

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

A Regular Meeting of the Mediterra South Community Development District's Board of Supervisors was held on **Wednesday, January 20, 2016 at 11:00 a.m.**, at **The Club at Mediterra, 15755 Corso Mediterra Circle, Naples, Florida 34110.**

Present and constituting a quorum were:

Ken Nails	Chair
Bill Rowe	Vice Chair
Ken Tarr	Assistant Secretary
Mike Bishko	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Dave Robson	District Engineer
Jonathan Johnson	District Counsel
Sarah Webber	Johnson Engineering, Inc.
Greg Pick	MCA General Manager
Tim Hiers	Director of Golf at Mediterra
Linda Bobris	Resident
Gary Loser	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Nails called the meeting to order at 11:10 a.m., and asked the attendees to identify themselves, for the record. The following members of the public, Supervisors and Staff were present:

Mr. Ken Nails, Chair; Ms. Cleo Crismond, Assistant Regional Manager; Mr. Tim Hiers, Director of Golf at Mediterra (The Club); Mr. Bill Rowe, Vice Chair; Mr. Mike Bishko, Supervisor; Mr. Gary Loser, resident; Ms. Linda Bobris, resident; Ms. Sarah Webber, Wild Life Biologist at Johnson Engineering, Inc.; Mr. Dave Robson, District Engineer; Mr. Greg Pick, Mediterra Community Association (MCA) General Manager; Mr. Ken Tarr, Supervisor; Mr. Jonathan Johnson, District Counsel and Mr. Chuck Adams, District Manager.

Supervisor Luby was not present.

SECOND ORDER OF BUSINESS

Public Comments [3 minutes per person]

Mr. Gary Loser, a resident, believed that it was not permissible for the CDD to transfer, to the MCA, the function or power to management of the Mediterra deer herd, based on Article VIII, SECTION 4, of the Florida Constitution, which stated:

“Transfer of powers.—By law or by resolution of the governing bodies of each of the governments affected, any function or power of a county, municipality or special district may be transferred to or contracted to be performed by another county, municipality or special district, after approval by vote of the electors of the transferor and approval by vote of the electors of the transferee, or as otherwise provided by law.”

Mr. Loser stated that the Statute appears to provide that the functions and powers of CDDs can only be transferred to another governmental entity and not to a private entity, such as the MCA. The CDD’s function or power to manage the deer herd comes from the following Florida Statute:

“190.012 Special powers; public improvements and community facilities.--The district shall have, and the board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to any area included therein, any or all of the following special powers relating to public improvements and community facilities authorized by this act:

(1) To finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for the following:

(f) Conservation areas, mitigation areas, and wildlife habitat, including the maintenance of any plant or animal species, and any related interest in real or personal property.”

Mr. Loser felt that Florida Statute, Chapter 190.012.1.f., and Article 8, Section 4, of the Florida Constitution, made it clear that the CDD can either manage or not manage the deer herd but cannot license the MCA to manage the deer herd because the MCA is not a government entity: it is a not-for-profit corporate entity. The CDD is a special government entity and must do the work for which the Board was elected or transfer responsibility from the CDD to another governmental entity. Mr. Loser requested that the CDD obtain a written opinion from District

Counsel and the Florida Attorney General regarding this constitutional issue. There is no cost to obtain an opinion from the Office of the Attorney General.

Mr. Loser indicated that, on October 15, 2014, the Board requested, by motion, that the District Manager draft a policy, which was not done.

Mr. Adams stated that the matter would be discussed during the Sixth Order of Business.

THIRD ORDER OF BUSINESS

**Presentation: Preliminary Assessment
and Options for Wildfire Reduction**

Mr. Robson introduced Ms. Sarah Webber, of Johnson Engineering, Inc.

Ms. Webber stated that this would be a brief overview; an actual assessment was not conducted. The purpose was to provide a basic understanding of some components involved in wildfire prevention and fuel management. The perception is that fire is an unstoppable force; however, fire starts from ignitions and, in order to ignite, oxygen, a heat source and fuel are necessary. Oxygen and heat sources are difficult to control but fuel can be manipulated, managed or controlled. Weather, type and arrangement of fuel and topography can determine a fire's intensity. Fuels include fine fuels, such as grasses and needles, which burn very quickly, allow fire to spread and help ignite heavier fuels, such as tree branches and shrubs, which burn much longer. The type of fuel present and arrangement are considered when conducting a fire risk assessment. A catastrophic wildfire is typically a wildfire that was carried up into the tree canopy. Surface fuels allow the fire to spread and ladder fuels, such as vines, allow the fire to move into the canopy.

Ms. Webber explained that the goal of fuel management was to disrupt the fire process; disrupt it from igniting or disrupt the continuity to prevent the wildfire from spreading vertically and horizontally and becoming a catastrophic wildfire. Fuel management can be extremely effective, if planned carefully. Incorrect fuel management could have unintended consequences or negative effects, such as creating more fuel. Currently, the South Florida Water Management District (SFWMD) conservation easements for Lee and Collier Counties do not allow fuel management and mechanical reduction, within Mediterra; however, those easements could be modified. Ms. Webber recommended seeking a modification.

Ms. Webber noted that there were other considerations, such as monitoring and mitigation requirements, which were in place over the conservation easements. Fuel management can create a disturbance that can allow invasive species to come in, which requires

follow up treatments for exotic species. The types of habitats must be factored into the equipment used. Also, any mechanical treatment performed must be aesthetically pleasing.

Mr. Nails noted that the District has a number of wetlands within the preserves that cannot be modified. Ms. Webber replied that, currently, within the conservation easement, native shrub or tree removal could not occur but the restrictions could be modified; the conservation easement permits were obtained before the different governmental agencies began accounting for the benefits of fuel management and prescribed burning. Prescribed burning might be a possibility in the community, depending on the situation; however, mechanical reduction must occur first.

Ms. Webber advised that it was important to take a community based approach to fuel reduction, as the conservation areas are intertwined with the homes. Wildfires in natural areas could spread to homes just as easily as conditions in the community could spread fire to natural areas.

Mr. Tarr discussed a wildfire, in an adjacent area, several years ago, which approached the District and was curtailed, due to the overwhelming response by the appropriate agencies. Embers entered the District but, when residents attempted to turn on irrigation to wet the pine straw, there was no water pressure. Ms. Webber advised that, if the District conducted a complete assessment, those matters would be taken into account. There must be a proactive plan to, not only make conditions less conducive to wildfire but to account for issues, if a wildfire occurred. Mr. Nails noted that many residents have automated irrigation systems that cannot be turned on and off. Ms. Webber explained that, in a complete community assessment, in addition to fuel loads, community knowledge and education opportunities, some items assessed are utilities, connections, emergency response time and access roads would be addressed. While fuel management alone, in the natural areas, would provide benefit, there are too many factors involved to only address that aspect. Ms. Webber indicated that the most effective approach to wildfire reduction is a community-based approach, working with residents, governing bodies and emergency responders.

Ms. Webber stated that the District is located in an area where wildfires are prevalent. The preliminary assessment revealed the fuel arrangement and fuel load going into natural areas and areas outside of the conservation areas; a large fuel load and ladder fuels were present, up to the canopy fuel. If an ember ignited pine straw, in that area, it would be easily foreseeable that a fire could continue into the tree canopy and spread. In several areas, there was continuous

vegetation from the natural areas to within 10' of the homes, which looks beautiful but poses a high fire risk to the homes. Ms. Webber presented examples of secured home ignition zones, such as building with fire restrictive materials. Within a home ignition zone, the goal is to bring the fire from the canopy down to the ground, which lessens intensity and the fire would be less likely to burn the home. The conservation areas were within close proximity to homes; if a fire started in those areas, it was easily assumable that the fire could move through all of those homes, due to the vegetation between the homes. The community had no pronounced firebreaks in its perimeter; firebreaks could potentially stop a fire, allow responders to access fires easier and provide some level of protection from fires spreading.

Ms. Webber recommended a complete assessment of the access routes. Emergency responders' first priority would be accessing the fire and they would plow through the golf course, if necessary to access the fire. An assessment would identify how certain areas could be accessed, as well as areas that are not easily accessed, and what could be done to improve access. The Districts should complete a comprehensive wildfire risk assessment and develop a plan, incorporating the entire community's primary goals and concerns. Once the assessment was completed, a plan would be developed, with residents, governing bodies and land managers, and enacted, which would reduce the Districts' wildfire risk, intensity and cost. The components of a comprehensive fire risk assessment include:

- Evaluating natural areas to quantify the amount of fuel and fuel arrangement.
- Identifying conflicts, such as habitats and restrictions
- Developing an appropriate management strategy, in coordination with the Florida Forestry Service (FFS).
- Factoring in long-term costs related to fuel and land management.
- Determining the aesthetic desires of the community.
- Evaluating home ignition zones, including different types of landscaping plants.

In response to the question of whether the FFS would pay part of the cost of the assessment. Ms. Webber stated that the FFS would not contribute toward the cost of the assessment; however, if the community could establish itself as a Firewise community, by meeting certain criteria, it may qualify for certain grants, reimbursements or insurance discounts. It was noted that the financial capabilities of the community might reduce the community's ability to receive financial assistance. Ms. Webber confirmed that she never obtained a Firewise grant but was experienced in writing grant applications.

Regarding the FFS creating fire roads, Ms. Webber indicated that the FFS could provide that service; however, the District might have less control over the process. The FFS might perform mechanical reduction in areas and controlled. If the District established a relationship with the FFS and the FSS understood the District goals, the FFS might be more likely to perform work in line with the District's plan. The District might have the FFS create firebreaks but hire a private company to work around homes and golf course, where aesthetics must be considered.

Ms. Webber advised that the home ignitions zone and types of building materials should be evaluated. Type and arrangement of landscaping should be considered, as certain plants are more conducive to burning. Invasive plants were planted adjacent to conservation areas, such as Mexican petunia, which can spread rapidly into the conservation areas, resulting in additional maintenance. Ms. Webber pointed out that community education could also include information regarding which types of plants to install, which could result in less maintenance of the conservation areas. Coordinating with the FFS, the District must consider what work the FFS could actually perform, if the FFS knows the District's access routes and what needs improved to prevent plowing through anything in the first responders' path, to put out a fire. Implementing community guidelines and regulations could be considered. The District may want to place restrictions on types of plants that residents can plant, throwing lit cigarettes towards natural areas, leaving grills unattended, etc. Most people are unaware of actions that increase fire risk.

Ms. Webber stated that fire mitigation is a cyclic process. Plans are developed and must be reassessed, considering what works for the community and new goals and concerns.

In response to whether the community ever coordinated with the local FFS representative, in terms of if the District had a catastrophic fire, Mr. Pick replied no. Ms. Webber stated that a Forrester oversees the area. The County's approval is not necessary for a fire mitigation program but The South Florida Water Management District (SFWMD) must approve any fuel management completed in conservation areas.

Mr. Tarr asked what fuel management approach would be the least disruptive, while providing the most impact. Ms. Webber stated, unfortunately, because nothing was done for so long, there must be a concerted effort to reduce fuel; there was no "little thing" that the District could do. The least disruptive step would be prescribed burning but, as the communities and natural areas currently exist, the fuel load is too high to introduce prescribed burning; to introduce a prescribed burn, exotic species and ladder fuels must be removed. Discussion ensued regarding melaleuca, which was chopped down but not removed, piled in the preserve areas and

whether it would be considered fuel. Ms. Webber must review the area. In another community, where melaleuca was removed, it resulted in the loss of all natural vegetation. In this community, for aesthetic reasons, the District probably would not want to leave removed hardwood, which could be more expensive. In some areas, fuel reduction and fuel management could be selective.

Mr. Bishko noted the amount spent on the golf course and questioned why creating access ways would not be a relatively inexpensive first step toward mitigation. Ms. Webber stated that creation of access ways would be relatively inexpensive; the District's current access must be assessed and, then, the District must coordinate with the FFS. Ms. Webber recommended conducting many of the mitigation steps simultaneously and agreed that access roads would be a very important step in the process. Discussion ensued regarding exiting access routes, identifying them and creating new access points.

Mr. Nails asked if there was value in identifying a larger area, with a lot of fuel, versus many smaller areas. Ms. Webber stated that it was important to identify the high-risk areas where the District can maximize results, for the cost. In response to Mr. Tarr's comment, Mr. Adams confirmed that a CDD, in Palm Coast, worked with the FFS and a lot of mechanical removal was performed; however, there were no prescribed burns in that community. It was noted that there could be issues with homeowners adjacent to the preserve areas because they want the appearance of the preserve to remain. Ms. Webber stated that was why a comprehensive plan that factors in aesthetics would be important; different types of fuel management could be performed, which would retain some of the aesthetics, such as removing ladder fuel and branches or installing a hard surface around homes.

Mr. Tarr felt that the MCA Board might benefit from this information; however, while the CDD could not control anything in the community, it could help facilitate access to the largest preserve that runs from Lee County to Collier County. Since nothing was done, for more than a decade, at a minimum, the District should have the FFS coordinate with the appropriate parties so the District could establish what would be done, in case of fire, and how first responders would access the fire. Mr. Adams believed that access and firebreaks were the most important first step towards fire mitigation, as it would allow first responders to reach the fire and quickly extinguish it.

Mr. Nails expressed concern about "inviting an agency in" and losing control. Ms. Webber recommended facilitating the FFS's involvement. Mr. Nails asked about the District

independently hiring and paying a contractor to complete the work, to a limited degree, including access roads and perimeter work but not including the FFS. Discussion ensued regarding the possible pros and cons of working with the FFS. Mr. Nails reiterated his concerns about the FFS. Mr. Tarr felt that it would be better to work with the FFS, in advance, rather than during a fire, and asking the FFS to evaluate the community and explain how access would be gained, in the event of a fire. Mr. Nails previously worked with many governmental agencies and felt that, in many instances the agencies do not operate, in that way. Mr. Tarr thought Ms. Webber's comment was that the FFS representative would work and consult with the District. The District is private property so the FFS could not come in, on their own accord. Mr. Nails reiterated his concern about "inviting them in". Mr. Tarr stressed that he did not state, "invite them in"; he said consult with the FFS to understand. Mr. Adams recommended consulting the FFS regarding the strategic areas for access points and firebreaks and agreed that the first most obvious location would be the southwest corner adjacent to property outside of Mediterra, which has a lot of fuel load. Mr. Adams envisioned each appropriate agency having a map of the District's access roads and each access point being clearly marked with signage. Ms. Webber used this approach in other communities.

Mr. Nails asked if Ms. Webber could create a plan for access roads and firebreaks. Ms. Webber stated that an assessment of the overall property must be completed to determine what roads are within the community and the width of the roads, which influences the type of equipment could be used and how it could be maneuvered. The existing conditions would be assessed, the risks would be identified, adjacent areas would be evaluated and potential solutions could be proposed. Ms. Webber estimated a cost of \$6,000 to \$9,000 for the initial assessment.

In response to a question, Mr. Adams voiced his opinion that, since these are CDD areas, it would not be necessary to involve the MCA, other than to have them be part of the thought process; the MCA would not be involved, financially. The first step would be to evaluate access points and firebreaks; the next step would be addressing fuel reduction, which would be far more sensitive to residents. Mr. Adams was doubtful that the Districts would ever achieve the "perfect model" because residents have grown accustomed to the vegetation and relying on it for buffering.

Mr. Rowe asked if the cost was for an assessment for both Mediterra South and North CDDs. Mr. Adams replied affirmatively.

On MOTION by Mr. Tarr and seconded by Mr. Rowe, with all in favor, authorizing Johnson Engineering, Inc. to conduct an access road assessment in Mediterra South and provide recommendations, in a not-to-exceed amount of \$15,000, was approved.

FOURTH ORDER OF BUSINESS**Update: Directors and Officers Coverage with Aggregate of \$10M**

Mr. Adams stated that the request to increase the District's Directors and Officers (D&O) coverage to \$10 million raised suspicions with the insurance carrier. The carrier immediately wanted to know they needed to know something. Mr. Adams assured the insurance carrier that there was no reason for concern or major issues; the Board simply wanted a certain "level of comfort", primarily because there would not be the double, per occurrence to aggregate, once above the \$1/\$2 million threshold. Florida Insurance Alliance (FIA) and Allied World (AW) denied the request to increase to \$10 million. A consideration for the insurance carrier was whether there was additional exposure or a reason for the increase to \$10 million.

Discussion ensued regarding private insurance policies that cover civic activity and why an insurance provider would deny an increase in coverage. Mr. Adams stated that the Board did not have the level of exposure necessary for \$10 million coverage.

▪ **Discussion: Crime Policy**

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

Mr. Adams recalled that, last spring, Wrathell, Hunt and Associates, LLC (WHA), agreed to pay to add crime insurance to its policy to cover WHA employees serving in the capacity of District Manager, Secretary, Treasurer and the coverage was bound last spring. The question of whether that coverage could be increased from \$1 million to \$2 million was raised and AW rejected the request. Mr. Adams indicated that WHA's primary insurance would go into effect, at \$1 million, and, to the extent that is exhausted, there is the \$1 million crime coverage that is specific to the District's policy and for which WHA pays the premium for the District. In response to the question of why an insurance company would deny this request, Mr. Adams explained that this was related to a crime policy. If the Board was that concerned about crime, it might rethink whom it employed; \$1 million crime coverage was standard.

Regarding the concern about the District being in violation of the Rules of Procedure (ROP), Mr. Adams stated that the simple solution would be to revise the ROP, so that the provision is accurate, the next time the ROP are updated.

Mr. Tarr believed that something must be done, if the rule could simply be modified, so the District is in compliance. Mr. Tarr asked if the bond funds collected by the county passed through WHA. Mr. Adams replied affirmatively. Mr. Tarr asked who oversaw WHA's handling of the bond funds. Mr. Adams advised that Ms. Alice Carlson, of AJC Associates, Inc., is involved in the funds distribution. Mr. Tarr concluded that, since the coverage specified in the current ROP could not be obtained, the Board should modify the ROP. Mr. Tarr stated that the bond funds are collected by the county, distributed to WHA and transmitted to the Trustee and indicated that, usually, regulatory authorities check the propriety of the process; however, the District does not have any checks on the process. Mr. Adams stated that the District has an auditor. Mr. Tarr questioned if the auditor conducts "surprise" audits. Mr. Adams stated that the auditor tests certain transactions. Mr. Tarr countered "as opposed to, on Friday, suddenly they appear at your door and they do, like they do in the investment business, they want to make sure your supposed to have \$10 million of CDD money...where is it?" Mr. Tarr asked how much money passes through WHA, at any one time, when the major amount of money is received. Mr. Adams indicated that, in January, 70% to 80% of the District's annual budget, equating to approximately \$450,000, on the operating side. Mr. Tarr surmised that the \$1 million crime coverage was sufficient for the operating side. Regarding bond receipts, Mr. Adams advised that the amount would be \$2.2 to \$2.3 million. Mr. Tarr asked if the County sends a check payable to WHA. Mr. Adams replied no; Collier County collects the funds and the funds are transmitted to the District, in the District's name. Mr. Tarr asked if the District has a separate account. Mr. Adams replied affirmatively. Mr. Tarr suggested that the Board be notified, via email, when funds are received and when they are transmitted. Mr. Adams saw no issue providing the requested notifications to the Board and noted that the bank statements appear in the financial statements. Mr. Tarr asked if notifying the Board of the revenue receipt and transmittal would be a one-time occurrence, not every month. Mr. Adams stated the majority. Mr. Johnson noted that assessment revenues would come be received in February and March. Mr. Adams pointed out that, once the majority of revenue is received and transmitted, the amount in the District's account would be within WHA and the District's \$1 million in crime coverage.

On MOTION by Mr. Tarr and seconded by Mr. Bishko, with all in favor, establishment of an annual revenues reporting procedure, for the acceptance and distribution of the General Fund and Debt Service Fund revenues, was approved.

FIFTH ORDER OF BUSINESS**Approval of October 21, 2015 Regular Meeting Minutes**

Mr. Nails presented the October 21, 2015 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made:

Line 642: Change “mediation” to “remediation”

Line 748: Change “Hiers” to “Pick”

Mr. Bishko asked if Ms. Crismond transmitted the list of lakes. Ms. Crismond stated that an email was sent on October 23, 2015. Ms. Crismond advised that a handout of which lakes were aerated and which lakes must be aerated was provided, at the October meeting.

On MOTION by Mr. Bishko and seconded by Mr. Tarr, with all in favor, the October 21, 2015 Regular Meeting Minutes, as amended, were approved.

- **Action Items**

Regarding Item 1, Mr. Adams had not received the executed boar trapping licensing agreement from the MCA but received a joinder, to the agreement, from the trapper. The Chair was previously authorized to counter-execute the agreement, once the executed agreement is received from the MCA. Ratification of the agreement would be included on the next agenda.

SIXTH ORDER OF BUSINESS**Other Business**

Mr. Nails recalled that Mr. Loser requested that the CDD obtain a written opinion from District Counsel and/or the Attorney General.

Mr. Tarr asked how much it would cost for District Counsel to write to the Attorney General and what the implications would be. Mr. Johnson advised that the Attorney General does not charge a fee but the cost of obtaining an opinion could be approximately \$5,000 because formal documents must be submitted with the request for opinion, to evaluate the issues and respond to questions and controversies. Mr. Johnson requested an opinion from the Attorney

General only once and did not recommend seeking an opinion from the Attorney General unless there is a true issue of law that he was uncomfortable rendering an opinion on. The best case scenario would be an Attorney General opinion that District Counsel's advise was correct and, the worst case scenario would be the Attorney General issuing a nonbinding opinion, contrary to Mr. Johnson's, and the District must choose which opinion to follow.

Mr. Johnson reiterated his belief that the District has full and proper legal authority to enter into the license agreement with the MCA. He disagreed with Mr. Loser's conclusions. In response to Mr. Nails' question, Mr. Johnson confirmed that the CDD was not required to request or obtain an opinion from the Attorney General and stated for the record:

"Under section 190.011(1), (the District has) full power to enter into contracts of all nature. Under section 190.011(15), (the District has) full power to exercise any, not only take actions that are necessary or required, but those that are incidental and convenient, to be exercised of your statutory authority. Section 190.012 does give (the District) the authority to manage wildlife, habitat and interest in plant species, etc., but, in the language that Mr. Loser read, which I think is important to focus on is that 'the district shall have, and the board may exercise.'"

Mr. Johnson advised that the District has the power but is not obligated to exercise that power. The District entered into a nonexclusive license agreement and did not retain the MCA as a contractor; the nonexclusive license agreement allows the contractor to enter onto District property to perform activities that are otherwise lawful and regulated by permit and the MCA agreed to do it in a way that complies with laws, permits and regulations. The District still has the ability, under the license agreement, to enter onto District property and continue to exercise full statutory authority. The agreement does not transfer the District's powers to regulate wildlife habitat to the MCA.

Mr. Bishko voiced his opinion that District Counsel's opinion, as recorded in the minutes, was sufficient, and the Attorney General's opinion was not necessary.

Mr. Loser asked why the CDDs want the MCA to enter into the contract with a hunter, rather than the CDDs entering into the contract. Mr. Nails advised that the question was previously addressed.

Mr. Tarr stated that this issue is similar to the way the District entered into an agreement with the MCA maintain the "orphan lake banks".

As pointed out, in correspondence with Mr. Loser, Mr. Adams stated that, following an incident of grass clippings dumped on the golf course, several years ago, the Board discussed writing a formal policy regarding how individual Board Members can engage District Counsel and the District Engineer, through the District Manager. Mr. Adams indicated that he did not write the policy, as directed but would do so, if directed. Since that discussion, the Board operated in the way that was discussed and refrained from contacting District Counsel or the District Engineer, directly.

Mr. Tarr asked if a motion was required to confirm or reverse the Board's previous request for a written policy. Mr. Johnson advised that a resolution, either way, was appropriate. Mr. Tarr recalled that the Board previously passed a motion to have a formal written policy. Mr. Nails indicated that the policy was recorded in the meeting minutes; therefore, he did not see the need to have it formally written. Discussion ensued regarding whether Mr. Adams should write the policy. Mr. Adams asked if anything from the legislative session might require changes. Mr. Johnson advised that the legislature was currently in session and, by the next meeting, any ROP items, requiring modification, would be known. Mr. Adams advised that legislative changes, modification of the required crime policy coverage and addition of a formal written policy could be addressed in a single rule making process, which could probably be accomplished at the May meeting. Mr. Nails stated that the Board would decide what to do, at the May meeting.

Mr. Adams distributed an email detailing the District's rainfall history. Mr. Rowe indicated that, as of today, the CDD received 4.3" of rain, in 2016, versus 1.4", at this time, last year. Mr. Nails asked if there was a benefit to more rain. Ms. Crismond noted that the lakes look nicer. Mr. Adams stated that, as the weather warms, water would be drawn down for irrigation and the additional water assisted in keeping the wetlands hydrated and vegetation green and helps reduce the wildfire risk.

Mr. Adams reported that the canna lily cutback, scheduled between Thanksgiving and Christmas, was pushed back because of the unseasonably warm weather and lack of browning or deterioration of the canna lilies. The cutback may occur in February or March, depending on the temperature. Staff did not want to cut the canna lilies back and allow them to recover, only to have a cold spell cause them to brown.

Mr. Tim Hiers, Director of Golf at Mediterra, indicated that the amount of rain received is not as important as the rain intensity, which affects lake bank erosion.

Mr. Rowe noted that the District received 35% more rain in 2015, than in 2014.

SEVENTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Mr. Johnson advised that Senate Bill 516, sponsored by Senators Don Gaetz and Jeremy Ring, was moving through the legislature, which would impose a new array of website disclosure requirements upon special districts but not on cities or counties. Some requirements would include making financial data searchable in a specific way. There is only one vendor in the state that is equipped to provide those services and the cost to the District could be approximately \$9,000 to \$10,000 to update the website technology. Hopping Green & Sams is working on behalf of the Association of Florida Community Developers (AFCD) to “kill” the bill, as it singles out special districts, which generally have limited budgets. The bill moved through one committee and, if the bill appears to be gaining momentum, Mr. Johnson may request that the District contact local legislators regarding the potential budget impact.

In response to Mr. Tarr’s question, Mr. Johnson advised that, if he were to draft a letter, on behalf of the District, to the appropriate parties, he must register as a lobbyist for the District. Mr. Johnson felt that the best approach was for the Board Members to send letters, as individuals. Discussion ensued regarding the possibility of sending letters to local legislators; Mr. Johnson would provide contact information for local representatives and senators.

B. Engineer

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

C. Manager**i. Approval of Unaudited Financial Statements as of November 30, 2015**

Mr. Nails presented the Unaudited Financial Statements as of November 30, 2015.

<p>On MOTION by Mr. Rowe and seconded by Mr. Nails, with all in favor, the Unaudited Financial Statements as of November 30, 2015, were approved.</p>
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ii. NEXT MEETING DATE: May 18, 2016 at 11:30 a.m.

Mr. Adams stated that the next meeting will be held on May 18, 2016 at 11:00 a.m., rather than 11:30 a.m.

EIGHTH ORDER OF BUSINESS**Supervisors’ Requests**

Mr. Tarr requested that the Board be notified when the canna lily cutback begins. Mr. Adams confirmed that the Board, MCA and The Club would be notified.

Ms. Crismond received proposals to install the last three Mediterra North aeration systems, at a cost of approximately \$15,000. The Mediterra South priority aeration systems would be over budget. Ms. Crismond stated that she could spend up to the \$50,000 budgeted and report on which lakes would be completed, within budget. The cost to complete all of the aeration would be \$73,000. Ms. Crismond confirmed that other funds were available to complete the entire project.

On MOTION by Mr. Tarr and seconded by Mr. Rowe, with all in favor, the proposal for installation of aeration, in a not-to-exceed amount of \$74,000, was approved.

Mr. Adams stressed that additional aeration did not guarantee that the District would never experience a “fish kill” but decreased the chances, helped keep the ecosystem alive and reduce the buildup of sediment.

Mr. Rowe suggested that the benefits of aeration be shared in the newsletter.

Ms. Crismond received a report from the golf course, about the continued erosion repairs. It would be emailed to the Board. The repairs were progressing.

Mr. Tarr asked if the CDD planted any of the Mexican petunias. Ms. Crismond replied no. In response to Mr. Tarr’s question, Ms. Webber indicated that the Latin name for Mexican petunias is *ruellia simplex*.

******The audio ended at approximately 12:46 p.m.******

NINTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Bishko and seconded by Mr. Rowe, with all in favor, the meeting adjourned at 12:50 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair