

**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 23, 2025 at 11:00 a.m., at the Linsford Amenity Center, 4101 Dutchess Park Road, Fort Myers, Florida 33916.

**Present:**

Charles Cox	Chair
Marcina Strang	Vice Chair
Bill Smith	Assistant Secretary
Ronald J. Bozinovich	Assistant Secretary
Edward Fitzgerald III	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
Nicole Baker (via telephone)	Seabreeze Erosion Solutions
Ida Lambrose	Resident
Bob Shulman	Resident
Mike Greenberg	Resident
Eric Schaefer	Resident
Robert Perry	Resident
Dave Scarpino	Resident
Susan Diorio	Resident
Ed Joie	Resident
Howard Cohen	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:01 a.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

▪ **Update: Lake Bank Remediation Project**

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

Mr. Savage provided the following updates:

- At the last meeting, Mr. Cox was designated as the liaison to work with Staff between meetings.
- A pre-construction meeting was previously held at Barraco & Associates to discuss the ongoing pieces. Attendees included Seabreeze representatives, Mr. Cox and District Counsel. The team worked through the logistics and reviewed a redlined version of the Seabreeze Agreement. All of the pieces have since been finalized; the Agreement is in place and the work is on schedule to be performed during the current dry season.
- Subsequent to the meeting, Mr. Barraco and Mr. Doug Tarr, Senior Construction Manager, utilized their contacts with the City of Fort Myers to examine the project and confirm that this work will not require any permits.
- Staff was asked to prepare a scope of services to support the remediation project and anticipates a formal authorization later in the meeting. In the interim, Staff will continue coordinating with Seabreeze, on behalf of the Board.

Ms. Baker stated the performance bond has been filed and completed and an appointment is set for Monday to file with the City and County. Copies of the recorded document will be forwarded to the District Manager and the District Engineer. The remediation project is scheduled to commence at the end of March or early April.

Mr. Cox noted that some of the addresses marked on the houses in the access points that he received are incorrect and asked if they were physically inspected. Ms. Baker stated she and Mr. Mark Jones personally looked at each area; the corrections will be made and the access points will be emailed to the Board by Monday or Tuesday. Asked if additional staging areas are needed for Lakes 10 and 16, Ms. Baker stated not that she is aware of but she will find out.

**Ms. Baker left the call.**

### **THIRD ORDER OF BUSINESS**

#### **Consideration of Barraco and Associates, Inc. Addendum Proposal for Professional Services to Support Remediation of Lakes 5, 10 and 16**

Mr. Rom recalled that the Board previously asked the District Engineer to provide oversight services for the lake bank remediation project; wherein, they would be involved in approving payment applications, final sign-off for any work and coordinating with the City to certify completion of the project.

Mr. Savage presented the Barraco and Associates, Inc. Addendum Proposal for Professional Services to Support Remediation of Lakes 5, 10 and 16, He discussed the three tasks that will be performed, the rate schedule, the level of services and if the proposal costs are negotiable. In most cases, the actual amount that will be invoiced will be based on the work performed. In preparing the proposal, Mr. Savage consulted with Mr. Barraco to generate the numbers and Mr. Tarr who will serve as the-boots-on-the-ground contact for this operation. Mr. Savage stated his participation in the project will be minimal. He will address any surprises associated with proposal costs and is seeking direction on how to proceed.

Mr. Cox asked why Barraco did not inform the Board of the certification requirement or reveal that the CDD should expect to pay an additional \$37,100 on top of the Seabreeze contract, until the topic of oversight was broached at the last meeting. Mr. Savage stated, conventionally, the level of involvement will vary considerably and the intent, based on the direction at the last meeting, was that a high level of involvement is anticipated.

Discussion ensued regarding the scope of services, if Barraco is willing to agree on a not-to-exceed amount of the total figure, if the number of service hours can be reduced/adjusted, if the Seabreeze contract provide for Engineering's inspections and certification for payment, scheduling meetings to review costs once the expenses reach certain thresholds, the erosion spots on Lake 10 and plant installations. Mr. Savage will revise the proposal based on today's discussion and email the revised proposal to Management.

Mr. Rom stated Staff received a lake and shoreline maintenance draft proposal from Seabreeze. As a reminder, the Master Association holds an aquatic maintenance agreement with its vendor, on behalf of the CDD, so it would be a partnership between Management and the CDD working with the Master Association to update them on the project and the hope is that they will transition and enter into an agreement with Seabreeze. This is important because part of the agreement with Seabreeze is for them to hold on to the warranties for littoral installations and maintain the lakes via a phased, material approach. Staff and the Chair discussed this item with the Master Association. District Counsel will email the draft proposal to the Board for review before forwarding it to the Master Association.

<b>On MOTION by Mr. Fitzgerald and seconded by Mr. Bozinovich, with all in favor, the Barraco and Associates, Inc. Addendum Proposal for Professional Services to Support Remediation of Lakes 5, 10 and 16, as amended to include a not-to</b>
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exceed amount of \$37,100, and provide for briefings when expenses exceed \$12,000, was approved.

**FOURTH ORDER OF BUSINESS****Update: Lake Bank Remediation Project**

This item was presented following the Second Order of Business.

**FIFTH ORDER OF BUSINESS****Acceptance of Unaudited Financial Statements as of December 31, 2024**

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

**SIXTH ORDER OF BUSINESS****Approval of December 12, 2024 Special Meeting Minutes**

On MOTION by Mr. Smith and seconded by Ms. Strang, with all in favor, the December 12, 2024 Special Meeting Minutes, as presented, were approved.

**SEVENTH ORDER OF BUSINESS****Staff Reports**

- A. District Counsel: Straley Robin Vericker
- B. District Engineer: Barraco and Associates, Inc.

There were no reports from District Counsel or the District Engineer.

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

Mr. Rom stated he contacted the City of Fort Myers regarding potential extensions or easement conveyances among the parties, with little success. He will continue following up.

- **NEXT MEETING DATE: April 24, 2025 at 11:00 AM [Presentation of FY2026 Budget]**
  - **QUORUM CHECK**

**EIGHTH ORDER OF BUSINESS****Supervisors' Requests**

Asked about ownership of the pond next to Alderman's, Mr. Adams stated he has not heard from Mr. Steve Komar, of SOLitude.

Mr. Cox discussed the low water levels in the lake and efforts to recharge the lake.

Ms. Strang asked about the traffic light. Mr. Cox stated the latest conversation is that the design has been completed, it went out to bid and initial construction could commence by the end of the second quarter. They will not modify the exit at Alderman's to make it three lanes until the City determines what it will do with the challenge of extensions. If all goes well, the light could be installed in December 2025 or early 2026.

**NINTH ORDER OF BUSINESS****Public Comments**

Resident Bob Shulman asked if there is a timeframe for the not-to-exceed provision in the Seabreeze contract and if the vendor will reimburse the CDD if the contract is exceeded. Mr. Savage stated he did not recall any funding mechanism but acknowledged that there are timeframes associated with commencement and completion of each individual lake.

Resident Ed Joie stated the existing littorals in the lake near his home are dying and asked about maintenance. Mr. Cox stated he spoke to SOLitude crews and it is a combination of seasonal die-back and very low water levels. Typically, removal of dead spikerush is not included in the lake maintenance contract; it is an a la carte arrangement. Mr. Rom stated it is up to the Master Association to determine if it will pay to remove the dead littorals.

Resident Dave Scarpino asked if there are copies of the proposals for residents to review and asked why the County or City do not inspect and certify the lakes. Mr. Rom stated the proposals and agendas are on the CDD website. Mr. Savage discussed the function of the South Florida Water Management District (SFWMD) and the Environmental Resource Permit (ERP), conveyances, lake bank erosion and the CDD's obligation to bring the lakes to compliance. Mr. Rom stated the City has no obligation to inspect the work.

Discussion ensued regarding lake monitoring, the Seabreeze warranty, the coco-mat restoration solution and lake dewatering.

Regarding the warranty, Mr. Savage stated Item 16 of the final Agreement has really strong language about lifetime plant warranties and Staff made sure it included workmanship warranties of the actual lake banks.

**TENTH ORDER OF BUSINESS****Adjournment**

**On MOTION by Mr. Cox and seconded by Mr. Bozinovich, with all in favor, the meeting adjourned at 12:00 p.m.**



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Secretary/Assistant Secretary



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Chair/Vice Chair