

**MINUTES OF MEETING
MEDITERRA
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on May 17, 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
Julia Babair	Priority Marketing

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:02 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 thanked Staff for contacting London Bay to address the debris around the back side of Lakes 71 and 72. He observed thousands of baby cane toads escaping from ponds on the east side; Pesky Varmints tried to remove as many as possible but it is the first breeding season. He believed a notice should be sent informing the MCA that the CDD should be notified if an upsurge in adult cane toads is observed. Mr. Tarr stated Medici hires Pesky Varmints and six toads were removed on their last visit.

Mr. Greenberg stated the Fifth Order of Business will not be addressed as it is not a CDD expense. The two significant items to be considered today are the walking trail and the budget.

FOURTH ORDER OF BUSINESS

Continued Discussion/Update: Nature Trail and Board Walk

A. Updated Cost Estimate Phase 1 and Phase 2

Mr. Greenberg introduced Ms. Julia Babair, of Priority Marketing. He noted that the Board’s decision regarding Priority Marketing’s information package and survey proposal will impact the budget. He stated Mr. Tilton provided cost projections for the trail and, due to the cost, the longer, 1.5-mile trail will not be considered, in favor of a more conservative approach.

Ms. Babair distributed and reviewed a two-page handout that describes the proposed nature boardwalk and includes a map of Phases 1 and 2, measuring 620’ and 600’ respectively, and a possible future addition to the nature trail measuring 6,700’. The handout will be emailed to residents three days prior to emailing the Resident Survey.

Ms. Babair reviewed the Resident Survey handout and discussed anticipated open rate and response rates.

Mr. Greenberg noted that the proposal includes use of the IPE wood decking material, which increases the cost of each phase of the project by 50%. He discussed the heavy golf cart traffic on the golf course boardwalks and noted he only saw one crossing that needed to be redone. In his opinion, the Board should consider pine as a better option for the nature boardwalk to lower the initial cost of the project.

Mr. Tarr expressed support for the survey and wants to work on it. He noted the popularity of local municipal nature trails and suggested Question 2 be phrased more generally.

Mr. Henry feels that the survey should state that it will determine the outcome and it should stipulate the cost to property owners.

Discussion ensued regarding what should be done if the response rate is low, mailing lists, whether some residences will receive more than one survey and sending “teaser” emails to ensure that all property owners are aware that they should expect the survey via email.

Ms. Babair described the series of three email communications that would be sent, beginning with a “teaser” email advising to watch for the handout sent three days prior to the survey. Emails would be sent to the Board for approval prior to sending.

Regarding the deadline to send Mailed Notices for assessment increases, Mr. Adams stated Mailed Notices must be sent in July, one month before the August meeting.

Mr. Tarr stated, even though the Board does not want to spend the money now, a future Board could approve a nature trail as it was envisioned.

Mr. Greenberg asked if the 1.5-mile trail was on the original Mediterra Development Plan but just never permitted and funded. Mr. Tilton stated the original development permits anticipated the possibility of a trail, which is why the Conservation Easement allows for passive recreation, but there was no planned path on the drawings; it only included an allowance for a trail. There were subsequent attempts to build a path but none came to fruition.

Mr. Greenberg stated the pricing only includes the mitigation for each phase. Mitigation will not be bought for two phases if only one phase is completed or for the entire 1.5 miles if only one or two phases are done. In accordance with the Board's consensus to truncate the project as much as possible, he believes the most financially viable means is to present Phase 1 or Phases 1 and 2 with pine wood.

Mr. Greenberg stated he spoke with MCA President Mr. Rodney Chase informally and Mr. Chase is supportive of the project.

MCA General Manager Mr. Bill Bowden stated there is support for the plan although the specific details are not known. His prior community initially installed pine and it sufficed for several years but was eventually replaced.

Mr. Tarr suggested Mr. Greenberg present this at the next MCA Board meeting. Mr. Greenberg stated if approved, he will present it to The Club and The MCA. Mr. Vince Byrd is supportive and The Club will allow large posters to be displayed.

Ms. Gartland expressed concern about proceeding too fast to address questions and concerns. She is worried about resident pushback due to the timing and is hesitant to consider the project in the summer based on past resident reactions; in her opinion, the fall would be a better time to email the information. She thinks the wording makes it seem like the project is already decided upon versus it being a survey to gauge interest about whether to do it at all. She supports including information about the costs but wonders if it is helpful to include an assessment amount or if it would be more palatable to finance the project, finance part of the project or split the assessment over several years.

Discussion ensued regarding how to present the cost and the project.

Referring to the Unaudited Financials, Mr. Adams estimated approximately \$300,000 of Unassigned Funds will be available to offset the expense in Fiscal Year 2023. The Fiscal Year 2024 budget, in its current form, adds an additional \$160,000 to fund balance.

Mr. Greenberg asked if applying \$300,000 of existing surplus to Phase 1 would leave \$350,000 to be assessed, equating to about \$380 per home. Mr. Adams replied affirmatively.

Mr. Adams responded to questions about the Fiscal Year 2023 Unaudited Financials, Unassigned Fund Balance, line items, reserves and CDD governmental accounting methods.

Mr. Tarr asked if the expense can be funded over two years to preserve Unassigned Fund Balance for emergencies. Mr. Greenberg stated it is a question of how much Unassigned Fund Balance the Board allocates to the project; the community will need to be informed if part of the cost will come from surplus funds. Mr. Tarr favors an assessment versus depleting reserves. Mr. Greenberg surmised that the consensus of the Board is not to use Unassigned Fund Balance to fund the project.

Discussion ensued regarding the cost and benefits of the trail, The Club's projects and added value and usability of the trail for a relatively small cost.

Mr. Greenberg voiced his opinion that the trail would add significant value to the community. He noted the need to stay competitive with other gated communities to attract younger people and provide activities for active residents and families. He agrees with the need to be frugal and to preserve Unassigned Funds but to build up reserves as the Board decided to do. In his opinion, a one-time assessment of \$600 to \$1,000 for an enduring amenity such as a nature trail is not a big ask if appropriate information is provided to property owners. He does not want the Board to be driven by only the loudest naysayers.

Mr. Tarr noted that the bocce ball and pickleball courts began small and grew beyond expectation. He supports starting with a 620' trail and gauging use.

Mr. Greenberg feels that the purpose of the survey is to see if anybody will use it.

Ms. Gartland suggested including a third option of, "I do not support." to Question 7. Ms. Babair stated she will add that option.

Regarding the budget, Mr. Henry asked how the survey will affect the decision of whether to proceed. Mr. Adams stated the timing of the survey results is the deciding factor as the July meeting is the last opportunity to decide on the assessment levels for Fiscal Year 2024.

Ms. Gartland reiterated her opinion that the decision is being rushed because funds are being budgeted before the survey results are received. Mr. Greenberg stated he wants the

survey results in time so funds can be budgeted. In his opinion, there will be some pushback regardless of when it is done.

Mr. Henry wondered if there are monetary implications for the MCA regarding maintenance, liability, etc. Mr. Bowden thinks immediate oversight will be for overnight security, closures, etc. Maintenance should be minimal in the first year. He is prepared to address the implications once dates and details are known.

Mr. Tarr asked if a portion of the trail can be funded in the next fiscal year and if the survey can be done in the fall and the project then proceeding with half the funds available and then the costs can be spread over two billing cycles.

Mr. Greenberg voiced his opinion that the Board has worked long and hard on this and he wants to know sooner rather than later if the community wants to halt the project. Ms. Gartland reiterated her opinion that the Board should delay the survey to the most reasonable time to try and make the project succeed. Mr. Greenberg thinks the fall is no better than now since the community is not full until January. Ms. Gartland disagreed and stated her opinion that more people will be present and focused in the Fall.

Mr. Henry noted that unencumbered funds are available in the Fiscal Year 2023 budget for preliminary work assuming the decision is made to proceed with the project. Mr. Adams stated short-term financing is always an option. Mr. Greenberg stated \$100,000 is available for permitting, construction plans, etc. He does not believe the construction cost is the big portion of the cost compared to the cost of wood and mitigation. Reviewing the cost estimate, he noted the mitigation cost is \$70,000 and there is a 20% contingency. Mr. Tilton stated part of permitting relates to mitigation; the actual permit fee will likely be \$3,000 to \$5,000.

Mr. Greenberg noted that two-thirds of the cost relates to the wood and the mitigation and the mitigation is an up-front cost.

Ms. Gartland asked how long the mitigation process takes. Mr. Tilton stated, unless no mitigation is available, which should not be the case, it is a matter of paying a mitigation bank for it. Once the actual number of credits needed is known the process is straightforward. During the permit process with the South Florida Water Management District (SFWMD), a letter from the mitigation bank is needed to show that credits are available for this project and, to get that letter, payment must be made.

Mr. Henry suggested budgeting \$200,000, doing the survey later in the year and consulting with the MCA to see if IPE wood is worth considering. Ms. Gartland stated The Club

might be able to advise about pine and IPE wood and maintenance of pine as The Club has two pine boardwalks on the golf course that are being replaced now. Mr. Bowden stated, in his experience, the benefit of IPE wood is in the replacement cost rather than in maintenance.

Ms. Gartland supports researching replacement costs. Mr. Greenberg noted that The Club's boardwalks support golf cart traffic whereas the CDD trail would be limited to foot traffic. He believes The Club replaced one or two boards every three years and, in fourteen years, the top boards have only been replaced once. Mr. Tilton discussed the dimensions of the boards to be used. Mr. Greenberg thinks timing is the issue not the material.

The consensus is to include \$200,000 in the budget, defer the survey until the fall and disseminate information now about the plans, including timing, to reduce misinformation.

Mr. Greenberg feels that the materials should be refined and the packet should be sent this summer and present in the fall with the survey.

Mr. Greenberg asked the Board Members to email comments and suggestions about the handout to Ms. Babair. The picture will be enlarged to include only the first two phases. He will draft a cover letter advising that this is an initial information package and that a survey to solicit interest will be sent later in the year as more information is developed.

Ms. Gartland expressed support for pine as opposed to IPE wood. Mr. Tarr and Mr. Henry agreed. Mr. Greenberg stated, given the consensus to use pine, the cost estimate will be included. He asked Mr. Tilton to include hard and soft costs and mitigation costs. Ms. Gartland thinks including the mitigation costs will help as it shows the CDD is buying mitigation to offset environmental impacts elsewhere. Mr. Greenberg stated that should be included in the bullet points. Costs will be kept down as much as possible and mitigation will be purchased and land cleared for Phase 1 only, unless the community supports Phases 1 and 2. The rest can be completed in stages.

Discussion ensued regarding using sensors to count traffic on the trail.

Mr. Greenberg stated the project is environmentally responsible and the CDD is buying mitigation to offset removal of this 8' path from the preserve so that other environmentally sensitive land can be preserved.

Mr. Greenberg stated there is a consensus on how to proceed. The Board will have an opportunity to comment and work on edits to the survey but he wants the proposal ready as quickly as possible; he will work on the letter. He asked the Board Members to email their

comments about the proposal and survey to Ms. Babair at Julia@PriorityMarketing.com by the close of business Friday.

Mr. Tarr stated he will not be at the next meeting.

Ms. Babair will email the final handout to Mr. Greenberg by the end of next week.

FIFTH ORDER OF BUSINESS

Discussion/ Consideration of MRI Inspection, LLC, Items

- A. Medici Inspection Report**
- B. Estimate #4079 to Install Band**
- C. Estimate #4081 to Clean & Root Removal**

This item is not a CDD matter or expense. It will be deleted from future agendas.

SIXTH 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. Adams stated the net effect of the trail decisions earlier in the meeting brings the proposed Fiscal Year 2024 assessment increase down to an increase of \$114.

Mr. Tarr and Mr. Henry stated they will not attend the August meeting. Ms. Gartland stated it will be difficult for her to attend the August meeting. Mr. Greenberg stated the CDD will pay Ms. Gartland’s travel expenses if necessary to meet quorum requirements.

On MOTION by Mr. Tarr and seconded by Ms. Gartland, with all in favor, Resolution 2023-05, Approving Proposed Budgets for Fiscal Year 2023/2024, as approved later in the meeting, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 16, 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; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

Mr. Greenberg suggested adding line items for items lumped together, such as cane toads. Mr. Adams stated they can be added as a separate account and noted it is currently

described in the textual description portion of the budget. Mr. Tarr suggested breaking it down as “Lake maintenance” and “Other contractual services” line items. Mr. Henry, Ms. Gartland and Mr. Greenberg concurred.

Mr. Henry asked if anything was budgeted for non-CDD pipe cleanout. Mr. Greenberg thinks the CDD will bill it back so it is not a CDD budget item but it will require a contractual agreement. Mr. Tarr recalled issues in Medici and expressed concern about whether staff can manage the issues. Mr. Greenberg stated the CDD will receive a report from MRI and the report will be sent to each neighborhood advising that cleanup is their responsibility and that they can do it themselves or the CDD will manage the cleanup and bill for it. It is an operational matter not a budget item. He will draft a letter to each neighborhood explaining that, if they want the CDD to take on the project, District Counsel will draft an Agreement and Mrs. Adams will arrange for contractors to perform the work. The communities will be billed.

Mr. Tarr noted that the expense was considerable. The consensus was for each community to be billed directly as this is not a CDD expense.

Mr. Tarr noted that the Collier County Property Appraiser and Tax Collector charge a 4% fee, whereas the Lee County Property Appraiser only charges \$250 per parcel.

Mr. Adams stated the new total expenditures will be \$1,226,548. Assessments will now be \$1,167.31, an increase of \$114 from Fiscal Year 2023. While the printed version of the proposed Fiscal Year 2024 budget in the agenda shows \$200,000 in Unassigned fund balance, decisions made earlier in the meeting will increase the amount to \$245,667. Mr. Tarr voiced his opinion that is not enough given the possibility of pipe issues. Mr. Greenberg stated the consensus is to increase Unassigned Fund Balance to \$300,000.

Mr. Tarr asked how much the Operation & Maintenance (O&M) portion of the assessment will be.

Mr. Adams stated the new O&M assessment, with that adjustment, will be \$1,264.98, equating to an assessment increase of approximately \$210 over Fiscal Year 2023.

Discussion ensued regarding whether a 10% assessment increase and increasing Unassigned Fund Balance to \$300,000 are justified given the possibility of additional pipe issues as were found in Medici.

Mrs. Adams noted that the “Insurance” line item increased to \$13,090.

On MOTION by Ms. Gartland and seconded by Ms. Wheeler, with all in favor, the Proposed Budget for Fiscal Year 2023/2024, as amended, in conjunction with adopted Resolution 2023-05 and to be included as an Exhibit to Resolution 2023-05, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Adams presented Resolution 2023-06.

The following change was made to the Fiscal Year 2024 Meeting Schedule:

*Exception: Change “Martin Luther King” to “Juneteenth”

On MOTION by Mr. Henry and seconded by Ms. Gartland, with all in favor, Resolution 2023-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024, as amended, and Providing for an Effective Date, was adopted.

Discussion ensued about whether to meet in June this year. Management will poll the Board. A workshop can be held, if necessary, if a quorum cannot be established for a meeting.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2023

- **2023 Operations Financial Impact Analysis**
- **Breakdown/Summary Report**

Mr. Adams distributed an updated version of the Unaudited Financials.

The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of April 19, 2023 Regular Meeting Minutes

The following change was made:

Line 157: Change “\$169,3480” to “\$169,348”

On MOTION by Ms. Gartland and seconded by Ms. Wheeler, with all in favor, the April 19, 2023 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Ms. Willson stated Legislation requiring Supervisors to complete a four-hour Continuing Education Ethics course passed; it has not yet been signed by the Governor but it is anticipated that it will be. The requirement will become effective on January 1, 2024. Course options and further updates will be provided when available.

B. District Engineer: Johnson Engineering, Inc.

There was no report.

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

- **451 Registered Voters in District as of April 15, 2023**
- **NEXT MEETING DATE: June 21, 2023 at 9:00 A.M.**
 - **QUORUM CHECK**

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

- **Key Activity Dates Report**

Mrs. Adams stated SOLitude will begin limb debris removal next week.

ELEVENTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Item 23: Mr. Greenberg stated this item is not a CDD issue so it will be deleted.

Regarding the fountain ownership, Ms. Willson stated she and Mrs. Adams have been in communication with Mr. Bowden and Mr. George. Several more will be reviewed before the Fountain Maintenance Agreements are completed.

Item 29: Regarding financing the boardwalk project and if the CDD can charge fees on acquisition or disposition, Ms. Willson stated it would be very difficult to implement. Mr. Greenberg stated, while it can be done, it is not practical.

Items 9, 12, 13, 14, 15, 16, 17, 18, 19, 22, 24, 26 and 30 were completed.

Items 20, 23, 27, 28 and 29 will be deleted.

Item 21: Mrs. Adams stated SOLitude will remove debris next week. Trees downed by the hurricane will incur additional cost.

Item 10: Fire breaks were completed but more work remains.

TWELFTH ORDER OF BUSINESS

Old Business

- **Continued Discussion: Lake Fountains**

This item was not addressed.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Gartland asked if the erosion repair at Lake 35 near North Hole 10 green is completed. Several residents indicated the grading looks like the riprap ends at dirt and someone told her Mr. Lively indicated additional rock is needed. Mr. Greenberg stated the repair began at a parallel line to the fairway close to the green. They are talking about continuing the riprap all the way around to the waste area but the CDD will not install riprap there. He will inform the Club's General Manager that the CDD's work is complete.

Mr. Tarr wants to revise the website's landing page for the CDD's location now that Veterans Memorial is finished. In his opinion, it should state that Mediterra is between Old 41, Livingston and Veterans Memorial.

Discussion ensued regarding the current verbiage.

Mr. Willis stated it currently stated that Mediterra is located south of Bonita Beach Road between 41 and Livingston Road. Mr. Adams stated he would say situated to the north and west of the intersection of Veterans Memorial and Livingston Road. Mr. Tarr will email Mr. Willis exact verbiage for the website.

FOURTEENTH ORDER OF BUSINESS

Public Comments (3 minutes)

There were no public comments.

FIFTEENTH ORDER OF BUSINESS

Adjournment

<p>On MOTION by Mr. Henry and seconded by Ms. Gartland, with all in favor, the meeting adjourned at 10:55 a.m.</p>



Secretary/Assistant Secretary



Chair/Vice Chair