

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

The Board of Supervisors of the Waterford Landing Community Development District held a Special Meeting on September 23, 2021 at 11:00 a.m., at the offices of Barraco and Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

Present were:

Charles Cox	Chair
Marcina Strang (via telephone)	Vice Chair
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
Neal Mathes	Barraco & Associates
Nicole Monahan	City of Fort Myers City Engineer
Alan Gil	City of Fort Myers, Public Works Engineering
Tracy Hayden	Cella Molnar & Associates
Matt Hubbard (via telephone)	Tilson Technology Management
Mark Martin	Black & Veatch (B&V)
Donna Accardo	Resident
Don Walsh	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 11:01 a.m. Supervisors Cox, Hein and Stillman were present. Supervisor Strang was attending via telephone. Supervisor Campo was not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Discussion/Consideration: City of Fort Myers Installation of New Raw Water Source Wells to Supplement Existing City Wellfield

A. Newsletter

The newsletter was included for informational purpose. Mr. Cox provided the newsletter to the HOA to disburse throughout the community.

B. Temporary Construction Easement

Mr. Rom thanked those from the City of Fort Myers for attending the meeting. Their attendance was requested by the Board as a result of Black & Veatch (B&V) advising the CDD of an upcoming construction project. Further information about having access through Aldermans Walk Boulevard (Aldermans) and the CDD right-of-way (ROW), which may require issuing access easements.

Mr. Cox stated that the newsletter was sent to Nicole. It was determined that it was not sent to the other two HOAs for distribution but, after today, all pertinent information about the project would be distributed through the Master Association.

Ms. Tracy Hayden, of Cella Molnar & Associates (CMA), stated that they sent the newsletter to the Representative of each Management firm and asked that it be distributed to the appropriate parties. She noted that the CDD Management Representative was added to the distribution list. Ms. Hayden would leave contact information cards for the project so they can be left at the clubhouse. Board Members, Staff and homeowners were instructed to go to CMA's website and to contact her office to add someone to the distribution list.

Mr. Rom was asked to have the newsletter posted individually on the CDD website, to which he confirmed that only those items required by Florida Statutes are typically posted to the CDD website.

In response to the Board's request at the last meeting, Ms. Nicole Monahan, Engineer for the City of Fort Myers, reported the following additional information about the City's project and the request for an access easement:

- The City renewed the water use permit two years ago, which allows the City to draw water from wells to supply drinking water to the City.
- The current City wellfield is compact and, as only 13 or 14 out of 20 wells are active, additional wells are needed to meet the future growth of the City beyond the last 20 years.

- The 20-Year Permit was just renewed for another 20 years, which allows construction of 20 additional wells in the City of Fort Myers.
- The thought is for the new wells to extend out from the existing compact wellfield like three fingers, with one being along the North Colonial Linear Waterway that would take it over into the golf course area of the Fort Myers Country Club and some areas in between.
- Each well would be spaced certain distances apart to provide maximum efficiency.
- They explored several City-owned properties; however, they also needed to find the best path to ensure the pipeline can get the water back to the water treatment plant.
- The spacing fell close to Aldermans and another at Veronica Shoemaker Boulevard (Shoemaker).
- The goal is to drill four new wells and have them operational before the next rainy season, which is expected to take about nine to 10 months.
- More water, new tanks and new updated processors are needed, as the current wellfield and water plant had difficulties during the last year because the population increased more than anticipated.
- Three different contracts will be executed to complete the following scope of work:
 - The first contractor would drill the well, beginning at Shoemaker, moving to a well east of Aldermans, then two more south of Colonial, with one at Ray Pottorf Elementary School and the other at Paul Laurence Dunbar Middle School.
 - The second contractor would create the well access and install the equipment, such as generator, pumps, fencing, etc.; essentially, everything that goes with the well itself.
 - The third contractor would install the transmission line back to the plant, along the North Colonial Linear Waterway.
- Access is needed to drill the well and for transmission along the North Colonial Linear Waterway. East of Aldermans is the best alternative, as coming in from Shoemaker was not feasible as a big term solution.
- Schematics showing the traffic flow, finished product and finished examples in areas within the City were distributed. Some landscaping could be added to camouflage and make it appear as aesthetically pleasing as possible for the residences on the other side.
- All three contactors have completed numerous projects for the City and would be as accommodating as possible.

Board Members brought up their concerns and concerns from residents regarding monitoring traffic since this is the only exit for 959 homes, restoring landscaping at the bike path, trucks parking on Alderman, staging of materials, construction crew parking, hours of operation and restoring concrete pads, pavement and other damages. It was determined that the City only needs to access the 10-mile canal from the Alderman ROW. The City would oversee the contractors and deliveries. Contractors were unlikely to be on site at the same time. The City would be responsible for monitoring traffic and for the 40' gravel road that will be installed on City property. Suggestions were made regarding finding a different staging area and then informing the contractor of when they are needed and scheduling deliveries from 11:00 a.m. to 2:00 p.m., which could alleviate potential traffic congestion and school bus issues.

In response to a question about an Access Easement, Ms. Monahan noted that an Access Easement is a more permanent document that the City does not use. She stated that the City generally uses a Temporary Right of Entry standard document, which she can email to Ms. Collier. She stated that the City would like to pre-construction video the full ROW and pavement, from the North Colonial Linear Waterway up to the gate and north of that and all the way to Lake Clark. This would capture the current condition of the property prior to the project starting so they can identify and restore everything back to its original condition and repair any damages.

Concerns about property being damaged while accessing the west side and supply trucks that damaged the City's pavement project last year and the damages were never repaired, were discussed. Numerous other concerns and topics were noted, such as P-21 being isolated limited access would be needed, the pipeline that will run along P-22 and the waterway, closure of the bike path for the duration of the project, installation of conduits for fiber optics to run the wells, Police Department interest in installing cameras and providing homeowners with written details of the project timeline.

Ms. Collier stated the CDD needs to require an access easement from any entity doing construction work on CDD property, as it allows the party to access the property and gives a guarantee that they will restore the property to its prior condition. The easement document would be recorded in the public records.

Ms. Hayden stated that she would send project updates every other week to the HOAs and CDD.

Ms. Monahan stated that contractors will provide a business card with contact information to anyone with questions, since the contractors and their employees are not allowed to speak to the general public. She offered to attend homeowner meetings to answer questions. She noted that, since the Stormwater Manager resides nearby and travels the site every day, she would be apprised of any issues. The Temporary Right of Entry Agreement would be emailed to Mr. Rom to distribute to Ms. Collier, the Board and Staff for their review.

Discussion ensued regarding water pressure, electrical issue at the plant, average number of daily workers, finalizing a parking location for workers and expectation that the project would commence in October.

The Board authorized District Staff to work with the City and its consultants and to review, finalize the Temporary Right of Entry Agreement with the City and the Chair to execute the Agreement.

The Board designated Mr. Cox to be the point of contact with Ms. Hayden, who is the City's point of contact. Mr. Rom was asked to confirm to the Board once the Agreement has been executed.

Mr. Barraco stated that the activity on City property might occur before the Agreement with the CDD is executed. He suggested that the Board read the meeting minutes to ensure everyone is on the same page. Mr. Rom would email the draft minutes to the Board and District Staff, closer to the November meeting date, which is typically when they become available.

Ms. Hayden stated she would email her HOA and CDD contact lists to Mr. Cox to review for accuracy. Ms. Hein stated the Master Association will distribute the newsletter using its list, along with Rizzetta Management, who represent HOAs #1, #2 and #3; since it has missing information, it would better to have emails overlap than to miss someone. They would also post the newsletter in the Clubhouse and the four directories.

FOURTH ORDER OF BUSINESS

Discussion/Consideration: City of Fort Myers Water Utility Network Project

- A. C3 Station 1887 at 3195 Birch Ln (AA)**
- B. Site R27 3947 Eldon Rd**

The Board reviewed these items prior to the meeting and wanted to know what the final product would look like. Concern was expressed that the post line on the ground next to

the sewer lift station, referred to on the map, would be laying in the yard at 3195 Birchin Lane. Mr. Hubbard stated that the pole was put there because the lift station was not conveyed to the City during the permit process. He would relocate it and update the map, which is the reason for the request for the 3947 Eldon Road location.

Whether the City should have informed HOA #1 and HOA #2 residents about the delivery of the equipment was discussed. Regarding proceeding with the project, it was stated that the City could proceed with the project where the plat identifies that the lift station is on the public utility easement.

Discussion ensued regarding the 3195 Birchin Lane lot not being large enough for a home. It was noted that the purpose of the pole is to read the water meters instead of an individual reading them. This would also enable residents to monitor, track and budget their water consumption via the dashboard tool, similar to what Florida Power & Light (FPL) offers. The water bills are read in eight cycles and testing would occur before this is brought online, which is expected to be early next year; at the appropriate time, information about the new process would be included in the water bill.

On MOTION by Mr. Stillman and seconded by Ms. Hein, with all in favor, authorizing Mr. Barraco to prepare an Easement Agreement with the City for lift stations C3 Station 1887, at 3195 Birchin Lane (AA), and Site R27, at 3947 Eldon Road, to allow construction of the pole on the property, and authorizing the Chair to execute, subject to review by Ms. Collier, was approved.

FIFTH ORDER OF BUSINESS

**Acceptance of Resignation of Supervisor
John Campo [Seat 5] (*Term Expires
November 2022*)**

Mr. Rom presented the resignation letter from Mr. Campo and thanked Mr. Campo for his service on the Board.

On MOTION by Ms. Hein and seconded by Mr. Stillman, with all in favor, the resignation of Mr. John Campo, effective today, was accepted.

SIXTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 5

Candidates Donna Accardo and Don Walsh each provided an overview of their personal and professional backgrounds.

Mr. Walsh noted his experience holding a board position and his reason for wanting the position on the Board.

Ms. Hein voiced her opinion that the Board needs fair representation from each of the three HOAs and noted that homeowners showed no interest serving on the Board.

Ms. Accardo conveyed her reason for wanting the position on the Board and provided more details about her professional background.

Both candidates responded to the question of how long they have resided in the CDD.

Mr. Rom noted that the terms for Seats 3 and 4, currently held by Mr. Cox and Ms. Strang respectively, and Seat 5, which is now vacant, expire in November 2022.

Ms. Hein nominated Ms. Donna Accardo to fill Seat 5. Mr. Cox nominated Mr. Don Walsh to fill Seat 5. No other nominations were made.

On MOTION by Ms. Hein and seconded by Ms. Strang, with Ms. Hein and Ms. Strang in favor and Mr. Cox and Mr. Stillman dissenting, appointment of Ms. Donna Accardo to fill the unexpired term of Seat 5, was not approved. [Motion failed 2-2]

On MOTION by Mr. Stillman and seconded by Mr. Cox, with Mr. Cox and Mr. Stillman in favor and Ms. Hein and Ms. Strang dissenting, appointment of Mr. Don Walsh to fill the unexpired term of Seat 5, was not approved. [Motion failed 2-2]

As the votes were deadlocked, Ms. Collier recommended soliciting other interested candidates and invited Ms. Accardo and Mr. Walsh to the next meeting.

This item will remain on the agenda.

- **Administration of Oath of Office to Newly Appointed Supervisor (*the following will be provided in a separate package*)**

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
- B. Membership, Obligations and Responsibilities
- C. Financial Disclosure Forms
 - I. Firm 1: Statement of Financial Interests
 - II. Firm 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Firm 1F: Final Statement of Financial Interests
- D. Form 8B – Memorandum of Voting Conflict

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2021-08, Designating Certain Officers of the District, and Providing an Effective Date

This item was deferred to the next meeting.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2021

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

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

NINTH ORDER OF BUSINESS

Approval of July 28, 2021 Public Hearing and Regular Meeting Minutes

Mr. Rom presented the July 28, 2021 Public Hearing and Regular Meeting Minutes.

On MOTION by Ms. Hein and seconded by Mr. Cox, with all in favor, the July 28, 2021 Public Hearing and 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: *Straley & Robin*

There was no report.

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

There was no report.

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

- **NEXT MEETING DATE: November 18, 2021 at 11:00 A.M.**

- **QUORUM CHECK**

The next meeting will be held on November 18, 2021.

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.

<p>On MOTION by Mr. Stillman and seconded by Mr. Cox, with all in favor, the meeting adjourned at 12:53 p.m.</p>

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair