

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

The Board of Supervisors of the Waterford Landing Community Development District held a Regular Meeting on January 25, 2024 at 11:00 a.m., at the Linsford Amenity Center, 4101 Dutchess Park Road, Fort Myers, Florida 33916.

Present:

Charles Cox	Chair
Marcina Strang (via telephone)	Vice Chair
Robert Stillman	Assistant Secretary
Joyce Hein	Assistant Secretary

Also present:

Daniel Rom	District Manager
Kristen Thomas (via telephone)	Wrathell, Hunt and Associates, LLC
Whitney Sousa (via telephone)	District Counsel
Frank Savage	District Engineer
Doug Tarn	Barraco and Associates, Inc. (Barraco)
Nicole Monahan	City Engineer, City of Fort Myers

Residents present:

John Lane	Susan Diorio	Herb Klein	Martha McClelland
Kathy Oie	Robert Perry	Dave Scarpino	Elizabeth Knauth
Herb Gross	David Feyesh	Rod DeMille	Lawrence Simmons
Chris Drees	Lou Romain	Bill Preston	Judith Jacovelli
Jim Cassidy	Chris Carney	Maury Wiese	Henry Jacovelli

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 11:05 a.m.

Supervisors Cox, Hein and Stillman were present. Supervisor Strang attended via telephone. Supervisor Accardo was absent.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Rom explained the protocols for public comments during Regular Meetings and Public Hearings, which is similar to City Commission meetings.

Resident John Lane asked if residents should expect future assessments once the Serena Park Project is completed. Mr. Cox replied, no, he was not aware of this.

Mr. Lane asked about plans for lake bank restoration and maintenance. He hopes it does not include laying sand around the edge of the pond, which would wash into the lake after the first rain. Mr. Rom stated that proposals will be presented at the appropriate time.

THIRD ORDER OF BUSINESS

Updates

A. Serena Park Project

City Engineer Nicole Monahan provided updates and responded to questions as follows:

- Serena Park is a private subdivision that dates back to 1920.
- Aldermans Walk Boulevard (Aldermans Walk) bisects the subdivision that is platted.
- A property owner purchased 80% to 85% of the lots within the subdivision and is asking the City to build the infrastructure and to assess those lots within the subdivision that will benefit from that infrastructure. Properties in the Serena Park subdivision will be assessed; it will not affect any of the lots within Linsford.
- Barraco and Associates, Inc. is working on the plans, which are 90% completed. The City will submit the plan to the South Florida Water Management District (SFWMD) for the permit.
- The City and Counsel for the majority property owner are working on a Development Agreement for the owner to build the infrastructure in return for a credit against its assessments.
- Construction is expected to commence this year, but is dependent on obtaining permits and the construction contracts executed.
- Noting that there is access to the two sides of Serena Park from Alderman’s Walk, construction will occur on both sides of the roadway that will involve roadway, drainage, water, sewer, electric, street lighting, communications and anything else needed to build a brand-new subdivision.

- There are still some private homeowners that will receive the benefit of being assessed but are also getting the benefit of better access and use of their property, once construction is completed.
- Regarding the setback from the canal and buffer zone, the City will own the lots along the canal and the lots will most likely be cleared as it will be used for water management.
- The Development is not part of the City's low-income housing project Section 8 designation.
- Some Serena Park lots abut Veronica S. Shoemaker Boulevard, and there will be two entrances onto Veronica S. Shoemaker Boulevard.
- Regarding concerns about water pressure, the City treats the water from several wells before distributing it to everyone in the City.
- There will be approximately 250 lots in the subdivision.
- Regarding where the utilities will connect, the potable water system is on a loop, connections will be on Veronica S. Shoemaker Boulevard and Aldermans Walk. The Master Plan consultant modeled the City's proposed distribution system designs in conjunction with what already exists and functions.

Mr. Rom stated that, with the ingress and egress on Aldermans Walk, the only impact to the CDD will be roadway and maintenance. Mr. Cox stated that the CDD is looking for a mechanism for the City to help share the burden of wear and tear and eventual replacement of that section of Aldermans Walk. Asked about the other roadway connection, Ms. Monahan stated that the City would like to discuss legal access with the property owner at the appropriate time.

Discussion ensued regarding neighboring communities, attending the pre-construction meeting to discuss construction traffic concerns, the CDD restricting construction traffic from accessing Winkler Avenue to Aldermans Walk, asking the Community Development Director Steve Beldan what the new development's tax credit will be and clarifying that the Master Association owns the road from Winkler Avenue to the canal, which is dedicated to the public.

It was noted that the aerial view on the Property Appraiser's website will show what lots are platted and ownership.

- **Traffic Light at Winkler Avenue and Alderman’s Walk Boulevard**

This item, previously Item 3E, was presented out of order.

Ms. Monahan stated that the City engaged McMahon & Associates, now known as Bowman Consulting, to design a traffic light at Alderman’s Walk and Winkler Avenue and further west at Winkler Avenue and Schoolhouse Road and for median modifications along Winkler Avenue. Regarding the three traffic lights, she anticipates the City will use the same Construction Manager it engaged to install the traffic signal at Province Park Boulevard. Once the plans are completed, the City will resurface Winkler Avenue.

Ms. Monahan responded to questions regarding the project timeline, concerns about hospital construction, if land will be required to build the intersection at Winkler Avenue and Aldermans and the possibility of relocating the school bus stop due to drop-offs parking in the right-of-way.

- **Sidewalk Repairs from Impact of City’s Water Well Project**

This item, previously Item 3D, was presented out of order.

Mr. Cox stated that the City repaired the sidewalks but there are still outstanding repair to address, such as installing sod and new solar lights. Ms. Monahan will speak with Tyler about this. Regarding the status of installing shrubs and trees along the new pump station, Ms. Monahan will pass that information along to the appropriate party.

B. Lake Bank Restoration Project

This item was presented following Item 3C.

C. Control Structure Inspections Report

The items in the agenda were included for informational purposes.

Mr. Rom stated that he shared photographs of the project with the Board.

- **Lake Bank Restoration Project**

This item, previously Item 3B, was presented out of order.

Mr. Rom gave an overview of actions taken to proceed with the Lake Bank Restoration project, which might potentially take over two to three fiscal years to complete.

Mr. Savage discussed his professional experience, history with the CDD, other colleagues working within his firm; he is the primary liaison for the CDD.

Mr. Savage discussed the following:

- Today's discussion will include ongoing issues with lake bank maintenance and lake bank restoration.
- Presented and discussed the Lake Bank Inspection Exhibits PowerPoint presentation, resulting from the inspections.
- The lake numbers in the presentation do not match the CDD's entity handling its lake maintenance.
- The detail sheet for Lakes 14 and 15 are inverted and will be corrected.
 - ✓ The estimated cost to remediate linear erosion is about \$75 per foot, which includes mobilization and restoration costs to return the area back to the original permit design conditions.
 - ✓ The estimated cost to remediate steep linear slopes because of existing constraints is about \$100 per foot.
 - ✓ The estimated cost to restore localized washouts is \$2,500 per localized washout.
- The estimated overall project cost is \$673,000 to \$775,000.
- Regarding identified problem lakes for the initial phase, the estimated restoration costs is \$2,300 for Lake 5, \$66,000 for Lake 10 and \$75,000 for Lake 14, for a total estimated cost of \$170,000 as a preliminary cost budget for Phase 1.
- The CDD will only work within its property or areas for which it has dedicated easements over; the CDD is not responsible for restoring any encumbrances residents have placed within the easements.

Mr. Rom stated that the Chair and Staff discussed the following three layers to this project:

- 1) Identifying the problem lakes in order of status of erosion.
- 2) The District Engineer is recommending doing the project in phases instead of all at once to ensure what they are doing works and, if something needs to be corrected, it can be evaluated in the next phase.

3) Putting a communication plan in place to notify residents of upcoming activity occurring near their property and potentially accessing those properties with easement encumbrance issues.

Mr. Savage stated that communication throughout the project is key; he recommends completing the whole landing at once. The CDD's contractor will access the lakes through dedicated easements and appropriate uses and it might involve access through a 15' easement, which might have things in the area restricting access.

Discussion ensued regarding scheduling a meeting in March, ensuring the project commences in the dry season, mobilization taking two weeks, \$304,500 allocated for the project, ability to complete the project in phases and having the CDD contractor work with the CDD's landscaper on identifying irrigation lines as the CDD's landscaping contract requires them to repair any damage to the irrigation system.

Regarding Phase 2, Mr. Cox stated that homeowners own all the way to the control elevation and the MPOA owns Lake 10 in Phase 1 and Lake 5 in Phase 3.

The Board directed the District Engineer to obtain three proposals for Lakes 5, 10 and 14 and authorized the Chair to work with Staff as appropriate.

Mr. Savage will have the contractor provide costs and outline the scope for homeowners to repair their drainage issues, at their own expense, prior to the CDD proceeding with the Lake Bank Restoration Project. Typically, homeowners can either engage the CDD contractor, a different contractor or group together with other homeowners to obtain better pricing to repair their property; this is preventative to avoid further erosion to CDD property. He noted that erosion will occur over time. Staff will confirm if the MPOA emailed the letter to residents about 18 months ago and inform the Board when it was sent.

The Board consensus was to hear public comments.

Resident Dave Scarpino asked why the study did not include the root cause and remediation plan. He voiced concerns about how quickly this will be another problem several years from now and about the CDD expecting homeowners to fix the own private property when homeowners do not follow guidelines to plant/replace trees. Ms. Sousa will research if

the CDD can assess specific homeowners who are unwilling to make the repairs on their property.

Resident Herb Gross asked how grading can be fixed when, in his opinion, it is part of the problem.

D. Sidewalk Repairs from Impact of City’s Water Well Project

This item was presented following Item 3A.

E. Traffic Light at Winkler Avenue and Alderman’s Walk Boulevard

This item was presented following Item 3A.

FOURTH ORDER OF BUSINESS

Consideration: Resolution 2024-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting Forth the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date

Mr. Rom presented Resolution 2024-01. Seats 1 and 2, currently held by Ms. Hein and Mr. Stillman, respectively, will be up for election at the November 2024 General Election. He explained the candidate qualification process and the candidate qualifying period, which runs from noon, June 10, 2024 to noon, June 14, 2024.

On MOTION by Mr. Cox and seconded by Mr. Stillman, with all in favor, Resolution 2024-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting Forth the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2023

On MOTION by Ms. Hein and seconded by Mr. Stillman, with all in favor, the Unaudited Financial Statements as of December 31, 2023, were accepted.

SIXTH ORDER OF BUSINESS

Approval of August 4, 2023 Public Hearings and Regular Meeting Minutes

On MOTION by Mr. Stillman and seconded by Ms. Hein, with all in favor, the August 4, 2023 Public Hearings and Regular Meeting Minutes, as presented, were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Straley Robin Vericker

• Required Ethics Training

Ms. Sousa stated that she is preparing a memorandum about what Board Members must to do to fulfill the required four-hour ethics training course that went into effect January 1, 2024, which will include information about training courses available from her firm and links to online courses. The requirement must be completed by December 31, 2024 and reported when filing Form 1 in 2025.

Ms. Sousa provided an update on the legislative session about several bills that might affect CDDs, such as increases to sovereign immunity and potential requirements that the CDD adopt a mission statement. She will provide updates as these items progress.

Mr. Cox asked Ms. Sousa if her firm will be conducting ethics training via webinars. Ms. Sousa stated that the CDD can schedule workshops that would be conducted via Zoom.

Mr. Rom will provide a link to electronically file Form 1 with the Commission on Ethics instead of with the local Supervisor of Elections office. Filing Form 6 does not apply to CDD Officers or Officials.

B. District Engineer: Barraco and Associates, Inc.

There was nothing additional to report.

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

- **NEXT MEETING DATE: April 25, 2024 at 11:00 A.M. [Presentation of FY2025 Budget]**
 - **QUORUM CHECK**

If a March meeting is held, the date will be emailed to everyone. The following meeting will be held on April 25, 2024.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

NINTH ORDER OF BUSINESS

Public Comments

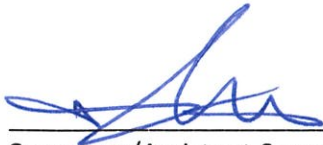
No members of the public spoke.

TENTH ORDER OF BUSINESS

Adjournment

<p>On MOTION by Ms. Hein and seconded by Mr. Cox, with all in favor, the meeting adjourned at 1:03 p.m.</p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair