

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

The Board of Supervisors of the Naples Reserve Community Development District held Public Hearings and a Regular Meeting on September 7, 2023 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
Lisa Wild	Assistant Secretary

Also present were:

Jamie Sanchez	District Manager
Shane Willis	Operations Manager
Meagan Magaldi	District Counsel
Terry Cole	District Engineer

Residents in attendance include:

Heidi McIntyre	Rein Lewis	Tandy White	Barbara Paternoster
Betty Peiskorn	Bob White	Mark Sandler	Richard & Patty Hunt
Donna Giolietti	Heidi Welch	Frank DeVito	Sandra & Gary Carinci

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:31 a.m. Supervisors Marquardt, Harmon, Wild and Godfrey were present. Supervisor Inez was not present.

SECOND ORDER OF BUSINESS

Public Comments

Resident Barbara Paternoster asked about the CDD's plan for lake erosion. Mr. Marquardt stated the shorelines were evaluated twice in the past year to identify areas that

need repairs. The Fiscal Year 2023 shoreline repairs exceeded budget and funds will be reallocated for erosion repairs in Fiscal Year 2024. Work would be performed in the dry season, when water levels are low. Regarding whether she should submit photographs of the erosion near her home, Mr. Marquardt stated Management will inspect.

Resident Heidi Welch asked if the drains are vacuumed every year. Mr. Marquardt stated no, the drains were recently inspected and a few clogged areas were flushed. There are no drainage issues at this time. Asked if excess water drains to the retention ponds, Mr. Marquardt stated all water from the streets flow through a filter and into the lake.

A resident asked how much it cost the CDD to remove silt screens and if the CDD will be reimbursed for it. Mr. Marquardt stated no, Stock Development will not regrade and the litigation costs would be higher than the cost to complete the work.

On MOTION by Ms. Wild and seconded by Ms. Harmon, with all in favor, authorizing District Counsel to send a letter to Stock Development requesting reimbursement for payment for removal of silt screens, was approved.

Resident Rein Lewis voiced concern about garbage, including a dumpster that he thinks looks atrocious, which he thinks lowers property values, and reported seeing buckets full of sewage, flies and trash in the yard of an adjacent property that he documented. Mr. Marquardt stated that the garden that the dumpster is being used for is an HOA project and the CDD has no jurisdiction over the garden. Mr. Lewis can email the other photographs and Staff will have the property inspected.

Resident Sandra Carinci asked if the CDD is pursuing a refund from the landscaper that she thinks did a terrible job maintaining the lake banks. Mr. Marquardt stated that the SOLitude contract was terminated and a new vendor was engaged.

Discussion ensued regarding the original SOLitude contract, whether funds can be recouped from SOLitude and how long it will take Superior Waterways to bring the lakes back into compliance.

Resident Bob White asked if all the lake maintenance costs are shared by everyone, even those that do not have a view of the lake. Mr. Marquardt replied affirmatively. Mr. Willis

sated the CDD was established with a stormwater system and the primary function of the lake is to be a stormwater system, as established through the State with the land development order (LDO). The CDD was given a set of parameters required to keep the system in compliance and one of those is controlling the weeds and the lake banks.

A resident questioned why, if responsibility for erosion repairs for homes along the lake falls on residents, that was not considered when the homes were built. Mr. Marquardt explained that the Developer created the way the CDD was set up, which was for the builder to be responsible for some of the erosion, as well. In many communities, the builder installs extensions or drains directly to the lake, which is what should have happened but, since it did not, they are being retrofitted. Mr. Willis explained the two types of erosion; wear and tear, which erodes the lake bank around the home, and finger erosion, which is runoff erosion that occurs during downpours when rain comes down the downspouts causing erosion on residents' property; the CDD cannot make repairs on private property, it can only repair CDD property.

In response to Ms. Welch's question about possibly using a weed-wacker to clear shoreline weeds and spraying them, as opposed to a 4' to 5' high plants, Mr. Willis stated, while he respected her landscaping background, the landscaping rules are different than for aquatics; the CDD uses a State-approved process for treating the lakes.

THIRD ORDER OF BUSINESS**Chair's Opening Remarks**

Mr. Marquardt stated a property owner, Mark Sandler, who lives on the big lake, asked the CDD to install riprap close to his house because there is a gap between the riprap and the dock; there wasn't any erosion there. It was determined that the CDD would not do so since it was already 30% over budget on those repairs. Mr. Sandler offered to proceed with the project, at his expense, sharing with three other neighbors; the work is underway. Mr. Marquardt stated he is bringing this up because it is the first time that the CDD has allowed a homeowner to install riprap. He explained the payment process. It is important to address this in the rules that will be established and this is an opportunity to communicate what homeowners can do on their own property. A homeowner recently asked him if the CDD can have a more proactive role in planting certain grasses along the shoreline and she asked for approval to plant littorals on

her property. He feels that this should be approved to see if it is beneficial and, if so, the CDD could start budgeting for more projects like this. The resident will come before the Board soon to make a formal presentation.

FOURTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2023/2024 Budget

- A. Affidavit of Publication**
- B. Consideration of Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Sanchez presented Resolution 2023-06. She reviewed the proposed Fiscal Year 2024 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

Ms. Wild asked about the GIS system. Mr. Willis explained that GIS is the digital CDD map system with different layers; it can serve as a historical document with a map and it can identify where and when repairs took place. It is a great management tool. He will send Ms. Wild an example of a GIS system from another community.

On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September

30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Ms. Sanchez presented Resolution 2023-07, which coincides with the budget and allows the assessment roll to be transmitted to the Tax Collector.

On MOTION by Mr. Godfrey and seconded by Ms. Wild, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Ms. Wild and seconded by Ms. Godfrey, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2023

Ms. Sanchez presented the Unaudited Financial Statements as of July 31, 2023.

On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, the Unaudited Financial Statements as of July 31, 2023, were accepted.

SEVENTH ORDER OF BUSINESS

Approval of August 3, 2023 Regular Meeting Minutes

Ms. Sanchez presented the August 3, 2023 Regular Meeting Minutes. The following change was made:

Line 26: Change “Wald” to “Wild”

Mr. Willis reported about a resident who attended a recent meeting and felt that the minutes did not reflect what she recalled occurring. He stated, for the record, that the minutes are summarized and not an exact duplicate of the recording. Residents can contact Management and request the meeting audio.

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, the August 3, 2023 Regular Meeting Minutes, as amended, were approved.

EIGHTH ORDER OF BUSINESS

Other Business

Ms. Wild stated she wants to discuss a DRC collaboration but will defer it to the drainage discussion.

NINTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Coleman, Yovanovich & Koester, P.A.**
 - I. Draft Stormwater Management Rules and Policies**

Ms. Magaldi presented the Stormwater Management Rules and Policies for another CDD as an example of rulemaking procedures. The CDD can adopt rulemaking policies, which would necessitate a public hearing, open for public comment. Rules would be specifically tailored to the needs of the CDD and address issues related to drainage, riprap installation and ongoing maintenance of the storm drains. The interplay between the DRC, HOA and CDD could be incorporated into the rules, as much or as little as the Board desires. Ms. Magaldi stated if the Board is amenable to adopting Rules, she can draft a tailored version for review.

Mr. Marquardt voiced his support for creating rules and asked if the Board would be amending something that already exists or creating something new. Ms. Magaldi stated it would be something new, created from scratch.

Ms. Wild stated the HOA and DRC approached the CDD for direction; those committees are following the advice of the CDD.

Discussion ensued regarding creating rules and policies about other items such as trees, the Sandler property, littoral plantings, drains, downspouts, swales, catch basins, bubble-ups, having different rules for different lakes, preventing runoff erosion, irrigation rules, DRC rules, riprap maintenance and cost-sharing between homeowners and the CDD.

Ms. Magaldi stated the main questions will be the costs and identifying if homeowners or the CDD is tasked with compliance when installing drains and, when it comes to installation of drain pipes, will it be solely a homeowner choice or a process whereby the CDD identifies problematic areas that are creating finger erosion.

Ms. Magaldi will draft a sample rules policy for the CDD and distribute it to the Board for review in advance of the next meeting.

This item will remain on the agenda.

B. District Engineer: Bowman Consulting Group LTD

Mr. Cole reported the following:

- Staff coordinated with District Counsel and the District Manager to provide proposals for the southeast corner of Lake 24 for a 70' section of riprap that the homeowner will have installed. Ms. Magaldi is drafting an agreement for that project.
- Cleaning of several pipes discussed at the last meeting was completed.

➤ The work on Lake 24 on the northeast corner and partly on the east side is still underway and should be completed by next month.

A Board Member stated one catch basin in the Coral Harbor subdivision done by DR Horton still has felt on it. Mr. Cole confirmed the location for inspection purposes.

Regarding pool runoff from a home that recently had a pool installed, Mr. Cole stated the lot owner who built the pool needs to have the pool material that was placed in the swale removed. Ms. Magaldi will draft and send a letter to the homeowner.

Mr. Marquardt asked Mr. Willis to inspect a separate property with an erosion issue.

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

I. District Newsletter Options

II. Monthly Report

Mr. Willis reported the following:

➤ He received and addressed a few resident complaints about silt filters, flooding and contractors using the easement.

➤ He presented two examples of how other CDDs communicate with their residents.

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

- **NEXT MEETING DATE: October 5, 2023 at 10:30 AM**

- **QUORUM CHECK**

TENTH ORDER OF BUSINESS

Public Comments

Resident Betty Peiskorn asked if every downspout must have a drain going out from the home. Mr. Marquardt stated only if that particular property has an issue that caused erosion and it is clear that it came from that source. If so, the CDD will ask the homeowner to make the repairs. Asked if the builders in Parrot Cay can be asked to install drains, Mr. Willis stated the CDD cannot intervene, it is up to the homeowner and the builder.

Resident Mark Sandler commented on the costs of the drain boxes and stated that he recently had very positive interactions with Ms. Sanchez and Mr. Ferguson.

In response to a question about gutter extenders, Mr. Willis stated those devices are not helpful and simply shift the runoff to other areas. The only real solution is to install an underground pipe to direct the runoff to the lake.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Godfrey and seconded by Ms. Wild, with all in favor, the meeting adjourned at 12:09 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair