

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

The Board of Supervisors of the Naples Reserve Community Development District held a Regular Meeting on June 13, 2024 at 10:00 a.m., at the Island Club at Naples Reserve, 14885 Naples Reserve Circle, Naples, Florida 34114.

Present were:

Deborah Godfrey
Anna Harmon
Lisa Wild

Vice Chair
Assistant Secretary
Assistant Secretary

Also present:

Jamie Sanchez
Shane Willis
Meagan Magaldi
Terry Cole (via telephone)
Andy Nott
Mark Sandler
Heidi Welsh
Heidi McIntyre
Chris Doyle

District Manager
Operations Manager
District Counsel
District Engineer
Superior Waterways
Resident
Resident & Naples Reserve HOA President
Resident
Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:01 a.m.

Supervisors Godfrey, Harmon and Wild were present. Supervisors Marquardt and Inez were absent.

SECOND ORDER OF BUSINESS

Public Comments

Resident Mark Sandler stated that he and three of his neighbors shared the cost to install 69' of rip rap along Lake 24 to address erosion issues, after the Board advised that there were no funds in the Fiscal Year 2024 budget for the project. He recalled that the Board stated

it might consider this project in Fiscal Year 2025. Now that the Fiscal Year 2025 budget season is about to start, he asked if the Board will consider reimbursing all four residents.

Discussion ensued regarding the discussions in September, protocol for CDDs reimbursing residents/property owners, current remediation projects, the budget, advising residents/homeowners that it is the CDD Board’s responsibility to approve projects that are not in compliance with the permit, rather than approving projects just for aesthetic reasons.

The Board consensus is to defer a decision until the proposed Fiscal Year 2025 budget is presented.

THIRD ORDER OF BUSINESS

Chair’s Opening Remarks

This item was deferred.

FOURTH ORDER OF BUSINESS

Presentation of Annual Quality Assurance Audit: Lake Maintenance

Mr. Willis presented the first Annual Quality Assurance Lake Maintenance Audit that District Management produced for the CDD. Its purpose is to provide a historical document of CDD-owned lakes, along with evaluation sheets, photographs and a map for each lake. He reported the following:

- Lake Bank Remediation (LBR) related to the entire shoreline of the lake or whatever area is non-compliant; whereas, a Lake Bank Easement (LBE) is typically comprised of the area behind residences.
- If the four lakes identified as LBR projects in Fiscal Year 2025 are approved, it will likely deplete the proposed Fiscal Year 2025 budget amount.

Mr. Willis will provide proposals defining each project scope and updated Geographic Information System (GIS) maps at the next meeting.

Regarding access issues, Mr. Willis stated that most of this is either due to the Developer planting trees or homeowners adding vegetation or fences. Mr. Nott stated that most of the lakes have multiple access points but some lakes have not been accessed due to low water levels. Mr. Willis was asked to add the access areas for each lake to the Report.

Mr. Willis explained the differences between being out of compliance with the service contract versus being out of compliance with the permit and imposing fines. He stated that the lakes are for stormwater collection, not for pleasure or for an aesthetic purpose; however, part of the CDD's responsibility is to make them as aesthetically pleasing as possible.

➤ Per Management's recommendation, this fall, Mr. Nott will be looking into installing littoral shelf plants next year for lake bank stabilization and to help minimize lake bank erosion. Spike rush is the most effective plant to use as it spreads easily and filters water most effectively; it will be planted with other aquatics to make it aesthetically pleasing.

Mr. Willis requested permission to speak with Mr. Cole and Ms. Sanchez to implement a restoration plan for the four lakes identified as LBR projects in Fiscal Year 2025, to commence during the dry season from November 2024 to March 2025. The Board agreed to Mr. Willis obtaining proposals. It was noted that costs might increase 5% to 6% since the project will commence early next year.

Asked about residents observing crews not spraying certain areas, Mr. Nott discussed the criteria for spot spraying versus spraying an entire area. Mr. Willis stated that Ms. Sanchez responded to a recent concern about the product and clarified the contractor does not use Roundup®; rather, it is a derivative herbicide that is approved by the Environmental Protection Agency (EPA), The Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD). Mr. Nott discussed the treatment protocol and using Roundup® custom, which is a very specific blend for aquatics that is also approved by the various governing entities.

This item will remain on the agenda.

- **Discussion: Lake Bank Easement**

Ms. Sanchez read Ms. Julie Concannon's email into the record, as follows:

THE FOLLOWING SECTION WAS TRANSCRIBED VERBATIM

"Hi Jamie,

Good morning! I hope you had a good week so far. To combat some of our gate access issues, we recently had fence extensions to the front gate installed that go all the way down to the lakes on both sides. I sincerely apologize as it was a complete oversight on our part not

requesting an easement in advance, but we are wondering what we can do at this point to get an easement from the CDD for these fences?

I appreciate your time, help, and advice. Thank you and have a great weekend!

Best regards, Julie Concannon”

SUMMARY TRANSCRIPTION RESUMED

Ms. Sanchez stated that District Counsel suggested the CDD review the plat to ensure that no property rights already exist, confirm that the encroachment of fence improvements do not interfere with the CDD’s ability to access and maintain the stormwater system and have the HOA pay for the cost of a survey. District Counsel concurred with Ms. Sanchez’s summary of the suggestion.

Discussion ensued regarding whether the CDD should obtain the survey and bill the HOA, the option for the CDD having to remove the fence or to execute an Easement Agreement. It was noted that the HOA Security vendor encouraged installing fencing to deter access.

Ms. Godfrey will follow-up with the HOA and advise Ms. Sanchez regarding who will initiate the survey. This item will remain on the agenda.

FIFTH ORDER OF BUSINESS

Continued Discussion: Removal of Grasses

Ms. Sanchez recalled that Mr. Marquardt asked for an agenda item about the entry road being a dry retention area (DRA). This item was deferred until Mr. Marquardt is present.

SIXTH ORDER OF BUSINESS

Continued Discussion: Spike Rush

Due to Mr. Willis’ earlier comment about the effectiveness of spike rush, the Board agreed with his recommendation to maintain spike rush no larger than 10’ to 15’, which is the typical rule in other CDDs. Residents must attend a CDD meeting to request any change.

This item will remain on the agenda.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-02,
Approving a Proposed Budget for Fiscal**

Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Ms. Sanchez reviewed the proposed Fiscal Year 2025 budget, highlighting line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes. She recalled the Board’s direction at the last meeting to increase assessments; Page 9 shows the Projected Fiscal Year 2025 Operations and Maintenance (O&M) Assessments increasing \$100.69 per unit.

Ms. Godfrey stated that she reviewed the proposed Fiscal Year 2025 budget in detail and she did not see any categories where the budget can be reduced, while still maintaining the integrity of each budget line item. Ms. Sanchez agreed and voice her opinion that the amounts being budgeted are fair and consistent with what has been budgeted in the past. The two absent Board Members did not send any comments or changes.

On MOTION by Ms. Godfrey and seconded by Ms. Harmon, with all in favor, Resolution 2024-02, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law on September 12, 2025 at 10:00 a.m., at the Island Club at Naples Reserve, 14885 Naples Reserve Circle, Naples, Florida 34114; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

On MOTION by Ms. Godfrey and seconded by Ms. Wild, with all in favor, Resolution 2024-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

**Ratification of Encroachment Agreement
for 14159 Nautica Court**

Discussion ensued regarding clarifying language in future Encroachment Agreements due to the confusion about whether the Agreement was for a fence or a concrete pad extending the lanai. Mr. Cole confirmed and noted on the Exhibit that the Easement is for concrete/air conditioning pads.

On MOTION by Ms. Wild and seconded by Ms. Harmon, with all in favor, the Encroachment Agreement for 14159 Nautica Court, was ratified.

TENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of April 30, 2024**

Ms. Sanchez presented the Unaudited Financial Statements as of April 30, 2024.

Staff discussed the recently approved drainage slope repair projects that will not show up on the statements until work commences, which is expected to run from July 1 to July 14, 2024, weather permitting.

It was noted that Ms. Sanchez is working with the Chair to determine the process for informing effected residents of projects. M.R.I. Construction Inc., completed the project to clean and replace the rip rap at the drainage structure on Stern Way and, upon inspection, Staff determined that the internal drains looked good.

On MOTION by Ms. Harmon and seconded by Ms. Wild, with all in favor, the Unaudited Financial Statements as of April 30, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS

**Approval of May 9, 2024 Regular Meeting
Minutes**

The following changes were made:

Line 45: Change “approximate” to “proximate”

Line 143: Insert “line item” after “agenda”

On MOTION by Ms. Godfrey and seconded by Ms. Harmon, with all in favor, the May 9, 2024 Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Other Business

Ms. Sanchez distributed and presented Mr. Marquardt’s email and backup documentation about the severe, ongoing lake bank erosion issues at a home. Mr. Marquardt’s suggestion is to add this property to the list of shoreline repairs, at the next meeting. She will forward the email to the Board and place this item on the next agenda.

Ms. Harmon discussed an incident of unruly children fishing outside of the designated areas and being defiant when asked to move to the designated areas. She thinks the Board should discuss whether “No Fishing Beyond This Point” signage is needed. She noted the problem of non-residents accessing the CDD and vandalizing property. Ms. Godfrey advised Ms. Harmon to speak to the HOA about these matter; she thinks this warrants the CDD, in conjunction with the HOA, prepare a joint communication.

Mr. Willis stated that, aside from stormwater management, CDDs typically leave it to the HOA to enforce and manage anything related to fishing or accessing the lakes.

Ms. Harmon stated another issue to discuss with the HOA is residents leaving furniture on the dock and it going into the lake during a storm.

Ms. Godfrey suggested inviting the Design Review Committee (DRC) to the next meeting, as the DRC asked her for direction about the proposed downspouts and gutter standards. Mr. Willis stated that, if the Board decides to continue spot repairs, it will affect the CDD budget and the CDD should require the homeowner to correct the cause of the runoff.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

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

- **Draft Stormwater Management Rules and Policies**

This item was included for informational purposes and will remain on the agenda.

B. District Engineer: Bowman Consulting Group LTD

Mr. Cole stated that Mr. Willis did a nice job on the Annual Quality Assurance Lake Audit Report. He will coordinate with Mr. Willis regarding which specific areas need to be repaired in Fiscal Year 2025 and obtain proposals.

C. Operations Manager: Wrathell, Hunt and Associates, LLC

- **Monthly Report**

The Annual Quality Assurance Lake Audit Report was the monthly report.

D. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: August 8, 2024 at 10:00 AM**

- **QUORUM CHECK**

FOURTEENTH ORDER OF BUSINESS**Public Comments**

Mr. Sandler stated his understanding that the lakes are public but the access to them is private and, per the HOA regulations, fishing is allowed only in Lake 24 and nowhere else, not even behind the resident's own house. Referring to Mr. Willis' comment about the CDD's responsibility to make things as aesthetically pleasing as possible, he thinks the work done behind the four residences fall under the category of spot repairs. Regarding his earlier statement, Mr. Willis clarified that the CDD's stormwater system work is focused on stormwater management and, in the process of that stormwater management, the CDD will try to make things as aesthetically pleasing as possible; however, the work that the four homeowners had done behind their homes was requested by the homeowner but it was not deemed a stormwater-related repair, at that time.

Ms. Godrey voiced her opposition to reimbursing those homeowners because the areas that were fixed were not broken and were not a budgeted CDD expense. She thinks there are a lot of other items that need to be repaired. The Board consensus was to defer a decision about reimbursement until after reviewing the meeting minutes. Ms. Sanchez will provide emails about this matter, as well. This will be a discussion item on the next agenda.

Resident Chris Doyle, one of the four homeowners, stated the work that was done on either side of his home was done so well that his lot became a funnel for the water to go during

the last hurricane, due to the lack of dirt, sod and rip rap. Since the homeowners paid for the improvements, that is no longer happening and it looks better. Regarding the vandalism reported earlier, he believes the same children damaged the pickleball courts, which is why a fence was installed at match point to discourage access and further damage to the property.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Wild and seconded by Ms. Godfrey, with all in favor, the meeting adjourned at 11:38 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair