

**MINUTES OF MEETING  
MEDITERRA  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on April 19, 2023 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
Kenneth Tarr	Vice Chair
Mary Wheeler	Assistant Secretary
John Henry	Assistant Secretary
Vicki Gartland	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Andy Tilton	District Engineer
Bill Bowden	MCA General Manager
Tammy Campbell (via telephone)	McDimit Davis
Julia Babair (via telephone)	Priority Marketing
Keith Gallaber	Resident
Residents	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:03 a.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments (3 minutes)**

There were no public comments at this time.

**THIRD ORDER OF BUSINESS**

**Chairman's Comments**

Mr. Greenberg acknowledged that finances are a concern considering the economy. He voiced his opinion that the expense to homeowners to build the kind of nature trail that will endure as a positive for the future of the CDD and give Mediterra a competitive edge over a lot

of other communities basically equates to what one might spend on several cases of fine wine or international travel. He encouraged the other Supervisors not to be afraid to do something bold and proceed with the nature trail project and build the complete trail from the Play Park to Parque Celestial.

Mr. Greenberg opened public comments.

Resident Keith Gallaber asked for the total cost of the project. Mr. Greenberg stated it will depend on what is decided, which will be discussed later in the meeting.

**FOURTH ORDER OF BUSINESS****Continued Discussion: Nature Trail and Board Walk**

Mr. Greenberg stated based on the consensus at the last meeting about engaging further with the community about the nature trail, he spoke to Mr. Bowden and Mr. Adams about engaging a marketing vendor to prepare sign boards for placement at The Club and the Sports Club and to survey residents about what they want. The Club and the MCA agreed to display sign boards. He introduced Ms. Julia Babair, of Priority Marketing. She has worked with the MCA and has some knowledge of Mediterra, she is probably a fairly good consultant for this marketing situation.

**A. Consideration of Priority Marketing of Southwest Florida, Inc.****• Resident Survey Proposal**

Ms. Babair presented a proposal for professional services, which outlines the scope of the marketing plan, as follows:

- Develop a survey of up to 10 questions to gauge resident support of the project.
- Develop a communication strategy to educate residents; provide a one-page handout describing the project as it begins and throughout the progress of it, which can be posted on the CDD website.
- Design a poster for placement in The Club's lobby describing and illustrating the nature boardwalk project.
- Create and send monthly e-blast updates to residents about the project's progress and communicate resident/homeowner frequently asked questions.
- Attend CDD meetings regularly.

Mr. Henry stated that he supports a marketing effort to explain what the Board is considering but not approving it in advance. He thinks the one-time development and

maintenance costs should be included in the handout and that the project should only proceed if results show there is a substantial level of support from the community; in light of the significant cost associated with it.

Mr. Tarr stated Mr. Henry summed up most of his concerns. He agreed with the need to educate residents in a professional way and expressed his opinion that the retainer costs need to be refined since the CDD does not hold 12 meetings a year.

Ms. Gartland agreed with Mr. Henry's and Mr. Tarr's comments. She thinks that a survey is needed and the handout should include several different options. In her opinion, it is a great idea but unless the community supports it, the CDD should not proceed with the project.

Ms. Wheeler agreed with the other Board Members' comments.

Mr. Greenberg stated the consensus of the Board is to proceed with the survey. He suggested the Board agree on what it wants to do and then let the community weigh in. Plan A is a 1,500' trail and Plan B is a trail from the Play Park to Parque Celestial. In his opinion, if the community favors Plan A, the Board could decide to complete the rest of the project in five years. Mr. Tilton advised that Plan B consists of 6,000' to 8,000' depending on the exact route.

Mr. Henry feels that asking the community to approve a 7,000' trail is premature and ill-advised. In his opinion, information should be provided after considering the level of utilization of a 1,500' trail and all costs involved to determine if the first phase is a success and the Board should also consider other things such as a potential hurricane and the cost to insure it.

Mr. Tarr commented that a 7,000' nature trail might not be for everyone.

Based on his over 25 years of experience at Pelican Bay, Mr. Bowden recommended the Board consider a "no bikes" on the trail policy as it could be unsafe. He discussed not using pine board, which lasts five to seven years and another five to seven years when flipped over to the other side, but IPE wood decking material. He does not recommend using plastic material. He strongly recommends IPE wood decking as it lasts much longer. It is significantly more costly, but cost-effective over time.

Mr. Greenberg stated the consensus of the Board is to not allow bikes and to let the MCA Board decide the rules of use, once it is managed by the MCA. He asked Mr. Tilton to obtain a quote for IPE wood decking.

Ms. Wheeler asked what type of wood IPE is. Mr. Tilton stated it is dense wood from a natural tree harvested in South America. It has a heavy oil content that needs no treatment and

has a 50 to 75-year expected life span. Mr. Greenberg asked Mr. Tilton to obtain the costs for the other types of materials.

Mr. Henry asked for the percentage premium over base pine material. Mr. Tilton stated the material cost is at least three times the cost of pine. It was noted that the Audubon Society supports use of IPE wood because they do not cut down the Amazon rain forest and fewer pine trees are killed. IPE is known as the best type of wood for long lasting structures; it does not require pressure cleaning or expensive treatments. IPE wood comes in three colors.

Ms. Gartland did not want to delay the project and noted that the Board has a difficult balancing act in how much to spend to find out what homeowners want before even thinking about how much to spend to market it. Mr. Greenberg stated the CDD can do its own marketing. He asked for Ms. Gartland’s help writing a letter to the community.

Mr. Greenberg and Mr. Tilton reviewed the Phase 1 and Phase 2 areas on the map. If the plan is to do Phase 2, the mitigation should be bought now.

Mr. Tarr voiced his opinion that the trail should be only 1,000’ into the preserve.

Mr. Henry believes changing the timing should be considered before conducting a survey. The Board should consider all aspects of the project, such as what to convey, costs and how to phase it. In his opinion, funds should not be put in the budget and instead do it next year.

The Board consensus is to conduct the survey, create a handout and for Mr. Tilton to update the cost figures and for the Marketing Consultant to prepare the survey.

- **Professional Services Agreement**

**On MOTION by Ms. Gartland and seconded by Ms. Wheeler, with Ms. Gartland, Ms. Wheeler, Mr. Tarr and Mr. Greenberg in favor and Mr. Henry dissenting, the Priority Marketing of Southwest Florida, Inc., proposal to prepare a one-page handout for a fixed price of \$2,500 and prepare a resident survey for a fixed price basis of \$1,800, as set forth, for a total not-to-exceed amount of \$4,300, and authorizing District Counsel to amend the contract to include all pieces, only authorizing Task 1 and Task 2 that the Board approved, and leaving the remainder in as options to be done upon notification from the Board, was approved. [Motion passed 4-1]**

Mr. Greenberg stated Phase 1 will be for solicitation purposes.

Mr. Tarr proposed completing Phase 1 and a “mini” phase as a second option.

Mr. Henry voiced his opinion that making a decision without knowing the cost is insanity.

Mr. Greenberg stated the Boards need to look to the future and consider that the age of the community is going down and recreational tastes are changing. He noted that some decisions are based on cost and governmental entities typically decide what the best policies are for their constituents and then cost it out and tax them.

Mr. Tarr suggested the trail be 1,500'. Mr. Tilton reviewed the location of a 1,500' trail on the map and an extra 600'. Ms. Gartland agreed with Mr. Tarr and suggested paying all mitigation costs now in case the decision is to go to Celestial Park.

Mr. Greenberg suggested Mr. Tilton prepare a slide to the "T" and to the circle and price both options.

**B. Consideration of Change Order No. 1**

Regarding costs spent to date, Mr. Tilton presented Change Order No. 1 for \$19,450. It consists of scope language changes to cover renderings and services never anticipated.

Regarding available funds, Mr. Adams reviewed the Unaudited Financial Statements showing \$137,290 of the \$169,348 budget spent. He discussed repurposing funds the budget.

**On MOTION by Ms. Wheeler and seconded by Ms. Gartland, with all in favor, Johnson Engineering, Inc., Change Order No. 1, for a \$19,450 increase to the overall contract price, as presented, was approved.**

Mr. Greenberg will prepare an e-blast to the homeowners. The e-blast will include a map. Mr. Adams confirmed that the map will be redefined to show Phase 1 is the horseshoe and Phase 2 it out to the circle, along with suggestions from the Board Members.

**C. Update: Cost Estimate Phase 1**

**D. Update: Cost Estimate Phase 2**

In response to a question, Mr. Tilton stated his personal preference is for the north property due to the marsh structure. He will remove the bicyclist from the rendering.

**FIFTH ORDER OF BUSINESS**

**Presentation of Mediterra Community Development District's Audited Annual Financial Report for the Fiscal Year Ended September 30, 2022, Prepared by McDirmitt Davis**

Mr. Tarr did not recall ever receiving draft audits. Audits given to the Board were always completed. Mr. Adams stated the required legal letter is substantially complete. Ms. Campbell will discuss the status of other minor items that will be included in the final audit versus the draft, along with any changes that are typically made in the meeting. Mr. Greenberg proposed Ms. Campbell address issues first and respond to Board Member questions.

Mr. Tarr asked how the Board can legally approve a draft. Mr. Adams stated that the Board Members are accepting the third-party audit as the final report, which will be emailed to the Board, unless there are material changes.

Ms. Campbell stated this is a clean audit opinion and there are no management comments.

Mr. Henry referred to the last sentence of Paragraph 1, on Page 21, and asked for “will be used” to be changed to “were used”. Mr. Greenberg concurred.

Mr. Tarr asked why the section on Page 22, Note 6 is highlighted. Ms. Campbell stated she is confirming the information. Mr. Adams recalled receiving confirmation from the Controller that the information is correct. Ms. Campbell stated highlighted items throughout the audit are open items that she is waiting for confirmation on; they are neither material or significant.

Mr. Tarr referred to Item b on Page 24 and asked for the names of the three independent contractors. Mr. Greenberg stated they are the District Manager, District Engineer and District Counsel. Ms. Campbell stated these are typically 1099 vendors.

Mr. Henry asked for the 2021/2023 Original issue discount amount on Page 21 to be reflected on Page 5.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022.**

**On MOTION by Mr. Henry and seconded by Mr. Tarr, with all in favor, Resolution 2023-04, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022, was adopted.**

▪ **Summary and Estimate #4055 to Clean Stormwater Structures**

**This item was an addition to the agenda.**

Mrs. Adams distributed and reviewed MRI Estimate #3910 to clean a CDD pipe in Medici originally thought to belong to the Mediterra HOA.

Mr. Tarr stated he is struggling with approving the cost to clean the non-CDD's pipe, which had not been cleaned for several years. He asked if budget funds are available. Mrs. Adams stated \$53,000 is in the budget, but she plans on asking for additional funds. Mr. Tarr felt that it is a good idea but questioned if the CDD is prepared, if suddenly more pipes need to be cleaned. He does not want the CDD to take responsibility for repairing pipes and drainage structures the CDD does not own.

Discussion ensued regarding the suggestion to inspect non-CDD pipes, deferring repairs to the Fiscal Year 2024 budget, informing the Mediterra HOA and incorporated neighborhoods that they need to have the pipes cleaned and the impact on assessments, specifically what the cost will be for each homeowner.

**On MOTION by Ms. Gartland and seconded by Ms. Wheeler, with all in favor, M.R.I. Inspection LLC, Estimate #3998 for Non CDD Pipe Inspections, in the amount of \$6,500, was approved.**

Mr. Greenberg noted language in the proposal related to "having to dump material off site" has a hidden potential cost. Ms. Wheeler asked why the pipes were not cleaned. Mr. Greenberg stated they were marked incorrectly on the map.

**On MOTION by Mr. Tarr and seconded by Ms. Wheeler, with all in favor, M.R.I. Inspection LLC, Estimate #4054 to clean the CDD pipes from Bello Lago to the Medici storm water ponds, in the amount of \$20,180, was approved.**

• **Maintenance of Water Management Areas Detailed Specifications**

Mr. Henry discussed his conversation with Mrs. Adams regarding why fully matured trees at Lake 70 were cut down instead of trimmed. In his opinion, the trees never interfered with the lake and were attractive but now his view is compromised. Other residents complained that they can see the electrical boxes. He believes considerations of this type should be presented to the Board first. The explanation in the agenda indicates it will be the process going forward.

Mrs. Adams explained that Mr. Willis instructed the vendor to remove the seeded Cabbage palms that were above the high-water mark within the lake bank before they got out of control and damaged the lake bank. She agreed removal needs to be discussed on a case-by-case basis for areas directly behind a residence on a lake bank. Trees along a conservation area did not need to be removed.

Ms. Gartland asked if just the seed pods could have been cut off. Mrs. Adams stated no because the trees seed and start to grow in areas they should not be in. Mr. Willis noted the contract is limited to just maintaining the lake bank easement. This is an ongoing maintenance issue. The vendor should have contacted him about fully mature trees.

The Board consensus was to approve Mr. Willis' write up of the new Tree Removal Policy and for Staff to add littorals this year to hide the stumps.

**NINTH ORDER OF BUSINESS**

**Update: Preserve Fire Reduction Program**

• **Consideration of Award of Contract for Castellano Way West Side Clean Up**

Mrs. Adams noted this information was emailed to the Board before the meeting. Mr. Tilton distributed and reviewed the price chart outlining the areas for Castellano Way and responded to questions about RMZ Areas 10, 11 and 12.

The consensus was to not complete all the work and add this to the three-year rotation and to the Fiscal Year 2024 budget.

This item was tabled.

**The meeting recessed at 10:49 a.m. and reconvened at 10:54 a.m.**

Mr. Adams took roll call and confirmed all Supervisors were present.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-05, Approving Proposed Budgets for Fiscal Year 2023/2024 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 directed Mr. Adams to add a new line item under Water Management titled “Right-of-Way Fuel Load Reduction” for \$129,000, which represents the amount of the low bid discussed earlier for RMZ. Mr. Adams discussed making additional adjustments to split the engineering fees for the nature trail and capital outlay.

Mr. Greenberg stated the goal is to have a \$150,000 minimum in unassigned fund balance. The Board conceded to increase the amount to \$200,000, increase the “electricity” budget to \$35,000 and increase “postage” another \$500.

Mr. Adams noted that increases to insurance and audit budget items will be provided at the next meeting.

Board Members commented on the possibility that the Fiscal Year 2024 assessments increase will be twice the Fiscal Year 2023 amount.

Resolution 2023-05 was deferred.

**ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
Statements as of February 28, 2023**

Mr. Tarr asked if any revenue collections are not reflected. Mr. Adams replied no and confirmed that the CDD received the \$10,000 on the Series 2017 Note Reserve.

The financials were accepted.

**TWELFTH ORDER OF BUSINESS**

**Approval of March 15, 2023 Regular  
Meeting Minutes**

Mr. Greenberg stated he emailed his edits to Staff and hoped everyone else did the same. Ms. Wheeler stated her edit on Lines 199 to 200 were emailed to Management.

The following additional changes were made:

Line 219: Delete: Mr. Henry agreed.

Line 314: Delete entire first sentence

**On MOTION by Mr. Tarr and seconded by Mr. Henry, with all in favor, the March 15, 2023 Regular Meeting Minutes, as amended, were approved.**

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

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

There were no District Engineer or District Counsel reports.

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

- **NEXT MEETING DATE: May 17, 2023 at 9:00 A.M.**

- **QUORUM CHECK**

Supervisors Wheeler, Henry, Greenberg and Gartland confirmed their attendance at the May 17, 2023 meeting. Mr. Tarr was unsure at this time.

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

- **Key Activity Dates Report**

Mrs. Adams reported the following:

➤ The fireball installation project was completed. 50 additional fireballs need to be purchased if the Board wants them in every compressor box. The total cost including installation is \$5,820.

➤ The vendor identified hurricane debris in 43 lakes. The cost for debris removal is \$6,000. This work is beyond their regular scope of work.

Ms. Gartland stated she emailed photographs to Mrs. Adams of a large tree branch that has been in the lake for months. In her opinion, it shows that the contractor is not doing their job. Mrs. Adams will inform the contractor of this and have them remove it at no charge.

➤ The cost is \$2,075 for the aeration box vegetation trimming adjacent to the conservation areas.

Mr. Greenberg asked District Staff to add the fireball costs to the Fiscal Year 2024 budget and proceed with the aeration box trimming in Fiscal Year 2023. He will prepare a letter about the CDD’s upcoming projects to e-blast to residents.

➤ The Limited Development Order (LDO) from the County for the Lake 6 riprap project is expected in May.

➤ The GFCI breaker retrofit project is scheduled to be completed by the end of the month.

**FOURTEENTH ORDER OF BUSINESS**

**Action/Agenda or Completed Items**

This item was deferred due to time constraints.

**FIFTEENTH ORDER OF BUSINESS**

**Old Business**

• **Continued Discussion: Lake Fountains**

**A. Fountain Locations**

The Board agreed with Mr. Greenberg’s suggestion to direct Mrs. Adams to work with the MCA and HOA to determine who owns and maintains the License Agreements and for Ms. Willson to work with either one to have them executed.

**B. MCA License Agreement [Lakes 75 and 76]**

**C. London Bay License Agreement [Lake 37 and 29051 Marcello Way]**

Sample License Agreements were included for informational purposes.

This will remain as an Old Business Agenda Item.

**SIXTEENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

Ms. Gartland asked if meetings will be held during the summer. Mr. Greenberg stated meetings are scheduled for June and August but he might consider holding a workshop in July to work on the nature trail.

Mr. Tarr reported that the Medici HOA engaged Cintron to remove a Queen palm with Ganoderma on the Lake 22 lake bank behind his neighbor’s residence and some dead grass plants behind his house. Cintron Landscaping will restore the lake bank with Floratam grass. He announced his new position as Vice President/Treasurer of the Medici HOA.

**SEVENTEENTH ORDER OF BUSINESS**

**Public Comments (3 minutes)**

There were no public comments.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Henry and seconded by Mr. Tarr, with all in favor, the meeting adjourned at 11:26 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair