

**MINUTES OF MEETING
WATERFORD LANDING
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Waterford Landing Community Development District held a Regular Meeting on April 29, 2021 at 2:30 p.m., at the offices of Barraco and Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

Present were:

Charles Cox	Chair
Marci Strang	Vice Chair
John Campo (via telephone)	Assistant Secretary
Joyce Hein	Assistant Secretary
Robert Stillman	Assistant Secretary

Also present, were:

Daniel Rom	District Manager
Dana Crosby-Collier (via telephone)	District Counsel
Carl Barraco	District Engineer
Carl Karakus (via telephone)	Transportation Engineer, City of Fort Myers
Nicole Monahan (via telephone)	City Engineer, City of Fort Myers

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 2:33 p.m. Supervisors Cox, Strang, Hein and Stillman were present. Supervisor Campo was attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Discussion: Alderman's Walk

- **Update: Alderman's Walk Traffic Light**

Mr. Karakus stated a Traffic Study of the corridor identified three locations where a traffic signal might be needed, depending on traffic and when future communities are

developed. A traffic signal was recommended for Alderman's Walk; a consultant would be hired to design the traffic signal. Because the expenditure is not in the City's current capital improvement budget, the City is attempting to locate funds for the design; the City allocated funds to construct the signal in its 2022 Capital Improvement Program, which begins on October 1, 2021. There are plans to extend Challenger Boulevard to align with Alderman's Walk so the signal would probably be designed to accommodate a four-way intersection but the Challenger Boulevard extension would probably not be constructed for a few years due to the need for feasibility studies, design planning and public information. This signal would likely be designed in two phases, with Phase 1 likely accommodating the current conditions and Phase 2 accommodating future conditions.

Mr. Cox recalled that, during Ms. Monahan's presentation, the question of who would pay for the signal was not resolved and Ms. Monahan recommended that Lindsford pay for the signal because, in her view, Alderman's Way is a private road; however, it is not private. Mr. Karakus agreed that it is not a private road and stated he would like Ms. Monahan to address the issue. Mr. Cox asked if the V2 Apartments were factored into the equation.

Ms. Monahan stated she believed there may be a proposed Challenger Boulevard extension at the intersection so there should be some sharing of the cost of the traffic signalization; however, she was not in a position to calculate the fair share for the parties involved.

Mr. Cox asked if other nearby developments that would contribute to traffic at the intersection were taken into consideration, such as The Venetian, Montenegro Square and V2. Ms. Monahan agreed that development contributes to traffic and discussed the difficulty in determining who else should contribute to the cost of the intersection. She stated that V2 is paying for the signal outside its subdivision that will service V2, Province Park, The Venetian and Hodges University. She stated the City's opinion that the signal needed to be constructed when development began, due to the geometry of the intersection; V2 would pay the entire cost and the City would issue impact fee credits and seek reimbursement from Province Park, Hodges University and The Venetian. She stated the City sought to be fair and equitable and that all traffic signals require justification.

Regarding the Montego Square Apartments, Mr. Karakus stated that, in his review, he advised that a signal would be installed and they may be required to pay a proportionate share based on their buildout but Ms. Monahan and the City would make the final determination.

Mr. Cox expressed concern that traffic may come through the east side of Serena Park although the Serena Park plan does not show that. Discussion ensued regarding the Serena Park plat. Mr. Karakus stated there is a possible future connection. Ms. Monahan stated it would be reviewed and, if there is a connection, it must be addressed in the Tax Increment Financing (TIF). Mr. Cox stated there may be a need for an inter-agency agreement between Waterford Landing CDD and the City for maintenance of the portion of Alderman's Walk between the canal and Winkler Avenue because the additional traffic would hasten the need for resurfacing. Ms. Monahan agreed.

Mr. Cox asked if construction of the signal at Alderman's Walk and Winkler Avenue may begin in 2022. Ms. Monahan discussed remaining warrant and public notice processes needed prior to formal adoption by the City Council; she estimated that the design would be completed in Fiscal Year 2022 and construction would likely begin later in 2022.

Mr. Barraco stated expressed his opinion that it is in everyone's best interest for the design phase to proceed as soon as possible. The Board agreed.

Ms. Strang discussed the dangerous conditions at the intersection and asked the Engineers to visit the intersection between the busy hours of 3:00 to 4:00 p.m., to observe the children, buses and parents. Mr. Stillman described the issues when buses stop and block traffic. Discussion ensued regarding the purpose of the traffic study, unwillingness of the Developers to fund a traffic signal, the need to assess property owners for the expense and the projected costs for the traffic signal.

Ms. Monahan estimated a cost of \$500,000 to \$1 million for the signal. Discussion ensued regarding the impact a traffic signal would have on school bus stops, new development increasing the number of local children and future planning for school bus stops.

Mr. Karakus discussed issues with the community's roadway signage and stated that Engineering was asked to address the issue by the Fort Myers Police Department (FMPD), due to enforcement issues related to non-permitted signs. Mr. Cox stated that the HOA contacted Neighborhood 3 regarding the need to remove "20 MPH" and "No Parking" signs and they are

aware that they need to take the signs down. The Master Association, who installed the signs, would remove them; the correct verbiage was needed. Mr. Karakus stated a permit or site plan modification is necessary, for safety reasons. He stated that “Kids at Play” signs are unacceptable and discussed the reasons. Mr. Cox asked Mr. Karakus to send him a letter that he can forward to the appropriate parties. Mr. Karakus stated verbiage would be addressed in conjunction with the permit. He discussed inadequacies with signage at the bicycle crossing and on the bike path at the roundabout.

Ms. Strang felt that the Developer was responsible for signage and should take the necessary corrective steps before the CDD takes over.

Mr. Cox recalled that a study was done and the CDD was in compliance at the time of the Traffic Enforcement Agreement. Mr. Barraco recalled that the CDD worked with the City and FMPD regarding the signage and stated that additional signs were installed, subsequent to the study. He stated it would be necessary to survey existing signage and noted that the majority of the signs are not in the CDD Right-of-Way (ROW) or subject to management by the District. Discussion ensued regarding new signage, signage at the roundabout by the amenity center and signage at the bicycle path crosswalk. Mr. Barraco stated he would work with the City and the HOA to resolve the sign issues. Given that the traffic signal would be on the CDD ROW, the City Designer would submit plans for the traffic signal.

Discussion ensued regarding the need for a traffic signal at Alderman’s Walk, drawbacks of roundabouts, warrants and the Serena Park plat.

▪ **Staff Reports: District Engineer**

This item, previously Item 11B, was presented out of order.

Mr. Barraco discussed the process for formal turnover of the water and sewer utilities to the City; irrigation and stormwater management would remain with the CDD. Mr. Cox stated that 95% of the homes would be sold by June 1.

Mr. Barraco discussed line items pertaining to utilities; the \$4,000 budgeted for “Professional & administrative – Utility warranty” should be a one-time fee; if paid in Fiscal Year 2021, the funds budgeted in the Fiscal Year 2022 budget might be able to be reallocated.

Mr. Cox stated there was an issue with downspouts discharging from common ground owned by the HOA, which was eroding the lake bank owned by the CDD. Discussion ensued

regarding how to fairly assess responsible property owners and the Developer's and Builder's responsibility regarding grading issues.

▪ **Discussion: District Counsel Contacting Residents Regarding Gutters**

This item, previously the Seventh Order of Business, was presented out of order.

Ms. Collier stated the District can send a letter to advise property owners of their responsibility to repair damage to common areas. She discussed the need to identify homes whose gutters are causing damage, substantiate it with photographs and work with the District Engineer or District Manager to remediate the situation. Mr. Cox felt that the first step would be an initial, general communication to advise property owners of the issue and their responsibility, followed with specific letters to individual homeowners. Discussion ensued regarding the need to prevent downspouts from feeding into the lake and causing water quality and erosion issues. Discussion ensued regarding ownership of the lake maintenance easement; Mr. Cox believed the plats would determine ownership of easements. Mr. Barraco stated he could provide several options for erosion remedies, including littoral plantings. Discussion ensued regarding potential remediation options, affected lakes, causes of erosion and previous remediation attempts.

Mr. Barraco left the meeting at 3:37 p.m.

The Board directed Ms. Collier to draft a letter informing all property owners about the CDD's responsibility to maintain lake banks and the ongoing issues with runoff from private property eroding the lake bank.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-03, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; and Providing an Effective Date

Mr. Rom presented Resolution 2021-03. He reviewed the proposed Fiscal Year 2022 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2021 budget, and explained the reasons for any modifications.

The following changes were made to the proposed Fiscal Year 2022 budget:

Page 1, "Utility warranty": Change "4,000" to "0"

Page 1, "Unassigned: lake bank project": Change "20,000" to "24,000"

On MOTION by Ms. Hein and seconded by Mr. Stillman, with all in favor, Resolution 2021-03, Approving Proposed Budgets for Fiscal Year 2021/2022, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for July 28, 2021 at 10:00 a.m., at the offices of Barraco and Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901; Addressing Transmittal, Posting and Publication Requirements; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Discussion: Memorandum of Understanding. Section 448.095, Florida Statutes/E-Verify Requirement

Mr. Rom presented the Memorandum of Understanding related to the E-Verify requirements that the District must implement.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Rom presented Resolution 2021-04. Discussion ensued regarding moving meetings to the fourth Thursday of the month except for November, which would be held on the third Thursday, at 11:00 a.m.

The following changes were made to the Fiscal Year 2022 Meeting Schedule:

DATE: Change "November 19, 2021" to November 18, 2021"

DATE: Change "January 25, 2022" to "January 27, 2022"

DATE: Change "April 27, 2022" to "April 28, 2022"

DATE: Change "July 27, 2022" to "August 25, 2022"

TIME, throughout: Change "10:00 AM" to "11:00 AM"

On MOTION by Ms. Strang and seconded by Mr. Stillman, with all in favor, Resolution 2021-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Discussion: District Counsel Contacting Residents Regarding Gutters

This item was presented following the Third Order of Business.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2021

Mr. Rom presented the Unaudited Financial Statements as of March 31, 2021.

On MOTION by Ms. Hein and seconded by Mr. Cox, with all in favor, the Unaudited Financial Statements as of March 31, 2021, were accepted.

NINTH ORDER OF BUSINESS

Approval of January 26, 2021 Regular Meeting Minutes

Mr. Rom presented the January 26, 2021 Regular Meeting Minutes.

On MOTION by Ms. Strang and seconded by Mr. Stillman, with all in favor, the January 26, 2021 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Straley & Robin*

There was no report.

B. District Engineer: *Barraco and Associates, Inc.*

This item was presented following the Third Order of Business.

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

I. 1,298 Registered Voters in District as of April 15, 2021

There were 1,298 registered voters residing within the District as of April 15, 2021.

II. NEXT MEETING DATE: July 28, 2021 at 10:00 A.M.

○ **QUORUM CHECK**

Supervisors Hein, Stillman and Cox confirmed their attendance at the July 28, 2021 meeting.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Stillman and seconded by Mr. Cox, with all in favor, the meeting adjourned at 3:58 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair