

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

The Board of Supervisors of the Naples Reserve Community Development District held a Regular Meeting on March 3, 2022 at 10:30 a.m., at the Island Club at Naples Reserve, Activities Room, 14885 Naples Reserve Circle, Naples, Florida 34114.

Present at the meeting were:

Thomas Marquardt	Chair
Deborah Lee Godfrey	Vice Chair
Charlene Hill	Assistant Secretary
Anna Harmon	Assistant Secretary
Gregory Inez	Assistant Secretary

Also present, were:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Greg Urbancic	District Counsel
Terry Cole	District Engineer
Randy Sparrazza	Resident and HOA President
Linda Houde	Resident
Jim Dill	Resident
Heidi Devlin	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:30 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Chairman's Opening Remarks

Mr. Marquardt discussed the following:

- He felt that e-blasting the lake and lake bank maintenance letters and posting on the CDD/HOA website will help reduce the number of complaints and homeowners in violation due to making improvements behind their residences when the water levels recede.

- Regarding a photo on Facebook, he and Mr. Sparrazza were unable to locate the person who posted it; the photo was removed and a response from the Administrator was pending.
- SOLitude Lake Management (SOLitude) should alert Staff so matters can be addressed.
- He saw a resident pouring solvent down the lake drain and asked if the CDD has any recourse. Mr. Urbancic felt that contacting one of the environmental agencies would be more effective and noted the HOA's compliance enforcement mechanisms are faster than the CDD's.
- If there is a violation after sending the letter, a reminder will be posted on Facebook.

Mr. Marquardt asked why execution of the SOLitude contract was delayed. Ms. Sanchez stated that Mr. Kurth was unaware that certain Agreements needed to be executed when the project was approved at the last meeting.

To expedite the process for future projects, Ms. Cerbone suggested authorizing Staff, by motion, to enter into an agreement of a specified not-to-exceed amount and for the Chair to execute and then ratifying it at the next meeting.

FOURTH ORDER OF BUSINESS

Service Provider Reports

A. Cardno

Ms. Cerbone discussed the Cardno monthly HOA water usage and CDD quarterly water quality testing reports.

B. SOLitude Lake Management, LLC

Ms. Cerbone discussed SOLitude's recurring services, including maintenance of the lake banks pertaining to the littorals and alga treatments to help the ponds and irrigation systems. Two additional services are being provided, pertaining to pipe removal and the one-time planting of required littorals.

Ms. Cerbone stated that, now that water levels are low, a resident asked which entity is responsible for removing dead vegetation between the grass and littoral shelf. Mr. Cole suggested obtaining a recommendation from SOLitude and noted his other CDDs engage a firm to harvest dead plants floating in the lake. Ms. Cerbone suggested to Mr. Sparrazza to obtain SOLitude's feedback on how to address the shoreline and determine who is responsible. Mr. Sparrazza offered to discuss this with Mr. Kurth, since determining responsibility was not addressed at the joint meeting. Ms. Cerbone suggested having someone from the HOA take notes during joint meetings with the HOA/CDD and vendor to distribute to the CDD.

Ms. Cerbone asked how the Board wants to receive the agenda. The Board asked for the electronic version to be emailed on the Friday before and 48 hours prior to the meeting.

Ms. Cerbone stated that SOLitude’s two additional services, pertaining to the pipe removal and the one-time planting of required littoral plants, would be on the next agenda.

FIFTH ORDER OF BUSINESS

Discussion/Consideration: Lake Project Areas of Responsibility

Mr. Cole distributed and presented a key map and others depicting all the lakes, drainage easements, littoral shelves and the entity responsible for maintenance; it was the same version as the one distributed at a prior meeting. Mr. Cole was asked to add the weirs to the map and include the map in the agenda package for each meeting.

SIXTH ORDER OF BUSINESS

Consideration of Napier Sprinkler, Inc., Lake Erosion Proposal

Mr. Cole presented the Napier Sprinkler, Inc. (Napier) proposals to repair the six lakes referenced in the South Florida Water Management District (SFWMD) non-compliance letter. They included the costs to extend the seven yard drain pipes below the water line to prevent future erosion. He asked the SFWMD for an extension through the end of June 2022.

Discussion ensued regarding the repairs needed at Lake #24 that the SFWMD did not identify, using fund reserves and the CDD’s recourse to recover repair costs from homeowners.

Mr. Cole recommended having Napier inspect the remaining lakes before June to determine the yard drain repair costs and possibly pursuing the lot owners, Developer and/or Builder for the costs. It was suggested that the CDD and HOA provide standards to the Design Review Committee (DRC) regarding installing yard drains for the DRC to incorporate when encroachment requests are received.

Discussion ensued regarding the County not requiring drainage regulations and issuing the Certificate of Occupancy.

Ms. Cerbone reviewed budget line items and discussed the possibility of including Napier’s costs for the remaining yards on the proposed Fiscal Year 2023 budget. Mr. Cole asked for approval of up to \$35,000, which will include additional costs for Napier to work on the catch basins, which were omitted from the invoice but were in the non-compliance letter.

Board Members voiced their opinions about whether the CDD or homeowners should pay the drainage repair costs and notifying the seven homeowners of the Board’s decision to make the repairs. Ms. Cerbone will prepare a courtesy letter for Mr. Sparrazza to send.

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, Napier Sprinkler, Inc. Proposal #e894 for lake erosion repairs, in the amount of \$26,012.45, plus the potential cleaning of two catch basins and additional miscellaneous work related to the proposal, in a not-to-exceed amount of \$35,000, and authorizing the Chair or Vice Chair to execute, was approved.

An affected resident asked how her property was identified. Mr. Marquardt believed it was from of a homeowner’s complaint about the dock side that may have resulted in extending their review of the area.

SEVENTH ORDER OF BUSINESS

Presentation of Audited Financial Statements for the Fiscal Year Ended September 30, 2021, Prepared by Carr, Riggs & Ingram, LLC

Ms. Cerbone stated that the Audited Financial Report for Fiscal Year Ended September 30, 2021 specified that there were no findings, irregularities or instances of noncompliance; it was a clean audit. Ms. Cerbone and Mr. Cole responded to questions and clarified that the current approximate \$639,000 liability debt reduces as principal and interest payments are made. The Napier erosion repair project would be designated to the repair and maintenance line item. The Stormwater Needs Analysis Report would be a capitalized project line item.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-05, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2021

Ms. Cerbone presented Resolution 2022-05.

On MOTION by Ms. Godfrey and seconded by Ms. Hill, with all in favor, Resolution 2022-05, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2021, was adopted.

**NAPLES RESERVE CDD
NINTH ORDER OF BUSINESS**

March 3, 2022

Ratification of Boat Dock Encroachment Agreements

- A. 14203 Galley Ct.**
- B. 14400 Neptune Ave.**
- C. 14230 Charthouse Ct.**

Ms. Cerbone explained the process for addressing encroachments; once agreements are recorded, they would be presented for ratification at the following meeting. Mr. Marquardt asked if resident Jorge Mendez's issue was closed. Ms. Cerbone replied affirmatively.

On MOTION by Ms. Godfrey and seconded by Ms. Harmon, with all in favor, the Boat Dock Encroachment Agreements for 14203 Galley Ct., 14400 Neptune Ave. and 14230 Charthouse Ct., were ratified.

TENTH ORDER OF BUSINESS

Ratification of Generator Encroachment Agreement

- 14587 Regatta Lane**

On MOTION by Mr. Marquardt and seconded by Ms. Hill, with all in favor, the Generator Encroachment Agreement for 14587 Regatta Lane, was ratified.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2022

Ms. Cerbone presented the Unaudited Financial Statements as of January 31, 2022. A Board Member asked if there is any concern that the "Legal" and "Legal advertising" costs might exceed budget. Ms. Cerbone replied no for "Legal advertising" unless there are changes to the meeting schedule. As to "Legal", there is a 45-day lapse in submitting invoices. She was optimistic that the majority of the services were provided earlier in the fiscal year and expected future services to entail preparing and recording Encroachment Agreements.

On MOTION by Mr. Marquardt and seconded by Mr. Inez, with all in favor, the Unaudited Financial Statements as of January 31, 2022, were accepted.

Ms. Cerbone presented the February 3, 2022 Regular Meeting Minutes. Mr. Cole would provide his minor changes on Pages 2 and 3 to Ms. Cerbone after the meeting.

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, the February 3, 2022 Regular Meeting Minutes, as amended to incorporate Mr. Cole's edits submitted to Ms. Cerbone after the meeting, were approved.

THIRTEENTH ORDER OF BUSINESS

Other Business

There was no other business.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

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

• Lake and Lake Bank Maintenance Letter to Residents

Mr. Urbanic presented the draft letters, which included edits from the Board. He asked if the letters should come from the Chair or the District Manager. Staff was asked to insert the Chair's electronic signature and include every Board Member's name on the letter.

Regarding the lake and lake bank maintenance letters, the following would occur:

- Ms. Cerbone to include the Board Members' names on the letter.
- Ms. Cerbone to ask the Property Manager and HOA Manager to e-blast the final version of the Americans with Disabilities Act (ADA) compliant letter and post it on the HOA website.
- Ms. Cerbone to proceed with posting the letter on the CDD website despite typically only posting statutorily required items on the CDD website.

The POA plan to install a bulletin board in the Activities Room and the CDD/HOA plan to create a mutual newsletter to residents with updates on HOA and CDD matters, were noted.

On MOTION by Mr. Marquardt and seconded by Mr. Inez, with all in favor, approving the Lake and Lake Bank Maintenance Letter to Residents and asking the HOA to post it on the website, was approved.

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

Mr. Cole stated that summarizing the number of miles of pipes in the CDD was completed. A portion of the 20-Year Stormwater Needs Analysis Report is still underway. He expected to finalize the Report in time to submit it by the June 30, 2022.

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

In response to a request, Ms. Cerbone stated she would email the Napier proposals and Mr. Cole’s spreadsheet identifying the projects to the Board upon receipt.

- **NEXT MEETING DATE: April 7, 2022 at 10:30 AM**
 - **QUORUM CHECK**

The next meeting will be April 7, 2022, unless cancelled. The proposed Fiscal Year 2023 budget would be presented at the June meeting.

FIFTEENTH ORDER OF BUSINESS

Public Comments

Resident Linda Houde asked for another Facebook page to be created to post CDD/HOA courtesy information, in addition to the existing one, as certain homeowners are permanently blocked from the original group. She asked if there are building standards the CDD can use to hold iStar accountable, instead of homeowners having to pay for the repairs so the pipes drain into the lake. Mr. Cole was not aware of a building code requiring the homeowner or builder to install a downspout into the lake.

Resident and HOA President Randy Sparrazza asked to work with Mr. Marquardt to prepare a statement involving the Compliance Committee related to preparing rules and regulations prohibiting disposal of hazardous waste down the storm drains and catch basins into the lakes and fining those who violate the rules.

SIXTEENTH ORDER OF BUSINESS


Supervisors’ Requests

There were no Supervisors’ requests.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Godfrey and seconded by Ms. Hill, with all in favor, the meeting adjourned at 11:49 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair