

**MINUTES OF MEETING
NAPLES RESERVE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Naples Reserve Community Development District held multiple Public Hearings and a Regular Meeting on August 21, 2018 at 11:00 a.m., at the offices of Coleman, Yovanovich & Koester, P.A., Northern Trust Bank Building, 4001 Tamiami Trail N., Suite 300, Naples, Florida 34103.

Present at the meeting were:

Donald Mears	Chair
Robert Mulhere	Vice Chair
Peter Rodino	Assistant Secretary
Joseph Davis	Assistant Secretary
Thomas Marquardt	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Greg Urbancic	District Counsel
Terry Cole	District Engineer
Mrs. Joseph Davis	Public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 11:05 a.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comments

It was noted that a resident arrived prior to the meeting and stated that they would return later. There were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2018-06,
Amending the General Fund Portion of the
Budget for Fiscal Year 2018; and Providing
for an Effective Date**

Ms. Cerbone presented Resolution 2018-06. This was necessary because there would be two unbudgeted expenditures in Fiscal Year 2018 related to debt service accounting and

dissemination agent fees, due to the 2018 bond issuance. There was enough in fund balance to cover those two items but it is best to amend the budget to reflect those expenses.

Mr. Mears asked if the addition of the \$5,500 “DSF accounting” line item was because more accounting time was necessary because of two bond issues. Ms. Cerbone stated that it was because Management would now need to review and approve requisitions, communicate with the Trustee, prepare bond amortization schedules, coordinate the bond payments, etc.

On MOTION by Mr. Mulhere and seconded by Mr. Mears, with all in favor, Resolution 2018-06, Amending the General Fund Portion of the Budget for Fiscal Year 2018; and Providing for an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Adoption of the District’s Final Budget for Fiscal Year 2018/2019, Pursuant to Florida Law

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2018-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019; Providing an Severability Clause; and Providing an Effective Date

Ms. Cerbone reviewed the proposed Fiscal Year 2019 budget line item adjustments compared to the Fiscal Year 2018 budget, along with new line items and adjustments due to the 2018 bond issuance. Ms. Cerbone responded to Board Member questions as follows:

- The on-roll assessment levy amount was derived from information provided to Management regarding closings, etc. Management starts with that information and, as long as the properties were platted and on the Tax Collector’s website, that figure should have been used. Management will confirm the number prior to submitting the final assessment roll.
- The 4% allowable discount is related to when the property owner pays their tax bill; it is essentially a discount to the property owner for paying their taxes early.
- The Property Appraiser and Tax Collector fees are related to the number of on-roll units; it increases as more units go on roll.
- A copy of the assessment schedule for Fiscal Year 2018 was provided to Mr. Mears, as he wanted to compare the debt service break out for the Series 2014 and 2018 bonds.

Ms. Cerbone opened the Public Hearing.

No members of the public spoke.

Ms. Cerbone closed the Public Hearing.

Ms. Cerbone presented Resolution 2018-07 and read the title.

On MOTION by Mr. Mears and seconded by Mr. Rodino, with all in favor, Resolution 2018-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019; Providing an Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Special Assessments for Operations and Maintenance for the Fiscal Year 2018/2019, Pursuant to Florida Law

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Mailed Notices

A copy of the Mailed Notice was included for informational purposes. Ms. Cerbone stated that it was necessary to send Mailed Notices because assessments were increasing. Management responded to a few calls. There were no recorded objections. In response to a Board Member’s question of how the increase in the CDD’s operation and maintenance (O&M) assessments relates to the HOA taking over O&M, Ms. Cerbone stated that the O&M portion that the HOA was taking over was not budgeted by the CDD. Presently, the Developer directly, or in conjunction with the HOA, maintains the CDD’s assets. This was why Management suggested entering into an agreement with the HOA to maintain the CDD’s assets. Discussion ensued regarding who could or should execute the agreement, on behalf of the HOA.

C. Consideration of Resolution 2018-08, Making a Determination of Benefit and Levying and Imposing Special Assessments for Fiscal Year 2018/2019; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; Providing for Conflict; and Providing an Effective Date

Ms. Cerbone stated that, previously, the District had on and off-roll assessments but now, everything is on roll. This Resolution sets forth how the assessments would be collected, along with certifying the assessment roll, etc.

Ms. Cerbone opened the Public Hearing.

No members of the public spoke.

Ms. Cerbone closed the Public Hearing.

Ms. Cerbone presented Resolution 2018-08 and read the title.

On MOTION by Mr. Mulhere and seconded by Mr. Marquardt, with all in favor, Resolution 2018-08, Making a Determination of Benefit and Levying and Imposing Special Assessments for Fiscal Year 2018/2019; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; Providing for Conflict; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2018-09,
Adopting the Annual Meeting Schedule for
Fiscal Year 2018/2019**

Ms. Cerbone stated that the Landowners' Meeting would be held in November. Seats 2, 3 and 5, currently held by Supervisors Marquardt, Rodino and Davis, respectively, would be up for election. She explained the Landowners' Election process and transitioning to the General Election, once certain thresholds are met. Discussion ensued regarding landowner voting, disseminating election information to individual property owners, the Landowners' Meeting location and whether it could accommodate the number of potential attendees, possibly changing the location, proxy holders, etc. Board Members are not required to attend the Landowners' Meeting, unless they are a property owner and wish to attend to cast votes.

Ms. Cerbone presented Resolution 2018-09.

The following change was made:

Date: Change "April 23" to "May 7"

On MOTION by Mr. Mears and seconded by Mr. Rodino, with all in favor, Resolution 2018-09, Adopting the Annual Meeting Schedule for Fiscal Year 2018/2019, as amended, was adopted.

**Consideration of Full and Final Settlement
Agreement**

Ms. Cerbone stated that this is related to Item 13C. Numerous CDDs and other entities, including this CDD, had claims filed against them alleging that their websites were not compliant with the Americans with Disabilities Act (ADA) requirements for websites. The matter was turned over to the District's insurance carrier, who is the carrier for many other CDDs. The insurance carrier hired Counsel to defend the lawsuits. At the same time, Management proactively engaged ADA Site Compliance (ADASC) to assist in bringing its clients' websites into compliance. The website is being purged of all documents and information that is not legally required for CDD websites, as well as outdated documents. Going forward, all information and documents on the CDD's website will be in an ADA compliant format. Mr. Urbancic discussed the importance of bringing the website into compliance. Ms. Cerbone noted that the insurance carrier specified that CDDs that do not make their websites ADA compliant would have a rider added to their policy, such that the CDD would not be covered for any future website claims. In addition to the website audit, ADASC attached a compliance seal to the website homepage, which links to the District's ADA website policy and states that steps are underway to bring the website into compliance and provides contact information of who to contact with questions or if assistance is needed.

Discussion ensued regarding the terms of the Settlement offer, the CDDs involved, etc.

On MOTION by Mr. Mears and seconded by Mr. Mulhere, with all in favor, the Full and Final Settlement Agreement related to the Americans with Disabilities Act claim filed against the District, was approved.

EIGHTH ORDER OF BUSINESS

**Presentation of Audited Financial Report
for Fiscal Year Ended September 30, 2017,
Prepared by Carr, Riggs & Ingram, LLC**

The Audited Financial Statements for Fiscal Year 2017 were presented and approved at the last meeting.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2018-10,
Accepting the Audited Financial
Statements for the Fiscal Year Ended
September 30, 2017**

This item was not necessary, as the Audited Financial Statements for Fiscal Year 2017 were approved at the last meeting.

TENTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of June 30, 2018

Ms. Cerbone presented the Unaudited Financial Statements as of June 30, 2018.

On MOTION by Mr. Mulhere and seconded by Mr. Marquardt, with all in favor, the Unaudited Financial Statements as of June 30, 2018, were approved.

ELEVENTH ORDER OF BUSINESS

Approval of May 3, 2018 Regular Meeting Minutes

Ms. Cerbone presented the May 3, 2018 Regular Meeting Minutes. The following change was made:

Line 87: Change "\$9,870" to "\$9,870,000"

On MOTION by Mr. Mulhere and seconded by Mr. Marquardt, with all in favor, the May 3, 2018 Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Coleman, Yovanovich & Koester, P.A.*

Mr. Urbancic stated that a requisition to pay from the construction fund from the last bond issuance was being processed and would be submitted to the Trustee for payment, once finalized.

B. District Engineer: *Hole Montes, Inc.*

Mr. Cole reported the following:

- Requisitions are being submitted. Discussion ensued regarding the requisition process.

➤ In April, the Collier County Board of County Commissioners approved proceeding with a stormwater utility fee, with the fee being based on the size of the property. There is a process for homeowners to seek a 25% credit if within a privately permitted and maintained stormwater management facility. The 25% credit should have been reflected on the tax notice because the homeowners are within a master system. By 2020, the County wants those operating the master systems to submit a list of eligible parcels requesting a stormwater utility mitigation credit. The CDD could submit an application with a list of all the parcels by summer 2020. Between now and then everyone is fine. The entity operating the stormwater system must perform an annual inspection and must apply for the credit every ten years. Photos must be submitted annually showing that it meets all criteria of a system that is operating properly. As the fee will be imposed on common areas, property owners could also see an increase from their CDD, HOA or whatever entity operates the stormwater system.

This item would be included on the next agenda.

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

- i. Consideration of ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit**

This item was discussed during the Seventh Order of Business.

On MOTION by Mr. Marquardt and seconded by Mr. Rodino, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, was approved.

FOURTEENTH ORDER OF BUSINESS

Audience Requests

Comments/Supervisors'

There being no audience comments or Supervisors' requests, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Mulhere and seconded by Mr. Mears, with all in favor, the meeting adjourned at 12:21p.m.



Secretary/Assistant Secretary



Chair/Vice Chair