

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

The Board of Supervisors of the Naples Reserve Community Development District held a Public Hearing and Regular Meeting on September 12, 2024 at 10:00 a.m., at the Island Club at Naples Reserve, 14885 Naples Reserve Circle, Naples, Florida 34114.

Present were:

Thomas Marquardt	Chair
Deborah Lee Godfrey	Vice Chair
Anna Harmon	Assistant Secretary
Lisa Wild	Assistant Secretary

Also present:

Jamie Sanchez	District Manager
Shane Willis	Operations Manager
Meagan Magaldi	District Counsel
Terry Cole (via telephone)	District Engineer
Andy Nott	Superior Waterways
Heidi McIntyre	Resident
Heidi Welch	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

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

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

SECOND ORDER OF BUSINESS

Public Comments

Ms. Sanchez reviewed the procedures for Public Comments.

Resident Heidi Welch stated a greenspace project has been discussed for Galley Court between Lots 5 and 6. The area was graded, irrigation was installed and sod was laid. She distributed photographs and voiced her belief that, after Hurricane Debby the west side of her

home flooded because the grade was sloped towards her property instead of the preserve. She contacted Mr. Marcus May, of BrightView, and Mr. Willis and was informed that the grade has not changed and that this is an HOA matter. She stated that this situation is very stressful for her and appealed to the Board for assistance.

Mr. Willis stated Ms. Welch's property abuts a portion of HOA property and a wetland/conservation area is located behind her home. He confirmed that whatever work was performed there is preventing water from flowing into the conservation area and is pushing it back onto Ms. Welch's property and onto her pool deck. Asked for his recommendation, Mr. Willis stated this is technically not a CDD matter. It appears that the elevation was changed. He spoke to BrightView, as a courtesy to the resident, and the technician expressed doubt that the slope was altered. Possible resolutions include re-sloping the area and installing drain boxes.

Discussion ensued regarding the purpose of the Greenway, if there is a CDD easement between the properties, if there is a storm drain in the area, the lake maintenance access easement, the pipe structure in front of the home, Lake 21, the berm and County codes.

Mr. Marquardt stated the CDD is sympathetic to Ms. Welch's dilemma but this is an HOA matter; it does not involve the CDD. He advised her to seek help from the HOA or have BrightView contact USA Grading, the contractor that performed the work.

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

Mr. Marquardt reported the following:

- He received a note from HOA President Heidi Devlin indicating that the HOA is developing its budget and is having issues with the Tiki Bar and other items and has not had a chance to address the fence or the drainage spout.
- Ms. Devlin would like to coordinate with a CDD Board Member regarding the fence. Mr. Marquardt appointed Ms. Wild to serve as a liaison with the HOA.
- The HOA is trying to negotiate with the Developer to resolve the damages and is attempting to recoup some of the costs that were involved.
- He was recently contacted by Mr. Cole regarding photographs. Two or three years ago, the CDD supplied the HOA with photographs of damaged shoreline erosion from Hurricane Ian.

➤ In his opinion, it is in the best interest of the CDD to help the HOA as much as it can. Mr. Cole suggested checking old invoices for addresses to see if they match some of the photographs.

Discussion ensued regarding the lake bank easement, areas with erosion, who took the photographs, a Napier Sprinkler invoice from two or three years ago and a District Engineer's report that contained a summary of problem areas, along with photographs.

Mr. Marquardt stated that he will contact the HOA to retrieve the original report from two or three years ago that the CDD provided, forward it to CDD Staff, walk the property to identify what has been repaired, check the invoices and produce a new report.

FOURTH ORDER OF BUSINESS

Update: Lake Bank Easement

This item was addressed during the Third Order of Business.

FIFTH ORDER OF BUSINESS

Update: Fence at 14880 Edgewater Circle

Ms. Sanchez provided the following update:

- She emailed the Board on August 28, 2024 regarding this.
- She was contacted by the resident; he and his wife are willing to do what must be done to be in compliance. They provided paperwork from 2020 from the Design Review Committee (DRC). Apparently, there was approval.
- The residents believe that they obtained everything required at the time and do not see a need for an Encroachment Agreement. However, they are willing to do whatever is requested of them but first would like the Board to review the document.

Discussion ensued regarding tree removals, the County mistakenly approving a fence project, the neighbor also wanting a fence, why an Encroachment Agreement is being sought for this property and not from other properties that are in violation, the DRC and the benefits of putting an Encroachment Agreement in place in this case.

Mr. Marquardt stated the documents presented do not alter the Board's decision; if the resident installs a pool, the fence must be moved and the Encroachment Agreement is

necessary. He asked about the status of the house next door. Ms. Sanchez stated they already installed a fence and are in compliance. Ms. Sanchez will notify the resident.

This item will be carried over to the next agenda.

▪ **Staff reports - Superior Waterway Services, Inc. Treatment Report July/August 2024**

This item, previously part of Item 11C, was presented out of order

Mr. Nott presented the Treatment Report for July/August 2024 and discussed the work performed in the various lakes, what was targeted, treatment dates and notes. He concluded that the water levels are controlled, there are no major problems and regular services and treatments will continue as needed.

Discussion ensued regarding Lake 21, rain diluting the herbicide, weed overgrowth in areas near the water line that cannot be mowed and the need to renegotiate BrightView's contract.

SIXTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2024/2025 Budget

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-05, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Sanchez presented Resolution 2024-05. She stated the proposed Fiscal Year 2025 budget is unchanged from when it was last presented to the Board.

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

Resident Heidi McIntyre commented that, at a recent HOA meeting, lake bank trimming was discussed and she confirmed that additional workers will be on site on Friday, Saturday and Monday to trim all the lake banks.

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

On MOTION by Ms. Wild and seconded by Ms. Godfrey, with all in favor, Resolution 2024-05, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; 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 2024-06 and read the title.

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, Resolution 2024-06, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; 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.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2024

Ms. Sanchez presented the Unaudited Financial Statements as of July 31, 2024.

Asked if there is an assessment increase for Fiscal Year 2025, Ms. Sanchez referred to the on-roll assessment table on Page 9 of the proposed Fiscal Year 2025 budget and stated there is an increase of \$100.69 for all unit types.

Discussion ensued regarding drainage projects, re-grading the properties, the increase in the Unassigned funds and how those funds are used.

On MOTION by Ms. Godfrey and seconded by Mr. Marquardt, with all in favor, the Unaudited Financial Statements as of July 31, 2024, were accepted.

NINTH ORDER OF BUSINESS

Approval of August 8, 2024 Regular Meeting Minutes

On MOTION by Mr. Marquardt and seconded by Ms. Harmon, with all in favor, the August 8, 2024 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Other Business

There was no other business.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Ms. Magaldi had no report.

Ms. Sanchez reported that she forwarded a draft of the Rules and Procedure to the DRC and the HOA but has yet to receive any feedback.

B. District Engineer: Bowman Consulting Group LTD

Mr. Cole stated, in addition to his previous comments about the HOA items, the work along the lakes in Gallen Court is essentially complete. Staff is checking with the contractor and performing inspections to make sure that everything is cleaned, that the sod is taking well and that any disturbed vegetation was repaired. Staff informed the contractor that a few of the catch basins need to be cleaned out.

Asked if Staff is monitoring the catch basins in Parrot, an area still under construction, Mr. Willis stated no but he will check on it going forward.

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

• Monthly Report

Mr. Willis had no report.

Asked if Staff is prioritizing the lakes for remediation, Mr. Willis stated the lakes will be prioritized once the water levels decrease.

Discussion ensued regarding erosion repairs, sediment, issues with cleaning the riprap and what to do about the downspouts.

• Superior Waterway Services, Inc. Treatment Report July/August 2024

The report was included for informational purposes.

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

• NEXT MEETING DATE: October 10, 2024 at 10:00 AM

○ QUORUM CHECK

TWELFTH ORDER OF BUSINESS

Public Comments

There were no public comments.

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. Wild, with all in favor, the meeting adjourned at 11:07 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair