

**MINUTES OF MEETING
MEDITERRA NORTH
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Mediterra North Community Development District's Board of Supervisors was held on **Wednesday, October 15, 2014 at 1:30 p.m.**, at **The Renaissance Center, 28121 Palmira Blvd., Bonita Springs, Florida 34135.**

Present were:

Brian Neary	Chair
Frank Godshall	Vice Chair
Thomas H. Van Tassel	Assistant Secretary
J. Gary Kaenzig	Assistant Secretary
David Risley (<i>via telephone</i>)	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Jonathan Johnson (<i>via telephone</i>)	District Counsel
Stephanie McIntosh	MCA
Ken Tarr	Mediterra South CDD Board Member

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Neary called the meeting to order at 1:30 p.m., and noted, for the record, that Supervisors Neary, Godshall, and Kaenzig were present, in person. Supervisors Van Tassel and Risley were not present at roll call.

SECOND ORDER OF BUSINESS

Public Comments

******Mr. Risley joined the meeting, via telephone.******

Mr. Ken Tarr, a Mediterra South CDD Board Member, indicated that he is a candidate for Seat 2, in the Mediterra South CDD. He noted a flurry of emails and communication regarding the upcoming election, which raised the residents' attention about CDDs. Mr. Tarr stated that he was asked how residents could know that they could run for election. He acknowledged that the

CDDs satisfy the statutory requirements for announcing elections but questioned who reads the legal notices; furthermore, he felt that the details are difficult to locate.

Mr. Tarr advised of a resident referring to the CDDs as mysterious and recalled that Mr. Ken Nails, Mediterra South CDD Chair, invited Mr. Don Tendick, his opponent in the upcoming election, to attend the Mediterra South CDD meeting, via telephone. He pointed out that the Mediterra North and South CDDs only meet once during the season. Mr. Tarr contended that the Mediterra North CDD meeting is “off site”, making it difficult for residents to attend and Mediterra South CDD holds its meeting during the lunch hour. He voiced his opinion that the CDDs have placed every possible barrier on resident participation.

Mr. Tarr reported that his research revealed numerous CDDs that allow “telephone only listening”, which does not cost a lot. He disclosed Mr. Adams’ comment, at the Mediterra South CDD meeting, that Management has no districts that allow the public to call in. Mr. Tarr reported that his research revealed numerous CDDs that allow “telephone only listening”. He contacted the management company of one of those CDDs to inquire about that firm’s experience and position on providing the public with telephone access to CDD meetings. That CDD management company advised Mr. Tarr that the decision is based on the needs of the community, that it is not expensive, that offering “listen in only” has no disruptive impact on meetings and that the management company encourages its CDDs to provide the “listen in only” call in option. Mr. Tarr felt that it would not be difficult or expensive to have two access codes.

Mr. Tarr stated that he contacted another management company for a CDDs to inquire about that firm’s position on providing the public with telephone access to CDD meetings. He was advised that it is based on the needs of the communities, that company prefers to make it easy for residents to hear and participate in meetings, it is not expensive, “listen in” has no disruptive impact on meetings and that management company encourages its CDDs to use “listen in” call in.

Mr. Tarr advised that, at the Mediterra South CDD meeting, he motioned to allow telephone access to CDD meetings, on a “listen in only” basis; the motion was seconded but failed on vote. He expressed his opinion that it was a mistake by the Mediterra South CDD Board. Mr. Tarr strongly urged the Mediterra North Board to approve telephone access to CDD meetings, on a “listen in only” basis. He noted that, since he cannot force the Mediterra South

CDD Board to implement this, he will ask them to hold a few meetings in season and change the start time so that residents do not miss lunch.

Mr. Neary thanked Mr. Tarr and indicated that the Mediterra North Board discussed the meeting location extensively. He stated that the comments regarding access to meetings might be included for discussion, in the future.

THIRD ORDER OF BUSINESS

Discussion: Continuing Disclosure Review

Mr. Johnson indicated that the Security and Exchange Commission (SEC) began enforcement actions against issuers of municipal securities who have not, in offering documents, accurately described any material failures to disclose how they have been historically providing the required annual information that is transmitted to bond markets, so that subsequent purchasers of bonds have appropriate information to make the decision to buy or not buy a particular bond. He stated that this matter was brought to the Board’s attention because of the District’s Interlocal Agreement with Mediterra South CDD. Mr. Johnson explained that, within the last five years, Mediterra South CDD issued bonds. District Counsel consulted with Bond Counsel regarding the transaction and was advised that, due to the Interlocal Agreement, Mediterra North could also be considered an issuer. He noted that the consultation with Bond Counsel was to determine whether there was any basis for the District to self-report any material nondisclosures that were made. Mr. Johnson confirmed that Mediterra North CDD’s disclosure is clean and very good; there was no basis to believe that the District has any liability to be mitigated by participation in the self-reporting initiative.

Mr. Neary thanked Mr. Johnson for investigating this matter.

*****Mr. Van Tassel joined the meeting, in person.*****

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2015-1, Adopting a Policy Governing Reporting of Incidents of Potential Violation

Mr. Neary presented Resolution 2015-1 for the Board’s consideration.

Mr. Adams recalled that this matter was initiated at a Mediterra South CDD meeting, as a result of an issue with grass clippings being dumped into CDD lakes by golf course maintenance

personnel. He explained that, in these situations, Management typically operates on an informal basis when communicating with the golf course and its personnel, which certain Mediterra South CDD Board Members felt was not considered a formal enough process.

Mr. Adams stated that, at the request of the Mediterra South CDD Board, a policy was drafted regarding a reporting procedure for when Management advised of or directly observes something that could be a potential violation in, around or about its facilities. He indicated that the Mediterra South CDD policy specifies that, to the extent that Management observes or it is brought to Management's attention that one of the District's facilities is involved in a potential violation, either by the District's contractors or others, the violation should be reported to the Board Chair first, or Vice Chair, in the absence of the Chair, and the determination between Management and the Chair or Vice Chair and other Staff Members, if necessary to discuss the situation, and communicate to the remainder of the Board.

Mr. Adams noted a recent fish kill, which was not a violation but it was reported to all Board Members and advised that it was not related to a pollution action; it was due to a dissolved oxygen loss. He explained that there were several cloudy, overcast days, which did not allow oxygen to be generated at a rate to maintain pace with the rate that vegetation and fish were consuming it, resulting in a fish kill of certain species that are subject to peril in upper limits of the dissolved oxygen danger zone. Mr. Adams indicated that this was an example of the type of communication that the Board could expect, in particular situations; if it was a pollution-related matter, a special or emergency meeting might be called. He stated it is Management's belief that the policy would be appropriate and consistent with the Mediterra South CDD policy.

Mr. Godshall expressed support for the policy; he felt that there was no downside and stressed the importance of timely reporting. He recalled that the Mediterra South CDD developed guidelines for Supervisors, between meetings, which set forth what Supervisors should do if they become aware of any issues, including reporting the matter to the District Manager, rather than the District Engineer, District Counsel, etc. Mr. Godshall explained that the District Manager and Chair would discuss the matter to determine whether it could wait until the next meeting or to take more immediate action.

******Mr. Riskey left the meeting.******

On MOTION by Mr. Kaenzig and seconded by Mr. Godshall, with all in favor, Resolution 2015-1, Adopting a Policy Governing Reporting of Incidents of Potential Violation, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Request for Expanded Signage Easement by Calabria Condominium Association

Mr. Adams advised that the Calabria Condominium Association (Calabria) wanted to expand the signage area at the entrance. He noted Red Maple trees on the lake bank of Lake #52, adjacent to the road right-of-way (ROW), which will come into conflict with the proposed improvements. Mr. Adams was unsure if the trees could be removed by relocation or may simply be replaced in another, more suitable location, as the trees are a permit planting requirement for the lake.

Ms. Stephanie McIntosh, of the MCA, confirmed that the Red Maple trees were the only conflict. She explained that the expanded entrance would impose on the area where the trees are planted. In response to a question, Ms. McIntosh indicated that the existing side will not be changed but the landscaping will be expanded, which is what would impact the trees. She advised that the sign addition will be located across the street. Ms. McIntosh noted that the sign would be for Serata. She identified the area on a map. In response to a question, Ms. McIntosh indicated that Serata would pay for the sign.

Discussion ensued regarding the expanded landscaping plan, as related to the new sign.

In response to a question, Ms. McIntosh confirmed that all costs related to the project, including relocating the District's trees, would be incurred by Serata and future maintenance of the new landscaping would be at the cost of the MCA. Mr. Neary pointed out that Serata must also be responsible for unforeseen costs related to utility damage, etc., as the project progresses.

Mr. Tarr indicated that trees have a high mortality rate, when relocated, and suggested that the Board consider requiring a warranty. Mr. Adams confirmed that a warranty would be standard, either on a transplant or a replacement tree, whichever is deemed most likely to succeed. Mr. Adams explained that the District would like to retain the mature trees; however, it might not be feasible.

On MOTION by Mr. Van Tassel and seconded by Mr. Godshall, with all in favor, authorization for Management to coordinate with the MCA in relocating CDD vegetation, with the full costs being incurred by Serata, was approved.

SIXTH ORDER OF BUSINESS

**Reminder: Landowners' Election:
November 19, 2014, 1:30 P.M. [SEAT 4]**

Mr. Neary advised that the landowners' election will be held on November 19, 2014 at 1:30 p.m., at this location. Seat 4, currently held by Mr. Godshall, is up for election.

In response to a question, Mr. Adams advised that Mr. Van Tassel and Mr. Risley qualified, unopposed, and received the Oath of Office from the state.

SEVENTH ORDER OF BUSINESS

Approval of August 20, 2014 Public Hearing and Regular Meeting Minutes

Mr. Neary presented the August 20, 2014 Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

Mr. Godshall referred to Line 247 and questioned whether the MCA ever stopped maintaining the lake banks. He felt that the MCA continued maintenance and agreed to maintain the lake banks and other areas at the same maintenance level as before, at no cost to the CDD or changes to the maintenance program. Mr. Adams recalled that some of the "natural" lake banks were not maintained; those that required mowing were being mowed.

Mr. Tarr indicated that the issues started when the MCA stopped maintaining the CDD property in his neighborhood, which caused residents to become upset.

On MOTION by Mr. Godshall and seconded by Mr. Kaenzig, with all in favor, the August 20, 2014 Public Hearing and Regular Meeting Minutes, as presented, were approved.

EIGHTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

B. Engineer

There being no report, the next item followed.

C. Manager

Ms. Crismond reported that the lakes look great and the water levels are high. She indicated that erosion repairs will commence within the next few weeks, once the water levels are lower.

In response to a question about the status of Lake #63, as it relates to the fish kill, Ms. Crismond advised that the lake has aeration; there was nothing more to report, as it was a natural occurrence. It was noted that a lake, across from Terrazzo still has algae. Ms. Crismond indicated that algae remain; however, the lake appears better than before.

Mr. Godshall recalled that the newsletter stated that, in some cases, neighborhoods are responsible for pipe cleaning and noted that it is often not discussed. Mr. Adams stated that the District will perform the work, including roadside boxes, if the pipes connect to the lakes.

Mr. Neary commended Management on the newsletter that was sent; it contained good information and was helpful.

Mr. Godshall referred to Page 1, under "Did You Know", and commented that the figures related to the CDDs was not accurate. He explained that the entire Mediterra community consists of 1,697 acres and suggested that the wording be changed to state that "entire Mediterra community consists of 1,697 acres". Mr. Godshall noted that Mr. Adams offered an explanation; however, the reason remained unclear to him.

Mr. Adams stated that the verbiage will be adjusted. He discussed how the acreage was determined and concluded that his figures amounted to 1,689 acres; he could not reach the 1,697 that Mr. Godshall was referencing.

i. Approval of Unaudited Financial Statements as of August 31, 2014

Mr. Neary presented the Unaudited Financial Statements as of August 31, 2014.

On MOTION by Mr. Godshall and seconded by Mr. Van Tassel, with all in favor, the Unaudited Financial Statements as of August 31, 2014, were approved.

ii. NEXT MEETINGS

- **November 19, 2014 at 1:30 P.M. *Landowners’ Meeting***
- **January 21, 2015 at 1:30 P.M.**

Mr. Neary reiterated that the landowners’ meeting will be held on November 19, 2014 at 1:30 p.m., at this location. Mr. Adams advised that Board Members are not required to attend the landowners’ meeting. In response to a question, Mr. Adams explained that the District met the resident requirements to begin transitioning to the General Election process; this year, as a result, two seats will be filled through the General Election and one by landowners’ election. Mr. Adams advised that Seat 4 will be the District’s final landowner elected seat.

Mr. Neary noted that the next regular meeting is scheduled for January 21, 2015 at 1:30 p.m., at this location.

Mr. Kaenzig recommended that the item discussed by Mr. Tarr be included on the next agenda.

TENTH ORDER OF BUSINESS

Supervisors’ Requests

There being no Supervisors’ requests, the next item followed.

ELEVENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

TWELFTH ORDER OF BUSINESS

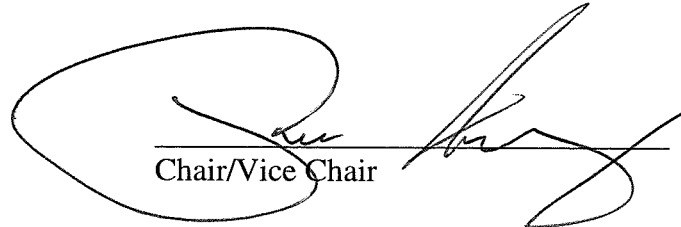
Adjournment

There being no further business to discuss, the meeting adjourned.

<p>On MOTION by Mr. Godshall and seconded by Mr. Kaenzig, with all in favor, the meeting adjourned at 2:15 p.m.</p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair