

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

The Board of Supervisors of the Waterford Landing Community Development District held a Special Meeting on October 16, 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
Carl Barraco	Barraco and Associates, Inc.

Residents present:

Ron Bozinovich	Bill Smith	Kevin O'Connor	David Alfano
Cathy Schneider	Chris Drees	David Feyesh	Steve Matthes
Marcia Lightsey-Tivoli			

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 11:08 a.m.

Supervisors Cox, Hein and Stillman were present. Supervisor Strang attended via telephone. Supervisor Fitzgerald was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS**Considerations of Proposals for Lake Bank Restoration Project**

The following proposals were included for informational purposes:

- A. Crocker Land Development, LLC**
- B. Seabreeze Erosion Solutions**
- C. SOLitude Lake Management, LLC**

Mr. Rom stated that Seabreeze Erosion Solutions (Seabreeze) and SOLitude Lake Management (SOLitude) gave presentations at the last meeting. Subsequently, Crocker Land Development, LLC (Crocker) submitted a proposal that was not presented. He noted that the Board authorized Staff, the District Engineer and the Chair to inspect the stormwater ponds with all three contractors, to ensure the proposals submitted address the lake bank of each particular pond, along with addressing some of the root cause problems that are creating further erosion.

Mr. Rom stated that the agenda is posted on the CDD website at www.waterlandcdd.net.

Mr. Savage stated that a pre-bid meeting was held. He distributed an Exhibit depicting restoration limits and an aerial view of the three lakes being contemplated for Phase 1.

Mr. Savage stated that all three proposals provide distinct solutions to address the erosion identified during routine inspections last year. In his opinion, all three contractors are well qualified to provide the solutions they are proposing and they were identified specifically for their expertise in these solutions. From an engineering standpoint, there are subtle distinctions between them and they seem to be reasonable solutions.

Mr. Barraco stated that his firm has experience working with SOLitude and Crocker but not with Seabreeze nor do they have any experience working with the newer system.

Mr. Savage distributed the Phase 1 Lake Bank Remediation 2024 spreadsheet and noted the following:

- The proposals are structured for minimal restoration limits that bring each of the lakes into compliance and for full remediation; the Board must decide whether it is beneficial to remediate an entire lake at a time.

- SOLitude is the only company that offered a price break based on a partial versus a full remediation; however, Crocker did have a price reduction in its full price proposal.
- SOLitude and Crocker recommended commencing the project once the water levels recede sufficiently; whereas, Seabreeze can commence much sooner as its process is not dependent on the current conditions.

Mr. Barraco voiced his opinion that the CDD should not want the contractors to start until the water recedes because the work will be better when they can control moisture in the materials that they are working with; it might not make a difference with Seabreeze, since their materials are different.

Regarding a warranty, Mr. Savage read the warranty clause stating “Crocker Land Development cannot guarantee or warranty a scope of work after project completion acceptance. However, we can offer an estimate to conduct annual inspections of each lake to identify and repair early signs of erosion to prevent larger scale.”

Noting Crocker’s approach being the most conventional, Mr. Cox asked how long before the CDD is faced with the same erosion again. Mr. Barraco stated that there is no lifecycle associated with lake banks, since the lake banks are subject to natural forces. With regular maintenance, the CDD should not have to go into a significant repair. He and Mr. Savage noted that 75% of the lake banks are in good condition; 25% of 25,000 linear feet of lake bank spanning 19 lakes are identified as being impacted.

Mr. Barraco encouraged the Board not to proceed with the project until the water levels recede. He suggested creating a committee to tour each contractor’s project sites. The Board agreed to the suggestion and to include all Board Members in addition to District Staff.

Discussion ensued regarding the Crocker and Seabreeze systems and the budget. It was noted that Seabreeze’s costs for the entire shoreline exceed the threshold so it would be necessary to go out to bid.

Ms. Strang asked for the November meeting date to be changed to the week of November 11, as she will be in town and will be able to tour the lakes and give input at the next meeting. The Board directed Staff to reschedule the November 21, 2024 meeting to November 14, 2024

at 11:00 a.m., at the Linsford Amenity Center, 4101 Dutchess Park Road, Fort Myers, Florida 33916 and advertise accordingly.

Mr. Barraco stated that he will provide Mr. Rom with each contractor's project site locations and access information. He will work with Mr. Rom to coordinate times on November 11 and/or 12, 2024 for Board Members to individually tour the ponds; time slots will be staggered, to avoid violating the Sunshine Law.

Mr. Barraco stated that it is critical to identify and correct all root causes. Mr. Cox stated that it was decided that the CDD will incur those costs, during the remediation project; however, on the resident side, the homeowners will incur the remediation costs for subsequent repairs.

Discussion ensued regarding the SOX tubing process and SOLitude providing a five-year warranty on materials, a one-year warranty on labor and no warranty on the semi-permanent solution. The Board and Staff discussed whether laying down new materials is included in the proposals, mulch seeping into the lakes and staging.

Regarding obtaining releases from the affected homeowners, Ms. Sousa stated that, once the project scope is completed, she would work with Mr. Cox on preparing a liability indemnification giving the CDD and its contractor permission to come onto the homeowner's property for that specific purpose.

Mr. Barraco stated that, due to new legislation in the permit process, the State might require the CDD to include an estimated maintenance cost and schedule with the permit application; however, this does not go into effect for another 14 months,

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

This item, previously Item 8B, was presented out of order.

Mr. Barraco stated that D.R. Horton will be purchasing and developing a majority of the Serena Park platted lots. The CDD should expect to hear from the City about working with Linsford on a way to exit the community via Veronica S. Shoemaker Boulevard and other roadway connections.

FOURTH ORDER OF BUSINESS

Discussion/Consideration of Refinancing Series 2024 Bond Issuance

The Term Sheet will be presented at the next meeting. This item was deferred.

FIFTH ORDER OF BUSINESS

**Update: SOLitude Lake Management, LLC
Lake Maintenance Inspection Report –
August 2024**

The SOLitude Lake Management, LLC, Lake Maintenance Inspection Report, dated August 29, 2024, was included for informational purposes.

SIXTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of August 31, 2024**

**On MOTION by Mr. Cox and seconded by Mr. Stillman, with all in favor, the
Unaudited Financial Statements as of August 31, 2024, were accepted.**

SEVENTH ORDER OF BUSINESS

**Approval of August 22, 2024 Public
Hearings and Regular Meeting Minutes**

**On MOTION by Mr. Stillman and seconded by Mr. Cox, with all in favor, the
August 22, 2024 Public Hearings and Regular Meeting Minutes, as presented,
were approved.**

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Straley Robin Vericker

There was no report.

Mr. Cox asked about the timeline to go out to bid if the Board decides to proceed with full remediation and awarding contract to Seabreeze. Mr. Rom stated that the process might take a few months. Ms. Sousa stated that, since the CDD already bid this project, it can do a full force exception to the Request for Proposals (RFP) requirement, if Mr. Savage and Seabreeze can attest in writing that Seabreeze is the sole provider in the area that performs this type of proprietary remediation.

B. District Engineer: Barraco and Associates, Inc.

This item was presented following Item 3C.

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

- **NEXT MEETING DATE: November 21, 2024 at 11:00 AM**
 - **QUORUM CHECK**

As previously discussed, the next meeting will be on November 14, 2024. Mr. Rom will have the Master Association notify residents of the new date.

NINTH ORDER OF BUSINESS**Supervisors' Requests**

There were no Supervisors' requests.

TENTH ORDER OF BUSINESS**Public Comments**

Resident Ron Bozinovich asked if the lake bank remediation contract includes project start and completion dates. Mr. Rom replied affirmatively, the contract is similar to a construction agreement which includes a specific start and end date.

Resident Kevin O'Connor voiced his opinion that the Board should proceed with remediating the entire lake, not just part, since it would only take another 332' to complete the entirety of Lake 5. He thinks it makes more sense to make it uniform and he believes it will save the CDD from doing it later, if the remainder no longer meets code.

Mr. Cox and Mr. Rom discussed Ronto twice having to do shoreline erosion repairs some time ago, why certain lakes require remediation, pool installation and gutter discharge. They explained which lakes are interconnected to others.

Mr. Cox stated that the CDD is being proactive to stay in compliance with the permit to avoid input from the South Florida Water Management District (SFWMD); all 19 lakes will eventually need to be remediated in phases.

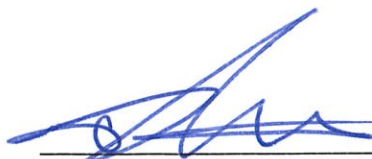
Resident and future Board Member Bill Smith asked if the current lake bank maintenance costs will be adjusted if Seabreeze or SOLitude is selected, since their warranty terms require providing these services to the CDD. Mr. Cox stated that SOLitude currently maintains the lakes via the CDD's Agreement with the Master Association; these costs might increase. Mr. Smith asked to be included on the site visit schedule.

ELEVENTH ORDER OF BUSINESS

Adjournment

<p>On MOTION by Ms. Hein and seconded by Mr. Stillman, with all in favor, the meeting adjourned at 12:44 p.m.</p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair