should either adopt or reject it.

**On MOTION by Mr. Greenberg and seconded by Ms. Gartland, with Mr. Greenberg, Ms. Gartland, Ms. Wheeler and Mr. Henry in favor and Mr. Tarr dissenting, approving the 20-Year Stormwater Management Needs Analysis Report, subject to the Board Members submitting their comments to Mr. Adams within the next 30 days for transmittal to Mr. Tilton and with Mr. Adams authorizing Johnson Engineering to file the Report after final review, on or before the due date, was approved. [Motion passed 4-1]**

## SEVENTH ORDER OF BUSINESS

### Continued Discussion: Trail Design and Analysis

Mr. Greenberg referred to the memorandum Ms. Willson prepared and stated his belief that there is a way around the issue. He felt that the Board needs to come up with a plan and discuss what they want Mr. Tilton to do. He stated that he will need to engage with the MCA at a heighten visibility. He wanted the Board to decide whether to inform residents that the CDD is investigating the possibility of doing this, to heighten interest in support of the project.

Mr. Tilton presented the following steps of what the CDD needs to do regarding the design permitting process:

- Prepare a conceptual layout, as detail design drawings are not necessary.
- Upon Board approval, present the layout and the amount of upland and wetland acres impacted to the permitting agency.
- Prepare and present a plan on how the CDD will deal with the mitigation and get them to approve it so they can submit an application to the agency.

Mr. Greenberg asked if there is a way to get around mitigation since this was in the original plan or at least discuss it with them. Mr. Tilton stated discussions could continue but he

did not anticipate it will go very far in favor of the CDD. He explained that the South Florida Water Management District (SFWMD) position is that, because there was no specific plan where boardwalks and trails would be within the conservation easement, the entire conservation easement area is part of the mitigation. The SFWMD is saying to take a portion of that out requires mitigation somewhere else. The SFWMD's position is that, had there been trails shown, that area would not have been counted then and, if additional mitigation was needed, then it would have had to have been acquired at the time.

Mr. Greenberg asked about mitigation, was it not needed at the time. Mr. Tilton stated that is a possibility; he must research the records, as he did not know what it would have been 25 years ago.

Mr. Tilton responded to Board Member questions and noted that, politically, now is not a good time to approach the Governor-appointed Supervisors at the SFWMD.

Discussion ensued regarding using standard methods, mitigation terms, the MCA converting land several years ago and pricing.

Mr. Greenberg noted the consensus is to keep the trail out of The Club. Mr. Tilton stated that, upon reading Ms. Willson's memo, his firm can address most of the Americans with Disabilities Act (ADA) design plans. He noted that mulch is acceptable if it is thick enough. The Board agreed with Mr. Greenberg about proceeding with a design plan, pricing, ADA compliance and communication with the community, after further engagement with the MCA Board.

Scheduling a workshop, a timeline, preparing a work order and Ms. Willson providing names of an ADA Specialist were discussed.

Ms. Willson stated the Board might want to consider adopting a non-resident user fee.

Discussion ensued regarding preparing Rules and Regulations, paying upfront annual fees, installing educational signage and designating a committee to hold workshops.

Ms. Wheeler asked if this will open the CDD up to liability. Ms. Willson replied affirmatively, which is why the CDD obtains insurance.

Mrs. Adams discussed the Cintron email distributed to the Board and the plan to update the Board next week about what is outstanding. Mr. Greenberg felt that this should be deferred.

Discussion ensued regarding Cintron’s labor shortage, status of the project and payment, breach of contract, utilizing ATVs in the conservation area. Mrs. Adams should be contacted about any dumping in the conservation area. The Board agreed to Mr. Tilton calling Cintron and advising Staff of the outcome. Mrs. Adams was asked to email Mike and let him know he will be receiving a call. Mr. Greenberg stated he would let Ms. Willson know if a breach of contract letter is needed.

**NINTH ORDER OF BUSINESS**

**Continued Discussion: Time Change for Summer Meetings to Afternoons**

This item will be removed. The August meeting will commence at 9:00 a.m.

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2022**

Mr. Greenberg asked if anyone had questions about the Unaudited Financial Statements as of March 31, 2022. There were none.

The Financial Highlights Report was distributed in the meeting.

The financials were accepted.

**ELEVENTH ORDER OF BUSINESS**

**Approval of April 20, 2022 Regular Meeting Minutes**

Mr. Greenberg stated that he hoped any changes were already submitted to Management, and asked if there were any further changes to be made. Ms. Gartland stated she was abstaining from voting, as she was not present at the meeting. There were no changes.

**On MOTION by Mr. Tarr and seconded by Mr. Henry, with Mr. Tarr, Mr. Henry, Mr. Greenberg and Ms. Wheeler in favor, the April 20, 2022 Regular Meeting Minutes, as amended to include edits submitted to Management, were approved. [Motion passed 4–0]**

## TWELFTH ORDER OF BUSINESS

## Staff Reports

**A. District Counsel: *Kutak Rock LLP***

There was nothing further to report.

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

There was nothing further to report.

**C. District Manager: *Wrathell, Hunt and Associates, LLC*****I. Registered Voters in District as of April 15, 2022**

- **Collier County: 770**
- **Lee County: 447**

**II. NEXT MEETING DATE: June 15, 2022, \_\_\_\_ a/p.m. (TBD)**

- **QUORUM CHECK**

The June 15, 2022 meeting was cancelled. The next meeting would be on August 17, 2022 at 9:00 a.m.

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

- **Key Activity Dates**

The May Key Activity Dates Report was included for informational purposes and would be updated as needed.

Mrs. Adams reported the following:

- Lake 35: The rip rap project was completed. Payment to the vendor is pending until Johnson Engineering inspects and deems the project completed.
- Lake 13: The geo-filter lake bank restoration project is scheduled for the golf course closure dates between July 5 and August 2, 2022.

Mr. Tarr asked questions about the Lake 35 project. He asked if there is a maximum amount of rip rap allowed per lake. Mr. Tilton stated that it depends on the location of the lake, as Collier County has fewer restrictions as to how ponds banks are addressed than Lee County.

Mr. Tarr asked if Lee County needs to inspect the project, was a permit needed, and is the CDD under any obligation to contact Lee County to inspect the project. Mr. Tilton was unsure if Lee County would want to inspect the project and he was not aware of any Development Order. Mr. Greenberg asked if permits are required in Lee County and, if not, an inspection is not required. Mr. Tarr asked if the CDD should have obtained a permit for the

project. Mr. Tilton stated there is a possibility that a permit should have been pulled but it depends on certain criteria. Mrs. Adams stated the project is the same concept as what was done for Lake 34 a few years ago.

Mr. Tarr asked that the discussions continue the next time a similar project is done.

- The Storm Structure Cleaning project will commence this Monday.
- Mr. Willis will mail the updated maps to the Board.

Discussion ensued regarding the map size.

**THIRTEENTH ORDER OF BUSINESS**

**Action/Agenda or Completed Items**

Mr. Greenberg urged everyone to read the Action Items List before the meeting. Mr. Adams and Mrs. Adams were asked to identify the completed items.

Items 8, 9, 12, 14, 16, 17, 18, 22 and 23 were completed.

Regarding Item 11, Mr. Tilton reported on the findings regarding the Lease Agreement with the golf course and individual homeowners. He inspected the pipes today and when he based them on the GIS, it did not match the easements. The pipe is on the lot line of the four homeowners so the easement is not an issue, other than changing the GIS map to reflect that.

Mr. Tarr stated he thought #11 related to the pipe in Cordova. Ms. Willson stated that she is still working with Johnson Engineering Staff to verify data to draft the Licensing Agreement with the MCA, which will be on the next agenda. Mr. Tilton stated the only items left are on The Club’s property. He confirmed that an agreement is not needed for the four individual homeowners because the pipes are located on the easement.

Regarding Item 19, MRI will inspect and submit a proposal to install a riser, once the County road work is completed. This will be included on the September agenda.

Regarding Item 20, revised to direct Mr. Adams to write a letter noticing the two homeowners for Lots 7 and 8 of being in violation.

**FOURTEENTH ORDER OF BUSINESS**

**Old Business**

- A. Update: Maintenance for East “Wet Ditch” East Side of Imperial Parkway and Permit Obligations for Mediterra to Maintain**

Mrs. Adams stated that a response is pending. Mr. Greenberg asked for this to be included on the September agenda.

**B. Discussion: Bird Boxes Within CDD Preserves**

Mr. Tilton stated the SFWMD's response was that there are no rules to keep people from doing it but they must have someone from the SFWMD to look at it. He opined that it then becomes subjective to the SFWMD person that is on site. He recommended finding out where the lot line is and putting it 6" inside the lot line.

Ms. Gartland stated she is going to drop this because there are already some in the preserve. She recommended removing this from the agenda.

**C. Discussion: MCA-CDD Deer Population Management Program and Hunting**

The results from the biologist are pending.

**D. Discussion/Update: Wetland Disturbance East Cortile Ct**

Mrs. Adams reported that SOLitude provided photographs of the area and removed concrete debris on the edge of the conservation area at no cost to the CDD. Mr. Tilton will inspect the area today as one photograph showed some sediment falling back into the wetland area and the shrubs.

Mr. Greenberg asked if there is concern about the sand and the concrete being removed. Mr. Adams stated that Mr. Tilton will inspect the area and make a determination. Mr. Tilton reported that, from the time he inspected it a month and a half ago and when the photograph just taken, it looks like there is erosion. He will need to determine if it is significant.

Ms. Wheeler referred to Item 14C and asked if a count will be presented in August and a determination of whether they are overpopulated in order to commence hunting season. Mr. Greenberg stated that hunting season commences in November. He did not think it would be a timing issue. He suggested obtaining information from the website and noted they typically follow the biologist's recommendation.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Henry noted a tremendous amount of plant debris behind his home that is originating from across the lake. He asked if this is happening elsewhere. The location is on



Cortona Lane; it was identified as Lake 70, the first lake on the right. The debris is believed to be due to grass clippings. Mrs. Adams would notify SOLitude of his observations.

Mr. Tarr asked Mr. Tilton, as Engineer for Pelican Marsh, if their lakes were built before the slope requirement. In his opinion, Pelican Marsh’s lake banks look beautiful. Mr. Tilton stated he was not part of the process but noted their program of using geotubes to refurbish some of their banks. He was unsure how it meets Collier County’s requirements.

Discussion ensued regarding the program and differing criteria of Collier and Lee Counties.

Mr. Tarr asked if the CDD can test one lake. Mr. Tilton and Mr. Adams responded to Mr. Tarr’s questions and provided information about the process. Ms. Gartland asked if geotubes help stop erosion better and if Pelican March had the same issues of low water levels like the CDD has in November. Mr. Adams replied affirmatively and noted they are closer to the discharge water basin.

Discussion ensued considering a long-term project and permitting issues.

The Board agreed for Mr. Tilton providing information and identifying a location to consider for a trial next year.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments (3 minutes)**

No members of the public spoke.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Henry and seconded by Ms. Gartland, with all in favor, the meeting adjourned at 12:01 p.m.**

COP SALI  
Secretary/Assistant Secretary

  
Chair/Vice Chair