

**MINUTES OF MEETING
MEDITERRA
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on May 19, 2021 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
Ken Tarr	Vice Chair
Mary Wheeler	Assistant Secretary
Vicki Gartland	Assistant Secretary
John Henry (via telephone)	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Alyssa Willson (via telephone)	District Counsel
Andy Tilton	District Engineer
Tim Richards	General Manager, MCA
Tim Denison (via telephone)	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, Tarr, Greenberg and Gartland were present in person. Supervisor Henry was attending via telephone.

SECOND ORDER OF BUSINESS

Chairman's Comments

Mr. Greenberg stated that he rescheduled another meeting to attend this meeting and he expected to go through the agenda items quickly.

▪ **Public Comments**

This item was an addition to the agenda.

On behalf of a Caminetto resident, Mr. Richards asked the Board to consider keeping the spike rush tighter to the lake bank in the pond with the water feature backing up to Caminetto, or replace it with something different. Mrs. Adams would research this and report her findings to the Board. Mr. Richards would notify residents that Staff is looking into it. Discussion ensued regarding an original request to plant orange canna lilies and the South Florida Water Management District (FWMD) position that they are an invasive plant.

Mrs. Adams noted that a revised agenda was emailed to the Board yesterday; Item 10 Resolution 2021-08 was added as the Tenth Order of Business and the subsequent agenda items were renumbered accordingly.

THIRD ORDER OF BUSINESS

Discussion: Next Phase of Preserve Fire Reduction Program

Mr. Adams stated \$175,000 was included in the proposed Fiscal Year 2022 budget for the reductions around the preserves. The project would commence this year and cycle through a three-year rotation. Initial clearing was completed three to four years ago. Mr. Greenberg stated this was the first of the three-year rotation. Staff was asked to send the Fire Plan map, in PDF form or a hard copy, to the new Board Members.

The program and access points were discussed. It was confirmed that the plan was to address the zones behind the structures, 60' from the property line of the homeowner, and not the adjacent areas without structures, as it was not required until a storm event occurs and it was not financially feasible. A survey was not required, as the stakes from the last survey were left on site. The project would go through the Request for Proposals (RFP) process.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-06, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Greenberg stated that the Board will have several occasions to review and provide input on the proposed Fiscal Year 2022 budget before it is finalized.

Mr. Adams stated that, since assessments are increasing, the Board must agree to the assessment level by the July meeting so that the required mailed notices can be sent to homeowners no later than 20 days prior to the public hearing.

Mr. Greenberg polled the Board to determine Board Member attendance at the following meetings:

- August 18, 2021 Public Hearing Meeting: In person attendance confirmed by Mr. Greenberg, Ms. Wheeler and Mr. Henry, who would fly in to attend the meeting.
- June 16, 2021 Meeting: In person attendance confirmed by Ms. Wheeler, Mr. Greenberg and Ms. Gartland, who would fly in to attend the meeting.
- A July 21, 2021 meeting would be scheduled if needed.

Mr. Henry and Ms. Gartland were advised to submit their expenses to Mr. Adams for reimbursement.

Mr. Adams presented the proposed Fiscal Year 2022 budget. He noted that off-roll assessments for The Club were rolled up into the on-roll line item. He verbally informed The Club of this change; however, the notice with an explanation, would be sent later in the week. He reviewed the line item increases and decreases, compared to the Fiscal Year 2021 budget, and explained the reasons for the changes; most of the changes were contract related.

Mrs. Adam stated she spoke to Mr. Kurth, of SOLitude, who confirmed that the manufacturer warranty on compressors, the main component for repairs, was one year from the date of purchase; if purchased as surplus and the compressor sits on the shelf for that length of time the warranty expires.

Discussion ensued regarding a proposed budget item for the Fire Mitigation Program, scheduling the project in the dry season and determining which sections to start with, increasing the projected surplus amount, transferring The Club to on-roll assessments to protect the District's lien position/priority rights and inflation, all of which would result in assessments increasing.

The following actions would occur to ensure the proposed Fiscal Year 2022 budget amounts are accurate:

- Mrs. Adams would have Staff prepare and send the Conservation Area Fire Reduction Program RFP and include the number of days the vendor expects it will take to complete the project. The responses should be presented at the next meeting.
- Mr. Tilton would provide a Fire Zone map, inspect areas to determine the encroachment areas where work should commence and work with Johnson Engineering.

Mr. Tilton gave an update on the Lake 74 Permit. The District would receive plenty of notice of any changes; at this time, there was nothing mentioned in the books along those lines. Mr. Tilton would confirm if the Governor's recent Executive Order about the gas pipeline enables him to apply for another extension.

Mr. Adams was asked to contact the Underwriter to determine if it would be profitable to refinance the Series 2012 and 2013 bonds now, before the 10-year call date and before discussing doing a Private Placement Memorandum (PPM) and selling the bonds to the residents in house.

The Board made the following changes to the proposed Fiscal Year 2022 budget:

Page 1, "Insurance" line item: Increase "\$11,750" to "\$11,800"

Page 2, "Fund balance": Break down as "Assigned working capital" and "Unassigned to catastrophe"

Page 2, "Excess/(deficiency) of revenues over(under) expenditures": Increase "\$75,000" to "\$100,000"

Page 2, Assessment Summary Table, "FY 2022 Proposed Assessment": Increase "\$1,000.15" to "\$1,036.34"

Page 3, "Engineering" description: Delete the last sentence and insert "Continue monitoring Permit Modifications for Lake 74."

Page 4, "Contractual services" description: Add a breakdown of services.

Page 4, "Property appraiser & tax collector" description: Update description and a breakdown explanation and the costs for each County.

Pages 5 and 6, Debt Service Principal”: Research why the proposed \$615,000, on Page 5, differs from the Page 6 \$635,000 05/01/2022 payment amount.

Page 12, “Caminetto”: Research whether to remove Caminetto from the Table.

Mr. Greenberg presented Resolution 2021-06.

On MOTION by Mr. Greenberg and seconded by Ms. Wheeler, Resolution 2021-06, Approving Proposed Budgets for Fiscal Year 2021/2022, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 18, 2021 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.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-07, Designating Dates, Time and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Greenberg presented Resolution 2021-07.

On MOTION by Mr. Tarr and seconded by Ms. Wheeler, Resolution 2021-07, Designating Dates, Time and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resident Requests for Tree Removal/Replacement

A. 15251 Medici Way (Mrs. Almstead) - Plant Hong Kong Orchid Tree in Back Yard

Ms. Wheeler stated she advised the resident to submit a request to the CDD and MCA.

Mr. Richards stated that the MCA had no issue with this request.

B. 15239 Medici Way (Mrs. Martha Kuzak) – Remove and Replace Black Olive Tree

Mr. Greenberg asked questions about both requests, including questions about what if the species of tree changed and if the Board wanted to revise District policy such that Staff would handle these requests directly, instead of bringing them to the Board for a vote. The Board chose to keep the current policy of requiring a vote.

Regarding Item 6A, it was determined that the tree was an addition and would be located inside the CDD property line but Mrs. Adams did not see a problem with the request.

Regarding Item 6B, the request should not have been presented to the Board since it was a tree replacement request. Ms. Wheeler would notify the resident that the District would not be responsible for replacing the tree if flooding occurs.

On MOTION by Ms. Wheeler and seconded by Mr. Tarr, the request from Mrs. Almstead to plant a Hong Kong Orchid Tree in her back yard, at 15251 Medici Way, at the homeowner's risk, was approved.

Mrs. Adams would email both homeowners.

- **Consideration of Second Amendment to Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement**

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

Mr. Adams presented the Second Amendment to the Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement, which reflected the current CDD name and a reduced fee schedule, because of the merger of the CDDs. Ms. Willson confirmed she reviewed the Agreement and recommended approval.

On MOTION by Mr. Tarr and seconded by Ms. Wheeler, with all in favor, the Second Amendment to Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement, was approved.

SEVENTH ORDER OF BUSINESS

Update: Conservation Area Restoration Activities Behind 10806 Cortile Way

Mr. Adams distributed and would email the violation letter to Mr. Henry. Mr. Adams stated that the incident was classified as a Notice of Non-Compliance, instead of an enforcement action, which would have required monitoring. The remediation costs totaled \$7,450, broken down as follows:

- \$1,000 Survey the property line.
- \$3,500 Johnson Engineering: Site evaluation and to prepare the restoration plan for the SFWMD to consider.
- \$2,750 Solitude: Remove soil and install silt fence and 30 gallons of mulch Cypress.
- \$ 200 Conservation Area Signs

Ms. Willson would prepare a letter Agreement to the homeowner confirming he will not cause additional damage, will take adequate steps with the contractor and vendors to return the area to its original condition and acknowledging that he will indemnify the District for costs.

EIGHT ORDER OF BUSINESS

Consideration of Second Amendment to Wrathell, Hunt and Associates, LLC Management Advisory Services Agreement

This item was presented following the Sixth Order of Business.

NINTH ORDER OF BUSINESS

Consideration of Johnson Engineering, Inc., 2021 Surface Water and Sediment Testing Analysis and Reporting Proposal

Mr. Denison presented the Johnson Engineering, Inc., 2021 Surface Water and Sediment Testing Analysis and Reporting Proposal and noted the cost and scope of services was the same as in prior years. Dry season sampling would commence within the next month or so.

On MOTION by Ms. Wheeler and seconded by Ms. Gartland, with all in favor, the Johnson Engineering, Inc., Professional Services Agreement, for 2021 Surface Water and Sediment Testing Analysis and Reporting, in a not-to-exceed amount of \$10,220, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2021-08, Adopting an Amended and Restated Policy Governing Engagement of District Engineering Services for Oversight of Construction Projects Costing Over \$10,000; and Providing for Severability and an Effective Date

Mr. Greenberg presented Resolution 2021-08, which was distributed in the meeting, and discussed the purpose for implementing this policy.

On MOTION by Ms. Gartland and seconded by Mr. Tarr, Resolution 2021-08, Adopting an Amended and Restated Policy Governing Engagement of District Engineering Services for Oversight of Construction Projects Costing Over \$10,000; and Providing for Severability and an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements

- A. As of February 28, 2021**
- B. As of March 31, 2021**

Mr. Greenberg presented the Unaudited Financial Statements listed above. As the Financial Highlights Report was not sent to the Board, Mr. Adams reviewed the District's revenue and expenses and stated the District was on track and in good condition. Mrs. Adams stated that the Operations Financial Impact Analysis Report was located behind Item 12DII; going forward, it would be included in the Unaudited Financial Statements section of the agenda.

Mr. Tarr asked if the cost to inspect the outfall pipes was included in the Report. Mrs. Adams stated she received an \$800 proposal for one but was waiting to receive the proposal for all. Staff was directed to proceed with the project and increase the budget line item to include the cost of the additional five outfall structures; the results would be sent to the Board, upon receipt. The financials were accepted.

TWELFTH ORDER OF BUSINESS

Approval of April 21, 2021 Regular Meeting Minutes

Mr. Greenberg presented the April 21, 2021 Regular Meeting Minutes.

On MOTION by Ms. Wheeler and seconded by Ms. Gartland, with all in favor, the April 21, 2021 Regular Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

There being nothing further to report, the next item followed.

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

There being nothing further to report, the next item followed.

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

I. Registered Voters in District as of April 15, 2020

- **Collier County: 786**
- **Lee County: 454**

These items were provided for informational purposes.

II. NEXT MEETING DATE: June 16, 2021 at 9:00 A.M.

○ **QUORUM CHECK**

Ms. Wheeler, Ms. Gartland and Mr. Greenberg confirmed their attendance, in person, at the meeting on June 16, 2021 at 9:00 a.m. Mr. Henry and Mr. Tarr would attend via telephone.

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

I. Key Activity Dates

The May Key Activity Dates Report was provided for informational purposes and would be updated, as needed. Mrs. Adams reported the following:

- The Padova landscape project commenced on Monday. The shrubs were installed and re-sodding was scheduled for tomorrow. The contractor was having difficulty finding brown egg rock to replace in the resident’s portion of the project, due to supply shortages; that

portion would be completed once it becomes available. Mr. Tarr voiced his opinion that this is why the District needs to have sufficient surplus funds available.

II. Operations Financial Impact Analysis FY 2020-2021

The Operations Financial Impact Analysis FY 2020-2021 was reviewed at length. Staff was asked to include the actual surplus fund balance amount to the Report.

FOURTEENTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Items 6, 8, 12, 17, 20 through 27 and 29 were completed.

Item 27: Mr. Tarr asked for the location of the aerators be offset when the GIS map is updated, as some were placed on top of the lake numbers.

Item 30: Ms. Gartland asked if Staff emailed the draft minutes to the Board. Mrs. Adams replied affirmatively. Ms. Gartland would see if it went to her spam folder.

FIFTEENTH ORDER OF BUSINESS

Old Business

There being no old business, the next item followed.

SIXTEENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Wheeler voiced her opinion that communication with Staff has improved.

SEVENTEENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Wheeler and seconded by Ms. Gartland, with all in favor, the meeting adjourned at 10:52 a.m.


Secretary/~~Assistant Secretary~~


Chair/~~Vice Chair~~