

**MINUTES OF MEETING
MEDITERRA
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on March 20, 2024 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
Vicki Gartland	Assistant Secretary
Mary Wheeler	Assistant Secretary
John Henry	Assistant Secretary

Also present:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Brent Burford (via telephone)	District Engineer
Jim Sheeran	Crosscreek Environmental, Inc.
Mari-Ellen Vickers	Resident
Susan Riley	Resident
Cyndee Sturtevant	Resident

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)

Porta Vecchio resident Mari-Ellen Vickers voiced her opinion that Lakes 33 and 58 need to be evaluated for weeds encroachment and health of the lakes. Mr. Greenberg stated that lake technicians are on site weekly. Mr. Willis stated that he and Mr. Sheeran will evaluate the lakes to determine if weeds or invasives are present, versus beneficial littorals.

Ms. Vickers stated that one of the two bird boxes on Lake 33 was damaged by Hurricane Ian. Mr. Willis noted that is an HOA matter. Ms. Vickers asked if the trees and plants at the water's edge are Porta Vecchio's responsibility. Mr. Greenberg stated they are the CDD's

responsibility if they are within 10' of the high-water mark. Mr. Willis stated the entire perimeter of the lake will be inspected.

Mr. Greenberg thanked Ms. Vickers for her comments and noted that it is important for residents to be involved. He encouraged residents to contact the CDD office with questions so that issues do not have to wait until a meeting. He stated that he has tried to make Staff more accessible and, while Staff members are very busy, they are as responsive as possible. Phone numbers and email addresses are posted on the CDD website.

Mr. Tarr stated the Mediterra governing documents require homeowners to maintain vegetation up to the "control level". Mrs. Adams concurred. Mr. Greenberg indicated that responsibility lies with the homeowner or the HOA; homeowners are advised to call the office because the office has the maps and will advise as to who is responsible.

Mrs. Adams stated that a homeowner recently inquired about some bald cypress trees and the contractor confirmed that those trees are bare at this time of year and the leaves will sprout again in the spring.

Resident Susan Riley stated that she and resident Cyndee Sturtevant represent the Cabreo Drive community. Mr. Greenberg stated he has been emailing with Ms. Riley about a sunken roadway in the Cabreo neighborhood that is an area of concern. He stated that Ms. Wheeler was contacted first and then he became involved. It was explained that those issues are related to sewer lines that are not on MCA nor on CDD-owned property. He stated that there are many stakeholders in Mediterra. Ms. Riley stated the information was enormously helpful as they were able to rule out multiple things and utilize the CDD's vendor, MRI, who was terrific. She discussed a concern related to an overgrowth of grasses at the end of Cabreo Pond.

It was noted that Ms. Sturtevant met with the Collier County Mosquito District and has concerns about the mosquito population, where grasses restrict water flow. Mr. Greenberg thinks the Mosquito Control District does not understand the CDD's detention system. He is very familiar with the area, as he lives there and walks there daily. In his opinion, the issue is seasonal. Pond levels are lower than in previous years, which contributes to growth of grasses. The vendor will do what they can; however, the grasses cannot be totally removed.

Mr. Adams asked Mr. Willis to ensure that no non-beneficial plants are present. He noted that the Board established a 15' width limit for plants in the area.

Mrs. Adams stated the beneficial littorals in the area are spike rush, they are not weeds.

Mr. Greenberg asked Staff to inspect the areas, create a work order and inform residents and the Board of the outcome. Residents are welcome to contact him, as well.

Ms. Gartland stated her understanding that, when the lakes get low enough, some of the issues will be addressed.

Mr. Sheeran thinks some invasives among the beneficial plants, like torpedo grass, need treatment; however, treatments cannot be effectively applied until the water levels recede.

Ms. Wheeler and Mr. Greenberg noted that the issues are ongoing.

Mr. Tarr recalled that the Mosquito Control District used to spray Collier County and the Mediterra stormwater pond. He asked if that still occurs. Mrs. Adams stated it does not. She stated, in an email from Mr. Johnathan Little to Ms. Sturtevant, Mr. Little indicated that “generally the ponds and lakes in gated communities do not act as breeding grounds for mosquitoes for two reasons. The first is that they are typically outfitted with aeration systems, and mosquitoes only lay their eggs in stagnant water, so these systems make the lakes an undesirable place for the mosquitoes to lay their eggs. The second is that they are likely stocked with fish that eat any mosquito larvae that will be eaten before they can mature into adults.”

Mrs. Adams stated that numerous mosquito fish are present in the ponds, as reported in the annual lake audit. Mr. Adams stated that the fish occur naturally, as eggs are transported on the birds that go from pond to pond.

Mr. Greenberg noted that the southern frogs are very good for the community, as they eat mosquitoes. The Board has tried to educate the community about the need to be gentle with beneficial native frogs when removing cane toads. The vendor has been very effective at removing cane toads; it is one of the CDD’s more successful programs.

Mr. Tarr asked what caused the sinking in the street. Ms. Riley stated the cause is currently unknown but some possibilities were ruled out. MRI determined that it is not the pipe, a sinkhole or the sewer. They believe it is wear and tear; there is a lot of construction going on. They contracted with the engineering firm that is working on The Corso but, unfortunately, they do not want to come out for just one street.

It was noted that the community is 20 years old and construction is ongoing so it might be better to wait until construction is complete.

Mr. Greenberg stated Brendisi contacted him with a concern that one of two dead trees on the property line between the preserve and Brendisi might fall and damage a building. There is a question of who owns the tree. He believes that Cintron bid \$450 to remove the trees; he

advised that Brendisi can remove the trees at their cost. Mrs. Adams stated that both trees are in Conservation Area 4B; the trees can be cut and dropped in the preserve. Mr. Greenberg stated that Brendisi will pay in advance and the CDD can engage the contractor. It was noted that the trees are visible from the street and present an aesthetic issue that Brendisi is willing to pay for. Mr. Willis stated the policy is to keep the preserve in its natural state.

THIRD ORDER OF BUSINESS**Chairman's Comments**

Mr. Greenberg thanked the Board Members for carrying on in his absence.

FOURTH ORDER OF BUSINESS**Update: Aquatics Report - March 2024**

Ms. Gartland expressed appreciation for the Aquatics Report. She stated that she was photographing the lake in Castellano to ask for it to be treated, Crosscreek arrived to apply a treatment. Mr. Sheeran stated he will follow up to ensure that the treatment is successful.

Mrs. Adams reminded everyone to state their names when speaking.

Mr. Henry voiced his opinion that the dye applied in Lakes 71 and 72 looks better. He stated that the Lucarno Board informed residents of what was done; one resident voiced strong objections to the dye and another resident praised the results. He suggested another retreatment be delayed until absolutely necessary.

Mr. Willis stated that the cost of dye treatments has been offset versus the cost of maintenance. Until the dye was applied, several phone calls were received weekly from residents and, since the dye was applied, there have been no calls.

Mr. Henry suggested Mr. Willis have another treatment applied if necessary. Ms. Gartland voiced her opinion that additional treatments should require Board approval. Mr. Greenberg believes it should be a Staff decision, not a Board policy issue.

Mrs. Adams recalled that it was previously noted in the bid schedule of the contract that dye treatments should offset the treatment schedule; therefore, if dye is used, treatments are not applied because the dye helps with invasives. Mr. Greenberg asked if dye treatments are a straight substitution for herbicide treatments. Mrs. Adams replied affirmatively.

Ms. Gartland stated, in previous discussions, the concern was not setting a precedent but she supports proceeding with discretionary dye treatments, for now, and evaluating the cost at the end of the fiscal year. Mrs. Adams stated that the Board's decision to dye these

particular lakes was also due to the locations of the lakes. Lake 45 has been receiving dye treatments for years. Mr. Greenberg supports allowing the decision to be made at the Staff level and stated he sees it as an operational matter.

Mr. Greenberg asked for the Lake Report to be emailed to him.

Mr. Willis asked if, in the future, he is to consult with Mrs. Adams to determine if additional lake dye is needed. Mr. Greenberg replied affirmatively.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2024

Mr. Henry asked if interest income will be maximized. Mr. Adams replied affirmatively; \$2,700 was earned in the current month and another \$1 million will be moved to the “ICS – BankUnited” account line item. Mr. Adams stated that money market accounts are not as liquid as the BankUnited account, which offers 4.75% interest and allows the CDD to move money five times per month, if necessary, which allows the CDD to maximize holdings.

Mr. Henry asked if an edit to monies “due to” and “due from” is needed. Mr. Adams replied affirmatively and stated that the Trustee was asked to move the amount of approximately \$62,000.

Mr. Tarr questioned the note on Page 1, which reads, “*Required bank loan reserve which will be applied to final payment.” and stated his belief that was resolved and that it was to be removed. Mr. Adams agreed and stated he will ask Accounting to make the adjustment.

Mr. Tarr stated the “Fuel load reduction of right of ways” is still a current project.

On MOTION by Ms. Gartland and seconded by Mr. Henry, with all in favor, the Unaudited Financial Statements as of January 31, 2024, were accepted.

- **2024 Operations Financial Impact Analysis**

Mrs. Adams presented the Operations Financial Impact Analysis and responded to questions. She noted that the balance is currently \$189,867.

Mr. Greenberg asked why the Lake Maintenance expenses are over budget. Mr. Tarr stated a new Agreement was signed. Mrs. Adams stated the Lake and Wetlands contract is at \$350,000; initial cleanup was \$31,500 and the monthly service after the initial cleanup was \$7,500. Mr. Greenberg asked if the contract was signed after the budget was adopted. Mrs.

Adams replied affirmatively. It was noted that the bidding process was difficult. Mr. Greenberg stated he would like to ensure that the Fiscal Year 2025 budget reflects more realistic costs.

Ms. Gartland recalled that part of the contract amount is related to cleanup due to the previous contractor's deficiencies. Mrs. Adams stated that the contract is a one-year contract with an option to renew for a second year; she thinks the second-year price is the same. Mr. Greenberg suggested requesting an extension for a third year.

- **Breakdown/Summary Report**

Regarding "Lake Bank Erosion Repairs: Bank Restoration", Mr. Tarr stated the CDD has been waiting several months for Anchor Marine to provide estimates for the other lakes.

Mrs. Adams stated that Lakes 15, 22 and 43 are in need of bank restoration; Mr. Willis is working with the contractors and the District Engineer because of access challenges.

Mr. Willis stated that he has a meeting on Friday with Bill Bowden from the MCA to discuss access to Medici Lake #22. Mr. Tarr stated that access to the lake is via the end of the street. Mrs. Adams stated that there is not enough room to access the lake from that location. Mr. Willis stated that plantings in the area have made the lake inaccessible. Mrs. Adams noted that there is not enough room between the side of the house for the equipment.

Mr. Tarr believes the house in question was built as close to the setback as possible; the house is 7½' from the property line. Ms. Gartland noted that the house in question is her old house. Mrs. Adams stated the issue is that there is not enough room to get equipment in; landscaping must be removed in order for crews to access the area to perform the lake bank restoration work. Mr. Willis stated that the plan is to access the lake directly off Corso Mediterra Circle, allowing a narrow channel of vegetation to be replanted, versus disturbing the homeowners' vegetation.

Mr. Tarr stated that the berm is very steep. Mr. Willis stated that Crosscreek will provide a proposal for installation of a lake access ramp; the dredger will be backed into the lake using the ramp and equipment in the lake to replace the small channel of vegetation.

Ms. Wheeler voiced her belief that routine lake maintenance has not been an issue.

Mr. Tarr noted that numerous homeowners along the lake are very vocal. He stated his opinion that the view affects the value of the houses and predicted that any plants removed will be expensive to replace and that a lower standard will not be acceptable to the HOA. Mr. Willis stated anything damaged will be replaced as-is, with plants of the same size.

Mr. Tarr stated he does not understand why the CDD does not widen the path and access the property via homeowner properties. Mr. Willis stated the decision was made to access the lake via a ramp to avoid extensive damage to homeowner vegetation and turf.

The consensus was that Staff will choose the best access method.

Mrs. Adams stated that this item will be on the April agenda for consideration. As discussed in the past, none of these projects will be scheduled until May or beyond.

Mr. Tarr disclosed that Ms. Wheeler is also President of the Medici HOA and he is the Vice President and Treasurer of the Medici HOA. Mr. Greenberg stated that they are both entitled to voice their opinions but he will not let a small group of vocal residents dictate CDD Board policy.

SIXTH ORDER OF BUSINESS

Approval of February 21, 2024 Regular Meeting Minutes

Mrs. Adams presented the February 21, 2024 Regular Meeting Minutes.

The following change was made:

Line 168: Change “used” to “unused”

Ms. Wheeler voiced her opinion that the minutes have been much better.

Mr. Greenberg expressed kudos to Staff.

On MOTION by Mr. Henry and seconded by Ms. Gartland, with all in favor, the February 21, 2024 Regular Meeting Minutes, as amended, were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Greenberg noted that Ms. Willson distributed a handout relating to the Sunshine Law. He suggested that Board Members read it before the next meeting and that it be included on the next agenda for discussion.

Mr. Tarr asked if, outside of a CDD meeting, two CDD Supervisors can discuss with each other recommending a possible candidate to run for the Board.

Ms. Willson stated that depends on whether the subject is something that the Board Members would choose to endorse, as a Board. If, however, a Board endorsement or a Board

decision is to be offered, the Board Members should not discuss it outside of a Board meeting. Mr. Greenberg stated the Board does not endorse candidates.

Ms. Wheeler asked if, outside of a CDD meeting, two or more Board Members can discuss an individual who might be a good Board candidate and designate one Board Member to speak with the individual.

Mr. Greenberg voiced his opinion that it does not represent a violation of the Sunshine Law.

B. District Engineer: Johnson Engineering, Inc.

- **Update: Permit Extension – Phase 3 East Stormwater Pond 74**

Mr. Burford stated that, while Mr. Earlywine is out of the office, he is monitoring the permit extension. There are currently no updates; he will check with Mr. Earlywine when he returns. Mr. Greenberg stated that there is no need to contact the Board Members unless there is an issue.

Mr. Burford stated, with regard to fuel load reduction, he contacted contractors who previously submitted proposals. He received responses from two contractors and he brought a third proposal this morning. As soon as updates are provided, the information will be presented to the Board, hopefully next month.

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

- **NEXT MEETING DATE: April 17, 2024 at 9:00 AM**
 - **QUORUM CHECK**

Mr. Greenberg stated that he will not attend the April 17, 2024 meeting in person but he will phone in for the first 45 minutes.

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

- **Key Activity Dates Report**

The March 2024 Key Activity Dates Report was included for informational purposes. Mrs. Adams noted the following:

- The Annual Audit will be an April agenda item.
- The ROV inspection project was due to begin yesterday but it was moved to tomorrow.
- At the last meeting, it was noted that the 4" elide fire balls are no longer available so a 6" one was purchased to see if it would fit in the cabinet but it did not. The useful life of the fire ball is three years. Mr. Adams suggested contacting the Golf Course to see if it can be utilized in one of the pump stations. Mr. Willis will contact the Golf Course.

In response to a resident question, Mr. Greenberg stated the fire balls are fire suppression devices for the CDD’s compressor cabinets. Mrs. Adams stated they were purchased for the aeration equipment boxes; however, there was an issue with the cabinets. Mr. Greenberg stated that they were installed in boxes in proximity to preserve areas. Mrs. Adams reiterated that the 4” fire balls are no longer available.

Regarding the best course of action, the consensus was to ensure that there is an adequate fire break around the boxes.

Mr. Tarr asked when the water quality will be tested; he believes the timing has typically been from February to May.

Mr. Adams will contact Mr. Tim Denison to schedule water quality testing.

This item will be added to the next agenda and to the Key Activity Dates report.

EIGHTH ORDER OF BUSINESS

Action/Agenda or Completed Items

This item was not discussed.

NINTH ORDER OF BUSINESS

Old Business

There was no old business.

TENTH ORDER OF BUSINESS

Supervisors’ Requests

Ms. Gartland recalled previous discussion regarding moving the June meeting to June 20, 2024. The Board agreed to moving the June meeting to June 20, 2024.

Mr. Tarr stated that Mr. Bowden asked him for last year’s Water Quality Report. Mr. Adams will email the Report to Mr. Tarr and copy Mr. Bowden.

Mr. Greenberg asked for the nature trail to be included on the next agenda.

ELEVENTH ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

There were no public comments.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Wheeler and seconded by Mr. Henry, with all in favor, the meeting adjourned at 9:57 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair