

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

The Board of Supervisors of the Waterford Landing Community Development District held Public Hearings and a Regular Meeting on August 22, 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
Edward Fitzgerald III	Assistant Secretary

Also present:

Daniel Rom	District Manager
Kristen Thomas	Wrathell, Hunt and Associates, LLC
Whitney Sousa (via telephone)	District Counsel
Frank Savage	District Engineer
Doug Tarn	Barraco and Associates, Inc.
Justin Dobbs	Seabreeze
Jeff Moding	SOLitude
Jared Rino	SOLitude

Residents present:

Ron Bozinovich	Ed Die	Joe Konenko	Howard Cahey
Rafael E. Frias II	Bill Smith	Other Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 1:08 p.m.

Supervisors Cox, Hein, Fitzgerald III and Stillman were present. Supervisor Strang attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Rom explained the protocols for public comments during Regular Meetings.

No members of the public spoke.

THIRD ORDER OF BUSINESS

Considerations of Proposals/Estimates for Alternative Lake Bank Remediation Options

Mr. Rom stated that the Board's direction in May was to have selected contractors give presentations and discuss their recommendations for lake bank remediation.

A. Seabreeze Erosion Solutions

Mr. Dobbs distributed and gave a PowerPoint presentation about the Seabreeze Erosion Solutions (Seabreeze) patent-pending Hybrid Shell System, at a cost of \$79 to \$125 per linear foot. He discussed Golden Canna Lilly and littoral planting solutions and showed a video depicting pictures of existing projects in Estero and Naples.

Mr. Dobbs distributed case studies and presented cost, lifespan and permitting comparisons of the Hybrid Shell System versus other solutions, such as grading, fill and sod, geo-synthetic materials and planting littorals only. He discussed the methods used, which include importing fill rather than dredging fill from the lake. He stated that Seabreeze would work with the community's irrigation company to install zones or adjust sprinkler heads in the Lake Maintenance Easement (LME) so that new littoral plants receive irrigation during the dry months, if necessary. He noted that a lifetime warranty on workmanship and plants applies, with a few conditions, as long as the Seabreeze is under contract.

Mr. Dobbs responded to questions related to the technical specifications of remediations, aesthetics, permitting, plantings and the lifetime warranty.

Mr. Dobbs stated that, along with the proposal, a lake maintenance proposal for aquatics plus shorelines will be provided. As long as Seabreeze is under contract and maintaining the lakes and shorelines, all the plants will be covered under warranty; without a lake maintenance contract, a 60-day warranty applies.

Asked what solutions are offered for homes with swimming pool and gutter drain discharge, Mr. Dobbs stated that a cavity repair system for washouts is an additional option.

Rain gutter downspouts can be connected to existing drainage pipes at no charge; a full underground pipe system or French drain system that can keep pool water separated can also be added to the contract.

Mr. Dobbs responded to engineering questions regarding importing fill, use of excavation equipment to obtain usable fill material, control elevation, pricing, compaction and density testing. He discussed littoral considerations and stated that littorals can be relocated. He noted that littoral species are selected based on the conditions in their respective areas, such as water far above the control line, flooded areas, and areas exposed due to low water levels, as noted in the case study. Lawncare technicians can walk on the shell layer and lawnmowers can be used in the area.

Mr. Rom stated that Ms. Strang requested a proposal for maintenance. He stated that, while the Board is interested in an initial proposal for Lake 5, they would like to continue addressing the CDD's 19 lakes, as the budget allows. He asked for a sustainable solution to be presented and a discount to the order of magnitude be considered at the time of the original proposal. Mr. Dobbs stated that he will provide a Master Contract with pricing clearly defined.

B. Solitude Lake Management

Mr. Rino distributed and gave a PowerPoint presentation about the SOX Erosion Solutions bioengineered living shorelines, Dredgesox and Shoresox, which would be installed by SOLitude Lake Management (SOLitude). He discussed the construction, materials, features and benefits of each solution.

Mr. Rino discussed permitting, presented a study of the differences between SOX and GeoTubes and showed a video of Dredgesox and Shoresox system installations.

Installations, materials, and various completed HOA, municipal and university projects with fencing, French drains, etc., were discussed.

It was noted that Lee County requires littorals to be installed with the sod; in some cases, the County will allow littoral zones to be relocated to a more suitable area.

Discussion ensued regarding the proposal, scope of work, methods of remediation, previous installations and the need to address erosion promptly.

Mr. Rino stated that SOX provides SOLitude a five-year warranty; SOLitude would provide a one-year warranty on labor and a full warranty on maintenance, as long as the CDD remains a customer.

Repairs and the durability of the solutions were discussed.

Mr. Moding and Mr. Rino responded to engineering questions regarding the installations, materials, water receding, etc.

- **Bulkhead Option**

This item was an addition to the agenda.

Mr. Savage discussed bulkhead options and the scope of work. He noted that pricing and the terms regarding design considerations can vary considerably. His company is not a marine engineering firm; those options would be outsourced. He stated that a modest bulkhead design would likely cost \$800 to \$1,000 per linear foot and stated, while the cost is significantly higher, minimal ongoing maintenance would be necessary but, when required, it would be costly. Maintenance needs are fairly minimal. He noted that hard restrictions apply to the bulkhead; in general, the bulkhead options are limited to a maximum of 40% of the linear footage of any lake. Permitting would be required and he thinks it would likely be approved without special deviations.

Discussion ensued regarding dredging, erosion, the scope of work, depth of the lakes, the proposals, aesthetics, warranty issues and erosion to be addressed by homeowners were discussed.

Mr. Rom noted that the four options presented to the Board are Cocomat, the Hybrid Shell System, Dredgesox and Shoresox, and bulkhead.

After the Board and Staff discussed the options and Request for Proposals (RFP) processes, the Board direction was to request proposals for the Hybrid Shell System and for Dredgesox and Shoresox, with a focus on Phase 1, as well as the cost for all phases. The District Engineer will work with District Counsel in this regard as necessary.

FOURTH ORDER OF BUSINESS

Discussion: Loan Option Analysis

Mr. Rom presented the Synovus Bank loan options for a \$1.5 million loan.

Discussion ensued regarding the scope of work, whether to complete the lake bank remediation in phases or as one large project.

It was noted that SOLitude currently maintains the lakes through the Master Association.

Mr. Rom stated it would be in the CDD's best interest for the Master Association to agree to a change in vendor, should a different lake bank remediation vendor be engaged.

This item will be discussed further in the future.

FIFTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2024/2025 Budget**

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

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

Mr. Rom reviewed the proposed Fiscal Year 2025 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes. With this version of the proposed Fiscal Year 2025 budget, assessments would increase \$54.11 per unit over the Fiscal Year 2024 assessments.

Discussion ensued regarding the Mailed Notices, perception that it is confusing to property owners and suggestions to revise the verbiage, add a table or include more information.

Ms. Sousa stated that the Mailed Notice is sent to advise property owners about the possibility that the Operation & Maintenance (O&M) assessment will increase, as required by Statute. She noted that additional information is not prohibited but it must be accurate.

Mr. Rom suggested additional information can be included with the Mailed Notice in the future or an email can be sent to property owners.

<p>On MOTION by Mr. Cox and seconded by Ms. Hein, with all in favor, the Public Hearing was opened.</p>
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Resident Rafael E. Frias II stated that he was not informed about CDD assessments when he purchased his home.

No other affected property owners or members of the public spoke.

On MOTION by Mr. Stillman and seconded by Ms. Hein, with all in favor, the Public Hearing was closed.

Mr. Rom presented Resolution 2024-05.

On MOTION by Mr. Fitzgerald III and seconded by Ms. Hein, with all in favor, Resolution 2024-05, Adopting a Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law

A. Proof/Affidavit of Publication

B. Mailed Notice(s) to Property Owners

These items were included for informational purposes.

C. Consideration of Resolution 2024-06, Imposing Annually Recurring Operations and Maintenance Non-Ad Valorem Special Assessments; Providing for Collection and Enforcement of All District Special Assessments; Certifying an Assessment Roll; Providing for Amendment of the Assessment Roll; Providing for Challenges and Procedural Irregularities; Providing for Severability; and Providing for an Effective Date

Mr. Rom presented Resolution 2024-06, which allows the CDD to impose and collect the assessments utilizing the services of the Property Appraiser and Tax Collector.

On MOTION by Mr. Stillman and seconded by Mr. Fitzgerald III, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Stillman and seconded by Mr. Cox, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Hein and seconded by Mr. Stillman, with all in favor, Resolution 2024-06, Imposing Annually Recurring Operations and Maintenance Non-Ad Valorem Special Assessments; Providing for Collection and Enforcement of All District Special Assessments; Certifying an Assessment Roll; Providing for Amendment of the Assessment Roll; Providing for Challenges and Procedural Irregularities; Providing for Severability; and Providing for an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by Grau & Associates

Mr. Rom presented the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2023 and accompanying disclosures. There were no findings, recommendations, irregularities or instances of noncompliance; it was an unmodified opinion, otherwise known as a clean audit.

A. Consideration of Resolution 2024-07, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023

On MOTION by Mr. Fitzgerald III and seconded by Mr. Stillman, with all in favor, Resolution 2024-07, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]

Mr. Rom presented the Memorandum detailing this new requirement and explained that newly adopted legislation requires special districts to establish goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives, publish an annual report on its website detailing the goals and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved.

Mr. Rom stated that District Management and District Counsel collaborated on identifying Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability as the key categories to focus on for Fiscal Year 2025 and develop statutorily compliant goals for each.

Mr. Rom presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD and explained how the CDD will meet the goals.

On MOTION by Mr. Stillman and seconded by Mr. Cox, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2024

Mr. Rom stated that the "Other fees & charges" line item will be adjusted to reflect the portions collected by the Property Appraiser/Tax Collector.

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

TENTH ORDER OF BUSINESS

Approval of May 9, 2024 Regular Meeting Minutes

On MOTION by Mr. Stillman and seconded by Ms. Strang, with all in favor, the May 9, 2024 Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Straley Robin Vericker**

Ms. Sousa asked for clarification and clear Board direction regarding the RFP.

The consensus was that a proposal for Phase 1 was requested; since it will be under the bid threshold, publishing an RFP is not required. Phase 1 will be three lakes and a detailed proposal will be requested for Phase 1. The cost per linear foot will be used for budgeting future phases.

B. District Engineer: Barraco and Associates, Inc.

There was no report.

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

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

- **QUORUM CHECK**

Mr. Rom will work with Staff to schedule a meeting in October.

TWELFTH ORDER OF BUSINESS**Supervisors' Requests**

There were no Supervisors' requests.


THIRTEENTH ORDER OF BUSINESS**Public Comments**

No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Ms. Hein and seconded by Mr. Stillman, with all in favor, the meeting adjourned at 1:53 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair