

**MINUTES OF MEETING
MEDITERRA
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on November 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:

Kenneth Tarr	Chair
Vicki Gartland	Vice Chair
Mary Wheeler	Assistant Secretary
John Henry	Assistant Secretary
Stephen Light	Assistant Secretary (appointed at meeting)

Also present:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Mark Zordan	District Engineer
Abe Elizarraraz	Johnson Engineering, Inc.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:03 a.m. Supervisors Wheeler and Tarr, and Supervisors-Elect Gartland and Henry were present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

No members of the public spoke.

THIRD ORDER OF BUSINESS

Vice Chairman's Comments

Mr. Tarr stated he is delighted that Ms. Gartland and Mr. Henry will serve another term. He expressed appreciation for the long tenure of the District Manager and noted that Wrathell, Hunt and Associates LLC (WHA) has held its fees at the same rate since 2005.

FOURTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors (John Henry - Seat 3, Victoria Gartland - Seat 5) (the following will be provided in a separate package)

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Gartland and Mr. Henry. Both are familiar with the following:

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligation and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

Mr. Tarr asked where he can view the Rules of Procedure. Mr. Willis stated the document is on the CDD website, under the documents tab.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2025-01, Declaring a Vacancy in Seat 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date

Mr. Adams presented Resolution 2025-01. This Resolution declares Seat 4, previously held by Mr. Greenberg, vacant. Seat 4 was up for election but no candidates qualified to run in the November 2024 General Election. This enables the Board to appoint someone to Seat 4.

On MOTION by Ms. Wheeler and seconded by Ms. Gartland, with all in favor, Resolution 2025-01, Declaring a Vacancy in Seat 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Vacant Seat 4; Term Expires November 2028

- **Candidate(s)**

- A. **Stephen R Light [15138 Brolio Lane]**

Mr. Tarr asked about additional submissions or inquiries. Mr. Adams stated there were none.

Mr. Henry nominated Stephen Light to fill Seat 4. No other nominations were made.

On MOTION by Mr. Henry and seconded by Ms. Gartland, with all in favor, the appointment of Mr. Stephen Light to fill Seat 4, was approved.

- **Administration of Oath of Office to Appointed Supervisor**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Stephen Light.

It was noted that Mr. Light will not be required to complete the ethics training until Fiscal Year 2025. Mr. Adams and Ms. Willson reviewed the items listed in the Third Order of Business. Mr. Adams will email the Memorandum related to ethics training to Mr. Tarr.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-02, Electing and Removing Officers of the District and Providing for an Effective Date

Ms. Gartland nominated Mr. Tarr to serve as Chair. Mr. Tarr nominated Ms. Gartland to serve as Vice Chair. The following slate was nominated:

- | | |
|-------------------|---------------------|
| Kenneth Tarr | Chair |
| Victoria Gartland | Vice Chair |
| Mary Wheeler | Assistant Secretary |
| John Henry | Assistant Secretary |
| Stephen Light | Assistant Secretary |

No other nominations were made.

This Resolution removes the following from the Board:

Robert Greenberg	Chair
------------------	-------

The following prior appointments by the Board remain unaffected by this Resolution:

Chesley “Chuck” Adams	Secretary
Craig Wrathell	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

<p>On MOTION by Mr. Henry and seconded by Ms. Wheeler, with all in favor, Resolution 2025-02, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.</p>
--

Mr. Light asked if a liaison is assigned to the MCA Board. It was noted that the Chair generally serves in such capacities. Mr. Light expressed concern about recent MCA Board discussions about dog parks, given the CDD’s work to ensure compliance of effluent water. Mr. Adams stated the CDD has no control over effluent water and noted that periodic testing of the ponds for e. Coli is a reasonable measure.

Discussion ensued regarding a map of the area and the MCA’s plans for the area. It was noted that an area the MCA discussed using is CDD property. Preserve and conservation areas, proximity to lakes, along with drainage in the area were discussed.

Mr. Adams stated the Environmental Resource Permit (ERP) prohibits development in conservation areas. Ms. Gartland thinks the map could easily be misread as labeled.

Discussion ensued regarding another dog park site the MCA is considering near Lake 45 North.

Mr. Tarr will discuss this matter with the MCA.

EIGHTH ORDER OF BUSINESS

Discussion/Update: Lake 33 Bank Restoration

Mrs. Adams stated she received no further updates about the Lake 33 bank restoration since she emailed the Board last week. An email from Ms. Wheeler is in the agenda.

Mr. Tarr stated the email is from Ms. Wheeler to Mrs. Adams, two homeowners and Mr. Bowden of the MCA. Ms. Wheeler is President of the Medici HOA and he is Vice President and Treasurer; he noted he did not see this email before today and he has never engaged in conversations with others about it. He is aware of the situation because he was at the MCA meeting at which this was discussed.

Ms. Wheeler stated that, at the HOA meeting, the homeowner stated her husband was upset about property adjacent to their home. As it turns out, all the property was not the HOA's responsibility, as the property on the side of the house is owned by the MCA and the property behind the home is CDD property maintained by Medici. The lake bank has damage but, due to extreme rain, the remediation did not take and the sod washed out. The MCA then planted sod, which did not take, leaving bald spots behind the property.

Mr. Willis stated he requested but has not yet received a proposal from Blue Landscaping. He will follow up with MRI because, if damaged, it should have been replaced. Ms. Wheeler stated that MRI replaced the sod but it was drowned by heavy rains. Mrs. Adams stated Staff will ensure that lake bank remediation occurs during the dry season. Mr. Willis will follow up with Blue Landscaping.

Mr. Henry suggested approving a not-to-exceed amount. Mr. Willis was authorized to engage the contractor; a not-to-exceed amount of \$1,000 was approved.

Mr. Tarr discussed the specific home, which is a model home that exceeded the driveway setback requirements, resulting in very little side yard. He thinks the property will always be problematic, as there is an easement in favor of the MCA.

Discussion ensued regarding the failed remediations, MRI's work in the area and holding contractors responsible. It was noted that sod is not covered by warranty and, going forward, lake bank restoration should only be done during the dry season.

In response to Mr. Tarr's question, Mr. Willis stated the Lake 22 restoration cost was \$35,000; the total lake bank restoration cost for all three lakes was \$99,000. He noted that MRI restored the area to its former condition; he photographed the bare spots on the left side of

the house and the area was bare of grass and shrubs before the project. Mr. Tarr stated MRI brought in dirt for the project.

Mr. Henry thinks the bigger issue is how the CDD reviews homeowner-installed drainage to the lake. He suggested informing homeowners of what is permitted and proposed remediations be reviewed due to the possibility of contributing to erosion or issues. Ms. Gartland voiced her opinion that most contractors are not aware of drainage requirements. Mr. Tarr recalled a pool contractor running overflow drain pipes for chlorinated water into the lake.

Ms. Wheeler suggested that, before erosion remediation, Staff and the District Engineer survey the site and inform the HOA and homeowners if drainage issues exist. It was noted that this was discussed and should be restated to homeowners. Ms. Wheeler suggested working with the Architectural Review Committee (ARC), the MCA and the community to make sure drainage is addressed when approving expansion of lanais and landscape remodeling.

This item will be discussed at the January meeting.

NINTH ORDER OF BUSINESS

Discussion: CDD Letter to Residents/FAQs

The Board and Staff discussed additions and revisions to the letter.

Ms. Gartland will make the discussed revisions, including updating the number of outfall pipes; removing the vacancy; adding the roadway and conservation areas fuel load reduction projects; updating the Chair, Vice Chair and Mr. Light; and indicating that fuel load reduction is for fire prevention, not aesthetics. A reminder that homeowners are not to do any work in the preserves will be included. Once updated she will send the final version to Mrs. Adams, who will forward it to Mr. Tarr for review. After Mr. Tarr’s review, the letter will be sent.

TENTH ORDER OF BUSINESS

Discussion/Update: JEI Proposal for Stormwater System Comprehensive Evaluation

Mr. Zordan discussed the littoral assessment scope of work, water quality and the lake bank erosion evaluation and stated a proposal is expected soon. He noted the following:

- A team of 11 Johnson Engineering professionals from Water Resources, Water Science, Environmental and Geographical Information Systems (GIS) was assembled.
- Management is evaluating whether the best way to obtain the imagery is to fly the drone themselves and assemble the photos for the CDD’s 76 lakes or to outsource aircraft to fly the entire CDD in one visit. A cost-benefit analysis is being prepared to determine which is the best value and gives the best imagery of littoral areas and littoral ribbons.
- Options to be presented include “Light Detection and Ranging” (LIDAR), which would provide elevations, and infrared, which offers an element of littoral identity. These options would require less time and eliminate the need for staff to conduct drone flights, photograph all 76 lakes and littorals and search for vertical drop-offs, illicit discharges, etc.
- The bulk of the work is proposed to occur March through May 2025.

Discussion ensued regarding a simplified agenda for the December meeting, which will include a bid process for the preserves, a Fire Reduction Request for Proposals (RFP) and a Fire Right-of-Way (ROW) RFP. Ms. Willson stated the December Action Item should be approval of the Evaluation Criteria and the project documents; it is hoped that proposals can be reviewed in January 2025.

Mr. Zordan estimated the costs at approximately \$200,000. Separate assessments will be provided for littorals and for lake banks; the project can be completed in phases.

Discussion ensued regarding use of fixed-wing aircraft, which provides superior imagery, resolution and maps, versus drones. Cost sharing with the golf course or the MCA, the CDD’s responsibility to address all lake bank erosion in the CDD and liability, were discussed.

ELEVENTH ORDER OF BUSINESS

Update: Johnson Engineering, Inc. Water Quality Report

Mr. Elizarraraz presented the Water Quality Report and noted the following:

- Lakes L-24, L-35, L-37, L-52 and L-55 have been sampled consistently since 2020.
- Water quality samples were collected on September 30, 2024; samples were field tested and all the tested lakes appear to be stable freshwater lakes with normal pH levels.
- For the most part, nitrogen and phosphorus levels are below the lake criteria.

- Data for five years was presented; few exceedances were noted.
- All water samples were drawn on the same day.
- In his opinion, the findings are below the lake criteria, which is favorable.

Discussion ensued regarding whether to test the lakes receiving dye and whether to add those lakes to the Report.

Mr. Elizarraraz stated the Report includes the five previously discussed lakes and Lakes L66-S and L-76, which are the last lakes in the system before they exit into Mediterra South.

Mr. Henry asked about Lake 1, which is always brown. Mr. Adams stated that Lake 1 is brown because it is the irrigation holding pond.

Mr. Light asked if any actions are recommended. Mr. Elizarraraz stated that no actions are recommended; this will be added to the Report.

The Board and Staff discussed the Report, the purpose, cost and benefits of testing and whether to add additional lakes to the Report.

Mr. Elizarraraz stated the scope of work for the current Report is complete. He stated that Lake 37 is no longer discharging and advised against additional testing at this time, as testing during the dry season might provide more information.

At Mr. Light's request, Mr. Elizarraraz will provide a letter stating, "We see no reason to take any additional action until the next regularly scheduled sampling."

TWELFTH ORDER OF BUSINESS

Status/Update: Iguana Presentation

Mr. Willis stated that a scheduled presentation by The Conservancy of Southwest Florida was canceled due to Hurricane Helene. Since then, the organization advised that it will no longer offer these presentations. He contacted the Cooperative Invasive Species Management, which works with Florida Gulf Coast University (FGCU) and, while they have trainers, a response is pending; he will follow up. The Conservancy of Southwest Florida recommended Lindsey, of Pesky Varmints, as the best person to speak to.

Mr. Willis stated the last two reports from Pesky Varmints indicated zero iguana sightings.

The consensus was to skip a presentation at this time, unless information is received from the Cooperative Invasive Species Management.

THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2024

Mr. Adams stated the Controller is asking the current Operating Account bank to match the interest rates offered by BankUnited.

Mr. Tarr stated, by eliminating the Nature Trail, the CDD has a \$1.4 million fund balance.

On MOTION by Mr. Henry and seconded by Ms. Gartland, with all in favor, the Unaudited Financial Statements as of September 30, 2024, were accepted.

FOURTEENTH ORDER OF BUSINESS

Approval of October 16, 2024 Regular Meeting Minutes

Discussion ensued regarding improvements in production of the minutes this past year.

Mr. Tarr noted that the information that Ms. Willson emailed to Mr. Greenberg was distributed to the Board and will be discussed later in the meeting.

The following changes were made:

Line 85: Change “if that would be reported to Mr. Willis and then” to “to have them”

Line 86: Change “MRI” to “Crosscreek”

Line 77: Change “the CDD” to “Mediterra”

Line 76: Change “He” to “Mr. Bill Bowden”

Line 333: Change “Gartland” to “Wheeler”

On MOTION by Ms. Gartland and seconded by Mr. Henry, with all in favor, the October 16, 2024 Regular Meeting Minutes, as amended, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

- **Continued Discussion: Insurance Policy**

Ms. Willson stated she is in communication with the CDD's insurance carrier regarding the CDD's recommended insurance limits and coverages. One additional item from the insurance carrier is pending. She expects a full presentation at the January meeting.

B. District Engineer: Johnson Engineering, Inc.

Mr. Zordan stated MRI submitted a proposal for outfall structure repairs. Mrs. Adams stated the work had to wait until the dry season; in June, the outfall at Lake 55 was approved for \$6,800. Mr. Tarr stated the District Engineer will present a proposal at the December meeting.

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

- **2024 Operations Financial Impact Analysis**
- **Breakdown/Summary Report**

These items were included for informational purposes.

Mrs. Adams stated fire ball installations are scheduled to be completed on November 25, 2024.

Mrs. Adams stated that MRI is still completing the pipe cleanout project. Due to the hurricanes, more cleaning than the agreed upon original scope of work is necessary.

It was noted that the cane toad project will be renewed. Mr. Adams stated the same pricing applies as last year; no motion is required.

It was noted that the "Fuel Load Reduction right of ways" contract bid was \$205,000.

- **Update: Aquatics Report**

Mr. Willis stated he receives Crosscreek's weekly service reports; however, the administrative services are lacking with regard to reports. He provided examples of the Report the Board requested; however, Crosscreek considers the weekly reports sufficiently compliant with the contract. He will address it with the contractor, EarthBalance, if directed to do so.

The Board and Staff discussed representations made when proposals were presented.

Reading from the contract, Mr. Tarr noted that the contract stated that "a total of nine personnel will be assigned to the contract. This will include a Project Manager, Assistant Project Manager, Technical Administrator, and a six-man field crew" and stated he received reports

indicating that only three crew members have been on site twice per week, meaning, the CDD is paying for six man days but only receiving four man days per week.

Discussion ensued about the change in personnel man hours without notification and how to address changes to the scope of the contract with EarthBalance.

Mr. Tarr stated he voted for EarthBalance at a higher price over Superior Waterways as he believed that EarthBalance would provide a higher level of service. Mr. Willis noted that the contract is performance-based and the CDD judges the contractor based on the service provided. Ms. Willson will review the contract and the scope of service and advise further.

Discussion ensued regarding addressing the issue with EarthBalance and Crosscreek and seeking a resolution and a financial adjustment based on the scope of service.

Mr. Willis was asked to invite EarthBalance and Crosscreek to the December meeting to address the concerns raised. Mr. Willis noted that the contract is not built on labor hours; rather, it is on the acreage of the lakes and the anticipated cost.

The consensus was to discuss this with the contractors.

Mr. Adams stated the contractors will likely say that more manpower is needed at certain times of the year and less is needed at other times. Ms. Gartland discussed the reduced number of technicians on site following the hurricane on October 8, 2024 and stated that she is still sending photos of areas in need of hurricane cleanup over one month later.

It was noted that the contract does not include completion milestones; rather, percentages of coverage. The CDD can put the contract back out to bid and the contract can be terminated with 30 days' notice, with or without cause.

Mr. Tarr recalled that Superior's bid was over \$100,000 less and was within the \$220,000 budgeted and the EarthBalance contract amount was \$350,000. Mr. Willis stated representatives from Earth Balance and Crosscreek will attend the next meeting.

Ms. Willson noted that the contract provides that "the contractor is solely responsible for the means, manner and method by which its duties, obligations and responsibilities are met."

- **NEXT MEETING DATE: December 4, 2024 at 9:00 AM**
 - **QUORUM CHECK**

All Supervisors confirmed their attendance at the December 4, 2024 meeting.

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

- **Key Activity Dates Report**

The November 2024 Key Activity Dates Report was included for informational purposes.

SIXTEENTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Items 13, 14, 17, 21, 27, 28, 29, 30, and 34 were completed.

Item 8: Change “Mr. Greenberg” to “Mr. Tarr”

Item 9: Change “\$49” to “\$79”

Item 17: Remove item.

SEVENTEENTH ORDER OF BUSINESS

Old Business

There was no old business.

EIGHTEENTH ORDER OF BUSINESS

Supervisors’ Requests

Mrs. Adams will provide Mr. Light with a copy of the lake map.

Mr. Henry stated he met with Mr. Willis and Mr. Zordan about erosion between Lakes 71 and 72. A \$25,000 estimate for repairs was received. Further meetings were held with the Lucarno Board and the homeowner on one side of the area. The homeowner installed a 6” PVC pipe that drains into the lake; the homeowner said it eliminated 90% of the problem. Mr. Henry stated an alternate proposal is being considered that he would like Mr. Zordan and Mr. Willis to approve, for work in the dry season. Funding would come from London Bay, not the CDD.

Mrs. Adams stated this will be considered at the January meeting. Mr. Zordan will work with Mr. Henry regarding billing.

Mr. Adams presented the plaque ordered for Mr. Greenberg in honor of his years of service on the Board.

Ms. Wheeler stated a Medici homeowner reported that both Lake 22 aerators are not working. She asked Mr. Zordan if a permit extension was filed for Lake 74 due to the state of emergency.

Ms. Gartland stated she can view the Rules of Procedure on the website but has problems accessing items via the mobile app. Mr. Willis will email the Rules of Procedure and address the problem with the webmaster. Ms. Gartland asked for Zoom meetings to be offered. Mrs. Adams stated that change will necessitate readvertising the meetings.

NINETEENTH ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

No members of the public spoke.

TWENTIETH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Henry and seconded by Mr. Light, with all in favor, the meeting adjourned at 11:41 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair