

**MINUTES OF MEETING  
MEDITERRA  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Mediterra Community Development District held a Regular Meeting on Wednesday, October 17, 2018 at 9:00 a.m., at The Sports Club at Mediterra (Bella Vita I Room), 15735 Corso Mediterra Circle, Naples, Florida 34110.

**Present and constituting a quorum were:**

Robert Greenberg	Chair
Ken Tarr	Vice Chair
Mike Bishko (via telephone)	Assistant Secretary
Thomas H. Van Tassel	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Jason Olson	Assistant Regional Manager
Andy Tilton	District Engineer
Tim Denison	Johnson Engineering, Inc.
Alyssa Willson (via telephone)	District Counsel
Mary Wheeler	Supervisor-Elect
Tim Richards	General Manager, MCA
Jackie Schultz	MCA

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:04 a.m. Each individual in attendance announced their name and position.

Supervisors Greenberg, Tarr and Van Tassel were present, in person. Supervisor Bishko was attending via telephone. Supervisor Risley was not present.

**SECOND ORDER OF BUSINESS**

**Chairman's Comments**

Mr. Greenberg welcomed everyone to the newly merged CDD's first meeting of the new fiscal year and thanked District Staff, for their work over the last year and a half.

**THIRD ORDER OF BUSINESS**

**Public Comments [3 minutes per person]**

There being no public comments, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resignation of Supervisor David Risley, SEAT 1, Term Expires November, 2018**

Mr. Greenberg presented the letter of resignation from Mr. Risley. Mr. Greenberg thanked Mr. Risley for his service to the CDD, and noted for the record, his opinion that Board Members are not paid what they are worth. He directed Mr. Adams to email Mr. Risley expressing the Board’s thanks to him for his service on the Board and that his resignation was accepted.

**On MOTION by Mr. Tarr and seconded by Mr. Van Tassel, with all in favor, the resignation of Mr. David M. Risley, dated September 6, 2018, was accepted.**

**FIFTH ORDER OF BUSINESS**

**Discussion/Consideration: Appointment to Fill Vacant Seat**

Mr. Greenberg nominated Ms. Mary Wheeler, to fill vacant Seat 1; term expires November 2018, as she ran unopposed for Seat 1, and would officially be elected to Seat 1 in November. No other nominations were made.

**On MOTION by Mr. Tarr and seconded by Mr. Van Tassel, with all in favor, the appointment of Ms. Mary Wheeler to fill vacant Seat 1, effective immediately, was approved.**

**A. Administration of Oath of Office (*the following to be provided in separate package*)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Wheeler. The following items will be provided at the next meeting:

- i. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- ii. Membership, Obligations and Responsibilities**

iii. Financial Disclosure Forms

- Form 1: Statement of Financial Interests
- Form 1X: Amendment to Form 1, Statement of Financial Interests
- Form 1F: Final Statement of Financial Interests

iv. Form 8B – Memorandum of Voting Conflict

B. Consideration of Resolution 2019-01, Electing the Officers of the District

Mr. Greenberg presented Resolution 2019-01.

Mr. Tarr nominated Mr. Greenberg for Chair. No other nominations were made.

Mr. Greenberg nominated Mr. Tarr for Vice Chair. No other nominations were made.

Mr. Greenberg nominated the remaining existing slate of officers, unchanged, with the addition of Ms. Wheeler, as an Assistant Secretary. The slate of officers was as follows:

Chair	Robert Greenberg
Vice Chair	Kenneth Tarr
Secretary	Chuck Adams
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder
Assistant Secretary	Michael Bishko
Assistant Secretary	Thomas Van Tassel
Assistant Secretary	Mary Wheeler
Assistant Secretary	Craig Wrathell

**On MOTION by Mr. Greenberg and seconded by Mr. Van Tassel, with all in favor, Resolution 2019-01, Electing Officers of the District, as nominated, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-02, Designating the Location of the Local District Records Office and Providing an Effective Date**

Mr. Greenberg presented Resolution 2019-02. Now that the merger is complete, the District’s local records office will be the MCA office, instead of Johnson Engineering.

Per discussions with Mr. Richards, Mr. Adams will have all necessary items, laptop, etc., kept up-to-date at the MCA and provide instructions to Ms. Schultz.

**On MOTION by Mr. Van Tassel and seconded by Ms. Wheeler, with all in favor, Resolution 2019-02, Designating the Location of the Local District Records Office as 15735 Corso Mediterra Circle, Naples, Florida 34110, and Providing an Effective Date**

**SEVENTH ORDER OF BUSINESS**

**Presentation of Annual Sediment and Water Sampling Reports by Johnson Engineering, Inc.**

Mr. Denison presented the 2018 Water Sampling results and reported the following:

- Water and sediment samples taken from the seven stormwater treatment ponds and five outfall ponds, during the wet and dry seasons.
- Results for Lake 37 show cause for concern.
- Lakes 37 and 35 are not outfall lakes, as noted in the Report.
- Intention of water sampling is to provide a baseline to compare with future annual sampling, determine if changes occur and to address any issues.
- Only purpose of sampling sediment is to monitor muck levels is in each area to compare them within the community, since there are no legal constraints associated with muck.

Mr. Greenberg directed Johnson Engineering to, going forward, collect annual water samples in a lake on the east side, either Lake 71 or 72, in lieu of Lake 50.

In response to a question, Mr. Tilton noted lakes are dredged when the water quality is poor. Muck levels typically range between 2' to 3'; however, aeration in a pond prevents having to dredge muck.

Mr. Greenberg requested that the annual samples be taken at the same time each year. It was noted that, for lakes that have poor water quality due to muck levels but have aeration systems, it typically takes one to two years for the water quality to improve and for the improvement to be evident.

Mr. Tilton stated that Johnson Engineering references the Florida Administrative Code; however, they and the District are not required, as part of the permit, to report the results to a

government monitoring agency. Rather than being reactive to an issue, the District benefits in the long run when it is proactive in finding and addressing potential issues.

In response to Mr. Greenberg’s question Ms. Willson confirmed that the District was not required to post the Report on the website.

Mr. Greenberg will adjust the Johnson Engineering Report into a two–page summary, circulate it to the Board Members for comments and then forward it and the materials relating to criteria to Mr. Richards for circulation to residents. Mrs. Adams will label the community associated with the lake ID numbers, prior to it being posted on the District’s website.

Mr. Adams noted some District’s older than Mediterra, with thicker muck layers, have begun installing nano aeration to address the issue. They are about to introduce ozone through nano-bubblers, which cleans water quality and helps with soil, and will begin introducing enzymes to improve water quality and reduce the muck layer, which should avoid initiating a costly, invasive dredging program.

**EIGHTH ORDER OF BUSINESS**

**Discussion: Aeration Equipment Cost to Insure**

Mr. Adams presented the proposal to insure the District’s aeration equipment, consisting of compressors, cabinets, diffusers and tubing. The Board decided against coverage, since the repair costs from last year’s two, 100-year storm events had not reached the threshold for the combined premium and deductible amounts.

**NINTH ORDER OF BUSINESS**

**Update: Preserve Management Plan and Implementation**

Mr. Adams stated the project was approximately 55% completed but he expected field conditions to improve enough for the Contractor to pick up the pace and complete the clearing project by the end of the calendar year; removal of the wet pine straw is cumbersome. Mr. Greenberg will prepare an update regarding the Preserve Management project for the informational letter that will be circulated to residents.

Discussion ensued regarding the delays.

Mr. Adams asked if Ms. Willson reviewed and confirmed the contract did not include removal of standing, dead trees but dead trees on the ground were part of the contract. Ms. Willson replied affirmatively.

Discussion ensued regarding the cost to remove the standing, dead trees, obtaining proposals for that additional work and whether to have them removed during the ongoing project or after it is completed. Management was directed to engage SOLitude Lake Management (SOLitude) to remove all standing, dead trees in the fire management Home Ignition Zone (HIZ).

**On MOTION by Mr. Greenberg and seconded by Mr. Van Tassel, with all in favor, authorizing the District Manager to engage SOLitude Lake Management to remove all standing, dead trees in the Preserve Home Ignition Zone, in a not-to-exceed amount of \$10,000, was approved.**

**TENTH ORDER OF BUSINESS**

**Discussion/Update: EarthBalance Proposal for Lake Bank Improvements**

Mrs. Adams stated this project will commence the first week of November. Mr. Richards will provide Mr. Woods, of the MCA, with the schedule for planting cordgrass, so that timers and irrigation systems are programmed and functioning properly at all three locations.

**ELEVENTH ORDER OF BUSINESS**

**Discussion: Lake Bank Remediation Options**

This item was deferred to the next meeting.

**TWELFTH ORDER OF BUSINESS**

**Discussion: Debt Service Pre-Payment Processing Outline**

Mr. Adams outlined the process and criteria for residents to prepay their individual debt service assessments. He explained the two annual payment periods and time constraints in order for payments to be booked within the pay schedule and the differences between residents paying off their debt assessments and the District’s limited ability to call on a bond. The District can consider refinancing the Debt Service bonds in either 2022 or 2023.

## THIRTEENTH ORDER OF BUSINESS

## Acceptance of Unaudited Financial Statements as of August 31, 2018

Mr. Greenberg presented the Unaudited Financial Statements as of August 31, 2018. Mr. Adams confirmed there were no delinquencies since the District received The Club's off-roll payment. Assessment revenue collections exceeded budget, due to merging the two Districts, and expenditures were well below budget, due to not booking any expenses in the budgeted "Fire break" Preserve Management line item, which will happen in Fiscal Year 2019.

In response to a question, Mr. Adams explained that the reason the invoices were not submitted or payments sent was because the Fire break clean zone initiative contract was a 90-day, lump sum amount, to be paid in full, once the work was completed; however, the Contractor is now requesting partial payment, since the project is taking longer to complete.

**On MOTION by Mr. Greenberg and seconded by Ms. Wheeler, with all in favor, authorizing Management to make a partial payment of up to 25% of the contract amount to EarthBalance, despite the end of contract payment terms, as an incentive to complete the project, was approved.**

Mr. Greenberg requested amending the motion to include setting future progress points to be met for additional payment draws. Management would develop a schedule.

**On MOTION by Mr. Greenberg and seconded by Mr. Tarr, with all in favor, amending the motion authorizing Management to make a partial payment to EarthBalance of up to 25% of the contract amount, despite the end of contract payment terms, as an incentive to complete the project, to include a schedule setting data points for future progress and additional payment draw dates, was approved.**

In response to a question, Mr. Adams stated EarthBalance was working in Parcel 115A, Area 9.

**On MOTION by Mr. Tarr and seconded by Mr. Van Tassel, with all in favor, the Unaudited Financial Statements as of August 31, 2018, were approved.**

## FOURTEENTH ORDER OF BUSINESS

## Staff Reports

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

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

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

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

**C. District Manager: *Wrathell, Hunt and Associates, LLC*****i. NEXT MEETING DATE: November 28, 2018 at 3:00 P.M.**

The next meeting will be held on November 28, 2018 at 3:00 p.m. The Fiscal Year 2019 Meeting schedule was provided for informational purposes. Mr. Adams noted that certain meetings have 3:00 p.m., start times, instead of 9:00 a.m., due to scheduling conflicts.

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

Mrs. Adams stated that RCA agreed to split the cost to plant Pickleweed, Golden Canna and Arrowhead around the entire lake bank of Lake 73, in November. Mr. Richards will inform interested parties of the schedule.

## FIFTEENTH ORDER OF BUSINESS

**Approval of August 8, 2018 Public Hearing and Regular Meeting Minutes**

Mr. Greenberg presented the August 8, 2018 Public Hearing and Regular Meeting Minutes. His changes were sent to Mrs. Adams. Mr. Tarr complimented the improved quality of the meeting minutes, Mr. Greenberg agreed.

Mr. Adams was directed to prepare a letter informing that the Board adopted the Fiscal Year 2019 budget; the letter should include bullet points related to budget merger items, the Preserve and the lakes.

Mr. Adams responded to Mr. Greenberg's questions as follows:

- The District's website was now in compliance with the Americans with Disability Act (ADA) requirements for websites.
- All legally required documents are being converted to the proper format, with the expectation to complete the process by the end of 2018.
- Ms. Willson will prepare a written opinion in which Hopping Green and Sams, P.A. (HGS) had approved the District creating a private, working portal, which only Supervisors and Staff

can access, which would contain ADA non-compliant documents that were purged from the District’s website, as was discussed in the prior minutes.

➤ The final audit for Mediterra North CDD is the only merger item remaining, that audit will occur the same time as this District’s audit.

**On MOTION by Mr. Van Tassel and seconded by Mr. Tarr, with all in favor, the August 8, 2018 Public Hearing and Regular Meeting Minutes, as amended to incorporate edits previously submitted to Management, were approved.**

**SIXTEENTH ORDER OF BUSINESS**

**Action Items**

Items 6, 9, 10, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, and 26 were completed.

Item 18: Change “Proposals” to “options”.

Going forward, Mrs. Adams will include, in the agenda package, a list of the Action Items that were completed or will potentially be completed by the next meeting and, thereby, be removed from the Action Items List. Mr. Greenberg thanked Management for sending the agenda package timely.

**SEVENTEENTH ORDER OF BUSINESS**

**Old Business**

- **Update: Letter to Lucarno HOA Requesting Acknowledgement of District Disclaiming Lake Bulkheads and Confirmation of Communication of the Same to Affected Homeowners**

Mr. Greenberg noted there was no response to the letter. Mr. Adams stated he sent a reminder email but still received no response to the letter addressed to the Property Manager and London Bay; he will forward a copy of the letter to Mr. Greenberg who, in turn, will forward it to the HOA Board Members. The best solution is for the HOA to take over the responsibilities, rather than individual residents, and, since the HOA plans are to budget for the retaining walls, the HOA will do the right thing and take ownership of it as well.

Mr. Greenberg stated he will assume responsibility in trying to navigate this matter with London Bay and the Lucarno HOA Board.

**EIGHTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

In the interest of improving the District's image in the community, Mr. Tarr presented Mr. Adams, Mrs. Adams and each Supervisor with Mediterra CDD hat; group pictures were taken.

Mr. Bishko stated his concerns regarding the retaining wall and notifying the affected residents.

Mr. Greenberg stated he or Sue will attend the Lucarno HOA Board Meeting to address the issue and, if that yields no results, the District will deed the area over to the individual residents.

Ms. Wheeler thanked the Supervisors for welcoming her to the Board.

Mrs. Adams will provide everyone with an updated map.

**NINETEENTH ORDER OF BUSINESS**

**Public Comments**

Mr. Richards stated he was working with Mr. Adams on the additional fuel load, which is on the MCA's agenda for next week.

Mr. Greenberg thanked today's participants for their hard work.

**TWENTIETH ORDER OF BUSINESS    Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Van Tassel and seconded by Ms. Wheeler, with all in favor, the meeting adjourned at 10:55 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair