

**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 2, 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
Anna Harmon	Assistant Secretary
Charlene Hill	Assistant Secretary

Also present, were:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Shane Willis	Operations Manager
Greg Urbancic	District Counsel
Terry Cole	District Engineer
Jerry Whitlock	Resident
Heidi McIntyre	Resident
Jose Fernandez	Resident
Al Duffy	Resident
Lisa Wild	Resident
Tom & Judy Dippert	Residents

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:31 a.m. Supervisors Marquardt, Godfrey, Hill and Harmon were present in person. Supervisor Inez were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Chairman's Opening Remarks

Mr. Marquardt reported the following:

- Napier Sprinkler (Napier) has been doing shoreline repairs from a priority list, in response to a South Florida Water Management District (SFWMD) inspection.
- Mr. Bruno, from Dockside, thought the work was not up to standard.
- Mr. Marquardt inspected the area and noticed that Napier extended a pipe directly from downspouts and out of an easement area, which is CDD property, and onto a homeowners' property. The homeowner was not there when this occurred.
- The issue was addressed and resolved.

Asked to explain what happened with Napier, Mr. Cole stated that pipes were fitted to downspouts at several homes and those areas were sodded, as necessary; Staff will continue monitoring them. He recommended withholding a 10% retainage from Napier for the next 30 days.

Discussion ensued regarding rainfall, Napier, the extended downspouts and the SFWMD noncompliance items. Mr. Marquardt stated the CDD has an obligation to alert homeowners of the downspouts and inform them of their options. Mr. Cole was asked to supply Napier with the addresses of the homes that were fitted to downspouts so that Napier can remedy the situation.

- Mr. Marquardt will meet with the Landscaping Committee next week to discuss the littorals.
- Lyn Livingston emailed to express concern about there being no littoral plants in Lake 12 and to ask why Lake 12 is being ignored when the CDD budgeted \$75,000 for lake maintenance and \$60,000 for littoral plants.

Discussion ensued regarding the request for the CDD to install littorals, the County, the littoral planting schedule and the expense involved.

Asked if the CDD's littoral plan is a permit plan or an agreement, Mr. Cole stated it is a permitted plan; the littoral areas are not on the lake exhibit that was previously distributed. Asked if the CDD is obligated to only have plants in the designated areas, according to the permit, Mr. Cole replied affirmatively and stated that littoral shelves are typically constructed in the shallower slope. The defined areas are conducive to littoral plants because they have a shallower slope.

Mr. Marquardt stated that the Board’s consensus is that the request for additional littorals is denied, for now, and would be reconsidered only if there are additional requests. Mr. Marquardt would inform the resident.

FOURTH ORDER OF BUSINESS

Introduction of Shane Willis, Operations Manager (Wrathell, Hunt and Associates, LLC)

Ms. Cerbone stated an oversight agreement is currently in place with the HOA regarding operations and maintenance of CDD improvements. At the previous meeting, the Board and Staff discussed having a WHA team member provide operational oversight in Fiscal Year 2023, at an annual rate of \$5,000. In conferring with the Chair and Mr. Willis, it was suggested that Mr. Willis commence servicing the District on July 1, 2023, if the other Board Members are amenable. If there is a consensus, it will be necessary to amend the WHA Management Services Agreement and prorate the \$5,000 annual fee for the remainder of Fiscal Year 2022. This line item has been included in the proposed Fiscal Year 2023 budget.

Mr. Willis thanked the Board, gave a brief summary of his professional background and described his duties as the Operations Manager, including examining the littorals, reviewing the lake bank restoration projects, working with vendors and holding them to their contracts and ensuring quality control.

Mr. Willis responded to questions regarding how often he will be on site, resident interaction, coordinating with HOA representatives, communicating with the Board and monthly reports.

Ms. Cerbone stated Mr. Willis recently toured the community, took notice of the lakes and, subject to the Board’s approval, Mr. Willis will be added to the permanent entry list. Mr. Willis will be on site twice per month and attend most meetings in person.

On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, amending the WHA Management Services Agreement to add Field Operations Management/Oversight, effective July 1, 2022, in the amount of \$5,000 annually, authorizing the Chair to execute the Amendment between meetings and presenting it for ratification at the next meeting, was approved.

FIFTH ORDER OF BUSINESS**Service Provider Reports****A. Cardno**

Ms. Cerbone stated that Cardno continues to send a Water Usage and Water Quality Report on a quarterly basis and are communicating with the HOA. as well.

Mr. Marquardt asked about the purpose the visible markings on the PVC pipes in some of the lakes. Mr. Willis stated it is very common. Oftentimes, they are elevation marks that the contractors left on the pipes during the excavation process. Typically, the vendor would cut them below the water surface so they are not visible.

Discussion ensued regarding the markings. Mr. Marquardt asked for them to be removed. Ms. Sanchez stated Mr. Kurth forwarded an email on May 5, 2023 communicating that SOLitude already removed 20 of the 21 pipes and will return to remove the last one.

B. SOLitude Lake Management, LLC

Ms. Cerbone stated Staff received the SOLitude report yesterday. SOLitude sprayed and will be removing the one last pipe and will install the littorals by the end of the month, to coincide with the beginning of the rainy season.

C. Napier Sprinkler, Inc.

Ms. Cerbone recalled that the Chair gave a brief update during his opening comments and Napier confirmed, via a written notice, that everything is complete except for re-sodding the staging area, which is anticipated to be completed by the end of the week or next week.

Ms. Cerbone stated that Mr. Willis would receive copies of all vendor contracts, a list of current completed projects and an \$83,000 proposal that was approved at the last meeting. In response to a question, Ms. Cerbone stated Mr. Willis will review and approve invoices before they are paid. Accounting will be notified of the District Engineer's recommendation to withhold 10% of Napier's payment, when submitted, until Mr. Willis confirms that everything has been settled. Mr. Willis will be included on the email and documentation chain.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Approving a Proposed Budget for FY2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing

Severability; and Providing an Effective Date

Ms. Cerbone presented Resolution 2022-07. She reviewed the proposed Fiscal Year 2023 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2022 budget, and explained the reasons for any changes.

Conversation ensued about SOLitude, Napier, lowering assessments, notices to homeowners, unassigned fund balance, reserve funds, \$75,000 "Other repairs and maintenance" line item and how to set aside funds for lake bank remediation.

Ms. Cerbone recapped the following:

- She will modify the lake bank remediation number and fund reserve by an additional \$100,000. In turn, assessments will be equal to the current assessment level.
- As soon as the budget is updated, it will be emailed to Board Members.

On MOTION by Ms. Hill and seconded by Ms. Harmon, with all in favor, Resolution 2022-07, Approving a Proposed Budget for FY2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 4, 2022 at 10:30 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.

SEVENTH ORDER OF BUSINESS

Consideration of Stormwater Management Needs Analysis Report

Mr. Cole stated the Stormwater Management Needs Analysis Report is close to completion and would be submitted to the County within two weeks. He reviewed the Routine Operation and Maintenance Expenditures in Part 5.1 of the Report.

On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, the Stormwater Management Needs Analysis Report and authorizing the District Engineer to file the report with the County, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2022

Ms. Cerbone presented the Unaudited Financial Statements as of April 30, 2022.

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, the Unaudited Financial Statements as of April 30, 2022, were accepted.

NINTH ORDER OF BUSINESS

Approval of May 5, 2022 Regular Meeting Minutes

Ms. Cerbone presented the May 5, 2022 Regular Meeting Minutes.

On MOTION by Ms. Godfrey and seconded by Mr. Marquardt, with all in favor, the May 5, 2022 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Other Business

Ms. Godfrey gave the following update:

- She met with the DRC and discussed ways to ensure that projects that current underway are addressed with regard to erosion.
- There is significant erosion and improper drainage at her neighbor’s home, whose pool has been under construction for over a year.
- The permit is still open and should remain open until the erosion repairs are made.
- The County was notified but has not committed to anything.

Asked if the permit would be under HOA oversight, Ms. Godfrey stated nothing has been formalized and the Committee agreed that these issues need to be addressed.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Urbancic stated, regarding the candidate qualifying period for the November 2022 General Election, the Chair and another Board Member already qualified for their seats.

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

- **Drainage Easements and Lake Conveyance Maps**

Mr. Cole stated a homeowner installed plants in an area that Napier was working on, which prevented Napier from completing the work and restoring the lake bank area. Ian will contact Diane, at the HOA, to coordinate.

Mr. Willis asked Mr. Cole to forward the email so he can follow up with the homeowner.

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

Ms. Cerbone asked if the agreement with HOA for oversight should be terminated at the next meeting. Mr. Urbancic replied affirmatively, as a cleanup matter.

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

The next meeting would be held on July 7, 2022, unless cancelled.

TWELFTH ORDER OF BUSINESS

Public Comments

Ms. Judy Dippert stated that she is with Lake Watch and questioned the need for Lake Watch when the CDD already utilizes the services of an Engineer and Operations Manager, along with Cardno, Napier and SOLitude. She voiced her opinion that it might be redundant.

Ms. Cerbone stated, in order to maintain water quality and lake management in general, the CDD enters into contracts with licensed, certified professionals that provide Certificates of Insurance naming the CDD as additional-insured. Staff ensures that the vendors can be held accountable legally and professionally. Since vendors are discouraged from interacting with residents, Mr. Willis will hold the vendors accountable and serve as an intermediary with the residents and vendors.

The need for a District Engineer, health of the lakes and water quality, were discussed.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Marquardt and seconded by Ms. Hill, with all in favor, the meeting adjourned at 11:54 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair