

**MINUTES OF MEETING  
MEDITERRA  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on January 15, 2025 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

**Also present:**

Chuck Adams	District Manager
Shane Willis	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Mark Zordan	District Engineer
James Barron	EarthBalance
Andy Nott	Superior Waterways
Brian Moore	M.R.I.

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:00 a.m.

All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments (3 minutes per speaker)**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Chairman's Comments**

Mr. Tarr discussed the community's early concerns about fire prevention and the formation of the MCA Wildfire Committee after it was discovered that water pressure was

inadequate for irrigation. He stated it was realized very quickly that the CDD needed to be involved with fire prevention since the CDD owns the preserves. He thanked the previous CDD Board for embracing the concept, engaging Johnson Engineering to do an extensive study of the preserves, including emergency access and funding what was an unusual program at the time. The program has continued but at a high cost. He believes the tragic wildfires in California may better justify what was done; however, big decisions will need to be made regarding this very costly but important undertaking.

- **Update: Right-of-Way (ROW) Clearing**

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

Mr. Tarr asked for an update on ROW clearing because EarthBalance, the only bidder for the Fuel Load Reduction Services contract, is currently doing the ROW clearing. He noted that Mr. Zordan has been inspecting the project. Mr. Barron, of EarthBalance, confirmed that the project is not yet complete. Mr. Tarr stated a resident emailed asking why work stopped on Castellano Way and he observed that the Padova Roadway Preserve was not completed. It was noted that Frescott Way is not completed. Mr. Zordan and Mr. Barron were asked to brief the Board.

Mr. Zordan stated he inspected the areas and received the update from Mr. Barron. Referring to the ROW map, he stated Areas 2, 3, 4, 5, 6 and 8 are complete. Area 9 is ongoing.

Mr. Barron stated #2 was completed along Frescott; he would like to see the area in question because that was the first area completed. He believes the saw palmettos are outside the preserve area; he will walk the area following the meeting.

Discussion ensued regarding the areas designated to be completed and the areas excluded.

Mr. Barron stated GIS mapping was the basis for the starting and stopping points. With regard to areas owned by the MCA that were not done, Mr. Tarr stated perhaps the MCA should have been included in discussions to understand their responsibility.

Discussion ensued regarding whether to include those areas and seek reimbursement from the MCA and whether to obtain an estimate for additional areas the Board wants completed to protect the ROW.

Mr. Barron stated that another route can be taken for those areas not within the preserve, as those areas can be transformed into a firebreak with machinery, if desired. He noted that some of the areas outside the preserve also contain exotics, which make it more difficult than areas with no exotics.

Mr. Barron estimated that the project is 80% complete. Of nine total units, two remain to be completed and one will be eliminated so all that will remain at the end of the week will be Unit 1 by the entrance off old 41. The original deadline to complete the project was 50 days, or January 28, 2025; he does not believe the contract includes liquidated damages.

Discussion ensued regarding whether the contract includes a penalty, the need to identify additional areas to be cleared to minimize fire risk and ownership of those areas.

The consensus was that, once parcels are identified, a decision regarding whether to obtain an estimate will be made.

Mr. Zordan stated the parcels will be identified; he will email the GIS technician in the hopes that the information is already included in the shape files.

Mr. Zordan stated that Mr. Barron called him regarding exotics in RMZ-7 on Castellano Way; after researching the area it was determined that it is MCA property, so this acreage will be deducted from this contract. It was noted that the MCA has not performed any work there. Mr. Barron stated the area is outside the preserve and exotic species are present. It was noted that the area was erroneously marked as CDD property.

Discussion ensued regarding whether Area 7 needs to be cleared. The consensus was to alert the MCA about this to dispel the notion that it is the CDD's responsibility.

It was noted that the prevailing presumption is that all the preserves along the ROWs belong to the CDD.

Mr. Zordan stated the orange areas on the map represent the "upland preserve areas", which have different, more sensitive species of vegetation than the other wetlands, so the mechanical equipment cannot be utilized. He noted that elevation plays a role.

Ms. Wheeler asked if Area 3 was completed. Mr. Zordan replied affirmatively. Ms. Wheeler asked if the HOA's Cocoplum hedge that was taken out to access the area will be restored. Mr. Barron stated he inspected the area today; in some areas the crews mistakenly

trimmed sides to gain access but no Cocoplums were removed. He stated that Cocoplums of similar size can be planted to restore the area.

Ms. Wheeler stated that she is President of the Medici HOA. The HOA had just restored its Cocoplum hedge when she left in December and when she returned there were seven gaping holes going into the preserve. It was noted that the cost of the restoration was approximately \$8,000.

Ms. Gartland suggested EarthBalance inspect the area.

Mr. Tarr asked Mr. Zordan to speak about an issue with EarthBalance's work.

Mr. Zordan voiced his opinion that EarthBalance's quality of work is excellent. He, Mr. Tarr and Mr. Barron recently inspected Area 3 and some areas of minor concern, which EarthBalance addressed that afternoon. This process will be followed for every area. The Ecologist viewed photos and is fully aware of the progress and will walk through the areas before the end of the project. Mr. Zordan stated those involved think EarthBalance is doing a terrific job; it is very labor-intensive work and they are very satisfied.

Ms. Gartland stated that she was surprised at how labor-intensive the work is and how much was removed. When discussing the bid package, she would like to hear suggestions regarding how to make it a little bit less so. Mr. Tarr voiced his opinion that this area was primeval. He noted that the area was previously untouched and there were many hurricanes, so this was probably the worst preserve to address. The next area was cleaned twice already.

Mr. Zordan stated, when this project started in RMZ-2, EarthBalance started with a crew of six. Mr. Barron calculated the 50 calendar days and monitored daily production rates daily because of the debris; he allocated three crews, totaling 21 workers, for a period of time.

Mr. Barron stated the crew is down to 12 men; he had 21 men for two and a half weeks.

Mr. Zordan stated EarthBalance is very aware of the timeline; there has been much communication weekly and bi-weekly regarding the production rate and crews. With regard to timelines and liquidated damages, this project will be completed with plenty of time.

Mr. Tarr stated that Sundays and legal holidays should be excluded when calculating deadlines and that no work can be performed in the CDD on Memorial Day. Mr. Zordan stated that contracts were written accordingly.

▪ **Approval of Minutes**

**This item, previously the Eleventh Order of Business, was presented out of order.**

The consensus was to present this item following Chairman’s Comments going forward.

**A. November 20, 2024 Regular Meeting**

The following changes were made:

Line 146: Change “owned by the MCA” to “maintained by the Medici HOA”

Line 158: Change “the MCA accesses the area frequently” to “there is an easement next to the property which is owned by the MCA”

**On MOTION by Mr. Light and seconded by Ms. Wheeler, with all in favor, the November 20, 2024 Regular Meeting Minutes, as amended, were approved.**

**B. December 4, 2024 Regular Meeting**

The following change was made:

Line 74: Change “and responsiveness of The Club and the General Manager and stated that Staff takes the responsibility seriously” to “expectations of the community”

**On MOTION by Mr. Light and seconded by Ms. Gartland, with all in favor, the December 4, 2024 Regular Meeting Minutes, as amended, were approved.**

The Board and Staff discussed finances related to the Fuel Load Reduction Services project. Mr. Tarr recalled that the project was to be funded over three years.

Mr. Henry noted that the proposal indicates that the project will be completed all at once and funded out of accumulated funds already set aside; he asked how much is set aside.

Mr. Adams stated that \$160,000 was previously set aside and \$350,000 is programmed in the current fiscal year; those funds will cover both the ROW project and the Fuel Load Reduction project.

Discussion ensued regarding the budget, the \$80,000 set aside for these projects over the two previous years and the need to set aside \$350,000 in the current year and the

upcoming year. Projected unassigned fund balance, the Balance Sheet, use of the funds set aside in previous years and use of fund balance from deferred projects, were discussed.

**FOURTH ORDER OF BUSINESS****Review of Proposals for Residential Conservation Area Fuel Load Reduction Services****A. Respondent: EarthBalance Corporation****B. Evaluation/Recommendation**

The Board and Staff discussed the Conservation Area Fuel Load Reduction Services bid, the scope of work, costs and funding.

Mr. Tarr stated that the area for the project was cleaned twice already. He recalled that EarthBalance cleaned the area the first time and lost a lot of money on the first cleaning because neither EarthBalance nor the CDD knew the extent of the work. The second time, the successful bidder was significantly lower than EarthBalance and underbid the contract so dramatically that they had issues.

It was noted that the Cintron bid was \$195,000, the decision was made to increase the budgeted annual amount from \$80,000 at that time and that the decision was made to increase the amount budgeted to \$350,000 this past year due to the scope of work.

Mr. Barron stated that what makes the work difficult is not only the hurricane debris but also all the dirt, leaves and pine needles to be removed and all the raking and hauling of debris with trash cans without ATVs; the work is very labor-intensive, which increases the price.

Mr. Tarr voiced his opinion that the amount of equipment seems insufficient. Mr. Barron stated the amount shown applies to one crew; multiple crews might be assigned.

Mr. Light asked for a copy of the standards developed by Johnson Engineering to which the proposal refers. Mr. Adams stated he will email the standards and noted that was sent to the Board Members in the past.

Mr. Tarr stated that ten entities were invited to bid yet only one response was received. Mr. Zordan attributed the lack of response to contractors being ill-equipped, understaffed, or aware of how labor intensive the project is.

Mr. Willis stated that other CDDs he is aware of do not have this type of program.

Discussion ensued regarding the examples of other EarthBalance work provided.

Mr. Barrow stated that no other projects he has worked on or bid on have had such a scope of fire removal work; the example projects provided include invasive removal, preserve maintenance and less labor-intensive projects.

Ms. Wheeler asked if there is another way the CDD can address fire prevention that is less labor intensive. Mr. Tarr thinks that is an important point but noted that the bid cannot be changed. Ms. Wheeler asked if a sprinkler system at the outskirts of the preserve would be cheaper in the long term.

Mr. Tarr stated, when “Il Cuore” was developed, the City of Bonita Springs required high pressure nozzles running off the potable water system to be directed into the preserve with a control box on the street accessible to the Fire Department. The City also required that the preserve be cleared 60’ every year. He was contacted by the Il Cuore HOA and was advised that the HOA will come to the CDD Board to make arrangements to perform the clearing for them this year and next year. He stated the system is very expensive and noted that Bloomberg reported on a system in development that could be cost-effective for the CDD. It was noted that the CDD is not required to install a system.

Mr. Light surmised that Ms. Wheeler is asking if the CDD is doing the wrong thing very well.

Ms. Gartland stated that she agrees with Ms. Wheeler that fire prevention methods should be reevaluated. Given the timing, she hesitates to deviate from the plan that has been in place since 2018 and suggested that the Board has three years to reevaluate the sprinklers and smoke detection devices.

The consensus was that the Preserve Management Plan is intended to slow down fires by reducing fuel, not to prevent fires.

Mr. Henry asked if it is possible to sell the preserve area and purchase other protected areas on a fairly large scale, for example, to build a nine-hole executive course, which could reduce fire exposure and help meet the growing demand for golf.

Discussion ensued regarding whether additional recreation facilities would be open to the public, the purchase of mitigation credits, floodwater control and the need for District Counsel to work with Bond Counsel and work through permit modification.

Mr. Henry noted that there is a waiting list for golf memberships. Ms. Gartland thinks there is a lot to consider and, at first blush, she is not comfortable with exchanging the preserve for a golf course, from an environmental standpoint. She disclosed that she has a golf membership and suggested researching whether a nine-hole course would satisfy those on the waiting list.

Mr. Tarr noted the need to limit excessive off-topic discussions; he recalled that there was some interest in the past and expressed support for the idea. Mr. Light suggested scheduling an additional meeting or a workshop to continue the discussion.

Mr. Tarr asked where the 60' parameters originated. Mr. Adams stated the parameters were provided by the FireWise Program. Mr. Tarr asked if the cost would be half as much if the scope of work were reduced from 60' to 30'. Mr. Barron replied affirmatively but the per acre price would not change.

Discussion ensued regarding the scope of work, recent fires in the area and stacks of logs piled just outside the fence line, along the perimeter of the community south of Padova.

Mr. Tarr noted that the parameters require clearing 60' from the property line into the preserve. Mr. Adams stated that the contract will include a Termination provision. Ms. Willson will draft the contract.

Ms. Willson stated the contract will require the CDD to have an additional insured. The Termination Clause in the Project Manual allows for the contractor to terminate for cause by providing 60 days' written notice; however, the CDD can terminate without cause by providing 30 days' written notice, or the CDD can terminate immediately with cause.

Discussion ensued regarding insurance, the \$200 million surety bond, the contractor's completion of OSHA Heat Stress training following an employee suffering from heat stroke and the decision not to include a penalty clause.

Mr. Henry asked if there is anything the CDD can do to receive 80% of the value of the fire mitigation, giving up 20% to lower the cost to be closer to \$500,000. Mr. Barron stated he is



unprepared to answer that question; the Ecologist and Johnson Engineering would need to provide input.

Discussion ensued regarding whether to reduce the scope of work, the time sensitive nature of the contract, the bidding process, the cost of labor, the means of fulfilling the contract and the scope of work.

Mr. Willis predicted that the cost of labor could increase in the coming year. Mr. Tarr noted that the FireWise Program was an alternative to the State's alternative proposal for prescribed burns, which were deemed impossible given the proximity of homes.

Ms. Gartland stated there might be better ways to mitigate the fire risk but she thinks the question is whether to wait until a better plan is developed and take the risk of fire when they have the bid and the approved plan and the money to carry it out. She noted that adequate funds are available due to the cancelation of the nature trail project.

Mr. Adams stated that approximately \$700,000 would remain after the project and approximately \$200,000 is needed for working capital. The remaining funds are unassigned.

Mr. Henry voiced his opinion that there will be support for reducing the abundant preserves in close proximity to homes due to potential fire hazards. He reluctantly supported proceeding with the project and supports holding a workshop to discuss future fire mitigation planning. Ms. Wheeler voiced her agreement.

Mr. Light stated he has reservations about spending \$785,000 but, as a new Board Member, he will defer to the wisdom of experienced Board Members; however, he thinks there is a fiduciary responsibility to explore better alternatives. Mr. Adams stated the current accruals on 1/3 per year is on for a three-year cycle; removals are done one-third at a time over three years, or every three years. Mr. Light voiced his opinion that, while the original decision was to reduce the fuel load, a better decision might be to prevent fire damage, which could lead to a means of extinguishing fires, noticing when fires start, cleaning up combustibles, etc., which can be discussed in a workshop. He noted that homeowner measures can also be employed.

Discussion ensued regarding whether to defer or reduce the scope of the project, reservations about the expenditure, the lack of competitive bids, fire risk, the need to protect residents and the risk of a cost increase or that no bids are received at a later time.

Mr. Tarr presented the opinion letter provided by Johnson Engineering.

**C. Authorization to Negotiate and Finalize Contract**

**On MOTION by Ms. Gartland and seconded by Mr. Light, with all in favor, deeming EarthBalance Corporation, the sole respondent to the Invitation to Bid for Residential Conservation Area Fuel Load Reduction Services, as the most responsive and responsible proposer, and awarding the Residential Conservation Area Fuel Load Reduction Services Contract to EarthBalance, in the amount of \$785,250, was approved.**

Ms. Wheeler stated she will not be at the next meeting.

Mr. Adams stated the draft Fiscal Year 2026 budget will be presented in May and finalized in July 2025.

The consensus was that a discussion item will be added to the next meeting agenda and a workshop will be scheduled, if necessary.

**FIFTH ORDER OF BUSINESS**

**Discussion/ Consideration: Johnson Engineering, LLC Professional Services Supplemental Agreement for Mediterra Lakes Assessment [Cost Analysis for Stormwater System Comprehensive Evaluation]**

This item was deferred.

**SIXTH ORDER OF BUSINESS**

**Continued Discussion: Insurance Policy**

Mr. Tarr presented Ms. Willson’s Memorandum regarding insurance.

The Board and Staff discussed the CDD’s legal exposure, general liability insurance, sovereign immunity protection and protections for Supervisors.

The consensus was to leave the insurance policy as it is.

**SEVENTH ORDER OF BUSINESS**

**Discussion: Resident Fishing Policy**

Referring to a picture of Lake 62, Mr. Willis stated that, while addressing some trash and treating spikerush on the littoral shelf, a resident asked for three 10' areas to be sprayed out of the littoral shelf to allow fishing from his backyard. Mr. Willis stated that he advised the resident of the "No Fishing" policy but stated that he would present the request to the Board.

Mr. Adams discussed a policy in effect in another CDD and recommended an area accessible to the public be designated, if fishing is to be permitted.

Mr. Tarr voiced his belief that the littoral shelf is mandated. Mr. Adams stated that, while it is mandated, the required amount of littoral coverage has been far exceeded in this lake, which is why the request was made.

Discussion ensued regarding the need to consider aesthetics, whether to allow homeowners to have one area cleared, the fishing pier at the Enrichment Center and residents that fish behind their homes. Mr. Adams stated that is common but, in this case, the resident was unable to successfully catch and release, as the fish were harmed by the littorals. Mr. Willis stated that the resident has been cooperative.

The limited number of requests, desire to grant the request on a trial basis and the concern that many others will make the same request, were discussed.

Ms. Willson cautioned that adopting and promoting an elaborate fishing program in the ponds which primarily functions as a stormwater management system could potentially create an argument that the property is a recreation improvement which could have an expectation of public access. Mr. Adams stated the CDD can undertake site-specific littoral plant reduction, on a trial basis, and noted that fishing in the ponds occurs whether a policy is adopted or not. Ms. Willson agreed that is a more advisable approach. Mr. Adams will provide the Board with a policy that another CDD implemented.

Mr. Nott asked if the direction would be for crews to spray the areas and allow littorals to die or if removal would be necessary. He discussed issues accessing Lake 62, including extensive littorals in Lake 62 that will prevent boat operation in the lake, and stated that spraying behind the homes is the only option.

The Board Members discussed whether to accommodate such requests and expressed concern about multiple requests and residents removing littorals on their own, without permission. It was noted that there are many things to consider and a cost might be involved.

Mr. Nott stated, in order to clear areas for fishing spots, it will be necessary to cut and remove plants with submersible cutters or to spray littorals, allow them to decay and then remove them, and technicians must be advised of which areas should remain open.

With two Board Members opposed and three willing to consider the request, the consensus was to discuss the matter further at the next meeting.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposal for Lake Erosion  
[Lakes 71 and 72]**

This item was included on the agenda in error.

**NINTH ORDER OF BUSINESS**

**Consider Rescheduling May 14, 2025  
Meeting Back to May 21, 2025**

Mr. Adams asked the Board to consider rescheduling the May 14, 2025 meeting, at which the proposed Fiscal Year 2025 budget will be presented, to May 21, 2025, due to a scheduling conflict.

**On MOTION by Ms. Gartland and seconded by Ms. Wheeler, with all in favor, rescheduling the May 14, 2025 Meeting to May 21, 2025, was approved.**

▪ **Consideration of M.R.I. Lake Bank Erosion Repair Proposals**

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

Mr. Moore presented MRI Lake Bank Erosion Repairs Estimate #507 for installation of Hydro Turf at Lake 22, in the amount of \$110,786.23. He stated the maintenance-free material looks like golf course grass, prevents predatory wildlife from burrowing and stops water intrusion and erosion. He suggested the Hydro Turf would take the place of riprap and Inca Mat in some areas; the existing proposal would be reduced accordingly. The existing yard drain

pipes would be cut around and would not hurt the Hydro Turf. Mr. Zordan stated that Collier County installed Hydro Turf Z three years ago, on Goodlette Frank Road between Pompey Lane and Grenada, along the road on a steep slope and it has held very well. It is in front of the apartments on the right-hand side of the road when heading south; the entire west slope of the canal was done to eliminate the need for maintenance because there is no ROW access and the area is steep.

Mr. Moore presented Estimate #509 for installation of fabric and #4 Stone at Lake 22, in the amount of \$48,869.96.

The Board and Staff discussed the two competing proposals and the features and costs of each. It was noted that the manufacturer warranties are 50 years but the materials are expected to last longer. It was noted that, because the CDD is still required to install littorals, these remediations can only be applied in limited areas. Mr. Willis noted that the Board had asked to see other alternatives.

Discussion ensued regarding installation of the Inca Mat, timing of littorals that were unable to be planted to protect and stabilize it and reservations about the Inca Mat that was installed.

Mr. Tarr stated the Medici Lake became the trial; it was difficult for homeowners and erosion was an issue, as the Inca Mat was exposed to sunlight because the lake levels were too high for the littorals to be planted. Mr. Willis stated that littorals will be planted in April or May, when the rains begin.

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2024**

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2024.

The financials were accepted.

**ELEVENTH ORDER OF BUSINESS**

**Approval of Minutes**

- A. November 20, 2024 Regular Meeting**
- B. December 4, 2024 Regular Meeting**

This item was presented following the Third Order of Business.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

- A. **District Counsel: Kutak Rock LLP**
- B. **District Engineer: Johnson Engineering, Inc.**

There were no District Counsel or District Engineer reports.

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

- **2024 Operations Financial Impact Analysis**
- **Breakdown/Summary Report**
- **Update: Aquatics Report**

These items were included for informational purposes.

Mr. Adams stated that several action items will be addressed at the next meeting.

- **NEXT MEETING DATE: February 19, 2025 at 9:00 AM**
  - **QUORUM CHECK**

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

Mr. Willis stated that the financials related to the MRI pipe are included in the Breakdown/Summary Report; the pipe inspection is not completed but the financials are included in the Report. The final report was not yet completed and he has not yet submitted an invoice. Mr. Adams advised against another inspection in the spring.

- **Key Activity Dates Report**

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

**THIRTEENTH ORDER OF BUSINESS**

**Action/Agenda or Completed Items**

This item was not addressed.

**FOURTEENTH ORDER OF BUSINESS**

**Old Business**

There was no old business.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Ms. Wheeler recalled that, at the last meeting, sod was to be replaced behind 15201 Medici. She asked when would be a good time to install sod so it is not washed away. She stated that it is in an irrigation zone. Mr. Willis stated it can be addressed right away.

Ms. Wheeler asked Mr. Zordan for the status of the permit extension. Mr. Zordan will provide an update at the next meeting.

Ms. Gartland asked if the open structure behind the pickleball court was inspected. Mr. Willis stated he inspected the area and he does not believe anything should be done. He will meet with Mr. Tom Lively but he does not think the structure can be covered, as the flow of runoff water cannot be altered. He will follow up on this.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments (3 minutes per speaker)**

No members of the public spoke.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Light and seconded by Ms. Gartland, with all in favor, the meeting adjourned at 11:27 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair