

**MINUTES OF MEETING  
NAPLES RESERVE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Naples Reserve Community Development District held a Regular Meeting on February 1, 2024 at 10:30 a.m., at the Island Club at Naples Reserve, 14885 Naples Reserve Circle, Naples, Florida 34114.

**Present were:**

Thomas Marquardt	Chair
Deborah Lee Godfrey	Vice Chair
Anna Harmon	Assistant Secretary
Lisa Wild (via telephone)	Assistant Secretary

**Also present:**

Jamie Sanchez	District Manager
Shane Willis	Operations Manager
Meagan Magaldi	District Counsel
Terry Cole (via telephone)	District Engineer
Felipe Lemus	FL GIS Solutions, LLC
Andy Nott	Superior Waterways
Ken Dixon	Assistant General Manager, Naples Reserve HOA
Gregory Bayer	Resident
Sophia Gutierrez	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Sanchez called the meeting to order at 10:33 a.m. Supervisors Marquardt, Harmon, and Godfrey were present. Supervisor Wild attended via telephone. Supervisor Inez was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

Resident Gregory Bayer complained that littorals planted to the right of his home and in the eastern side of the lake have grown significantly, impeding his lake views and ability to fish from his property. He wants to know the CDD's plan for managing littorals as they continue to grow and encompass areas that were not originally part of the plantings.

Mr. Marquardt stated the Developer had to present a littoral plan, which was approved by the County. The plan required a certain amount of area to be planted. The expectation was

that plants would grow perhaps 10% to 13% initially and as much as 90%, over time with the understanding that the plant life is helping the lakes. The CDD removes invasive weeds and has discussed littoral management and resident requests many times but this is a difficult situation to address because the littorals benefit the lake. The Board is hesitant due to the requirements for littorals, the potential consequences of removing beneficial littorals, the possibility of being inundated with requests and how to decide which, if any, requests to accommodate.

Mr. Willis expressed agreement with Mr. Marquardt's statements and noted that littoral plantings hold the lake banks together; they very important for erosion control, nutrient elimination and providing a habitat for fish and wildlife, such as fish and native frogs that reduce the mosquito population. While whether to remove littorals is a Board decision, he recommends that the littorals not be removed because it can create erosion problems. Other communities have established a Fishing Club or consolidated fishing areas where littorals are removed and fishing is allowed. While the lakes are beautiful, the lakes are part of the stormwater system and the main purpose of the lakes is to collect runoff water and allow sediment to settle in the lakes and the littorals filter the nutrients out of the runoff water. While the lakes are a stormwater system and not an aesthetic feature, the CDD tries to manage them to provide a more aesthetically pleasing appearance. In his opinion, if the CDD accommodates a homeowner's fishing area, it will likely spur additional requests from other homeowners who want accommodations made for them for fishing or aesthetic reasons.

Mr. Marquardt stated the Board has discussed this matter numerous times without reaching any conclusion other than not to take action now.

Mr. Willis stated his understanding that the littoral bands are meant to be 12' to 15' wide to prevent the motion of the water from causing erosion and to act as a filter.

Mr. Nott stated one of the CDD's challenges is the loss of water; when water levels are low, the beneficials have an opportunity to establish farther and farther out. With Board approval, technicians can spray certain areas, somewhat, but he does not recommend removing littorals behind homes. Most communities have fishing areas of 20' to 30' wide, at the most, in common areas on one end of a lake. The littoral plants are present for a reason and the Developer was required to plant them; a certain amount is required and, once they are removed from one house, more requests are likely. If the littoral plants spread too far, spray treatments can be used to control growth but only with Board approval.

Mr. Willis noted that shrinking the littoral ribbon might be a good compromise.

Mr. Nott stated treatments could be applied occasionally; the challenge is that there are exposed banks when water levels are low and littorals can spread. If certain areas are designated, they can be treated at the shoreline according to a schedule, provided boats can get into the water.

Mr. Willis asked about replacing spikerush with swamp lily. Mr. Nott stated that is possible but spikerush is preferred because it is a hardy plant, it is the easiest to grow and it spreads easily.

Mr. Marquardt stated the areas that suffered a lot of erosion had no littorals but, had there been littorals, the erosion might have been prevented.

Mr. Nott stated spikerush is planted to prevent erosion. Asked if water rising will cause spikerush to disappear, Mr. Nott stated some littorals might disappear but, once spikerush is established, it can continue to grow in 7' of water.

Mr. Bayer stated the littoral shelf on the side of his home extends 40' into the lake.

Mr. Willis will research whether that is an area of dedicated littoral shelf marsh.

A Board Member noted that some residents do not like the littoral shelf while others want more littorals; the bottom line is that the littoral shelf is not going away.

Mr. Ken Dixon, the new HOA Assistant Manager of the HOA voiced his opinion that a 30' wide littoral shelf far exceeds the requirements. He stated that numerous homeowners complain to him that low water levels lead to torpedo grass and undesirables and asked who is the responsible party.

Mr. Marquardt stated the CDD is responsible; invasive weeds are treated by the contractor, Superior Waterway. He noted that these questions should be referred to the CDD.

Mr. Willis stated the area between the high-water mark and the property line will be discussed. He will assess the lake and make a proposal for managing these issues.

Mr. Nott will assist Mr. Willis in this regard.

Ms. Harmon stated she received complaints from homeowners and she promised to pass on their addresses at the meeting. The homeowners at 14511 Stillwater Way and the home next to it complained that they are on the right-of-way (ROW) and, in their opinion, the appearance is very ugly.

Mr. Willis stated, despite warm weather in winter, Florida foliage goes through a brown season; this is likely what they are observing. He will inspect the area and provide updates.

Ms. Godfrey stated the CDD permit requires vegetation to be maintained according to guidelines in order to avoid fines. The Board and Staff will address the issues.

Resident Sophia Gutierrez voiced her opinion that landscapers do not trim adequately.

Mr. Marquardt stated that topic will be discussed later in the meeting.

**THIRD ORDER OF BUSINESS**

**Chair’s Opening Remarks**

Mr. Marquardt stated the HOA is transitioning to BrightView Landscaping (BrightView) as its landscaping vendor. In the past, the HOA and the CDD had an understanding whereby the HOA vendor would mow and maintain certain areas in the CDD setback. This has been helpful, as it is easier for the HOA vendor to maintain the areas rather than the CDD hiring a separate contractor at greater expense. He noted that homeowners pay both the CDD and the HOA for certain services and Heidi agreed that the goal is to get the job done as efficiently as possible. He is unclear that this understanding is still clear due to the transition to BrightView. He emailed Heidi to suggest that he meet with the new HOA contractor to discuss this. This lends itself to upcoming discussions about GreenPointe, because the CDD does not expect the HOA to weed whack weeds that the mower cannot reach. He and Ms. Sanchez have discussed whether a Memorandum of Understanding is necessary; this will be discussed further.

▪ **Discussion: Change to Fiscal Year 2023/2024 Meeting Schedule**

**This item was an addition to the agenda.**

Mr. Marquardt stated Mr. Willis was promoted to District Manager of another CDD that is well north of Naples Reserve CDD. As this creates a scheduling conflict, he proposed adjusting the meeting time to ensure that Mr. Willis can continue attending Naples Reserve CDD meetings in person.

The Board and Staff discussed rescheduling meetings to the second Thursday of the originally scheduled months at 10:00 a.m.

Mr. Willis and Ms. Sanchez thanked the Board and Staff for accommodating the schedule change.

The following changes were made to the Fiscal Year 2024 Meeting Schedule:

DATE: Change to March 14, May 9, June 13, August 8 and September 12, 2024

TIME: Change “10:30 AM” to “10:00 AM”

**On MOTION by Ms. Wild and seconded by Ms. Godfrey, with all in favor, the Fiscal Year 2024 Meeting Schedule, amended as discussed, was approved.**

**FOURTH ORDER OF BUSINESS**

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

Ms. Sanchez presented Resolution 2024-01. Seats 1, 3 and 4, currently held by Supervisors Lisa Wild, Deborah Godfrey and Gregory Inez, respectively, will be up for election at the November 2024 General Election. Interested parties should contact the Supervisor of Elections. The candidate qualifying period is noon, June 10, 2024 to noon, June 14, 2024. Candidates must be a citizen of the United States, at least 18 years of age, a legal resident of Florida, reside within the CDD and be a registered voter in Collier County.

Mr. Marquardt noted that none of the current Supervisors chose to receive compensation. He asked for Page 1, Section 3 of the Resolution to be revised to indicate that Members of the Board “may” receive compensation.

Ms. Harmon asked if CDD Supervisors will be subject to the new Form 6 requirements. Ms. Magaldi stated they are not; the new disclosure rules apply to City Council members and other municipal officials.

The following change was made to Resolution 2024-01:

Section 3, First Line: Insert “may” before “receive”

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

**FIFTH ORDER OF BUSINESS**

**Presentation of Florida GIS Activation**

Mr. Felipe Lemus demonstrated the Florida GIS application and discussed the work done in the last month. He noted the following:

- The application is live and the link is posted on the CDD website.
- The “Legend” tab breaks down parcel ownership.
- All individual homeowners are broken down into end users.
- Naples Reserve CDD, Naples Reserve HOA and Collier County are represented.
- Information accessed is linked to the Property Appraiser’s website.
- A legend to the right side includes pertinent information.
- The easements layer is under construction; when published, lake maintenance and utilities easements will be available.
- Each drainage structure and pipe has its own unique ID.
- CDD pipes and non-CDD pipes will be differentiated and color-coded.

Mr. Marquardt stated the application will be accessible to the CDD and the public.

Discussion ensued regarding drainage swales, berms and catch basins.

Mr. Marquardt expressed his opinion that the party responsible for drainage swales depends. He noted that, in some instances, the property owner destroyed the flow and poorly constructed pools have created problems. This issue will be discussed later in the meeting; each property must be inspected to determine where the swale begins.

Mr. Willis stated, in some communities, the HOA or Design Review Committee (DRC) can add features, such as fences, to the GIS provided the HOA pays for that layer.

Discussion ensued regarding building the system and additional information and assets that can be added, such as pipe inspections, littoral shelves, fishing areas, etc.

Mr. Lemus demonstrated the Toolbox, Drainage Summary that includes pipe sizes and the measurement tool.

- Annual county-wide photos are uploaded to the GIS system; all photos are retained.

Mr. Willis stated the basic package was purchased and additional layers are available at an extra charge. The CDD could identify repairs, docks, affinity pools, restructured lake banks, etc., in a layer. The DRC and/or the HOA could pay for layers used for their purposes.

Asked if pipe sizes were officially verified, Mr. Lemus stated all data was collected via Engineering processes but not independently verified. Mr. Willis stated he can gather information from pipe inspection reports.

**Ms. Wild left the meeting at 11:21 a.m.**

**SIXTH ORDER OF BUSINESS****Discussion: District Landscaping Needs and Laguna Springs Drainage Report**

Mr. Willis stated the options for the area between the high-water mark and where the landscapers currently stop cutting include hiring a landscape company, asking the HOA to enter into a Maintenance Agreement to provide the additional cutting or surveying the area to determine responsibility. A similar situation exists at another CDD where, in the interest of maintaining a uniform appearance throughout the community, the CDD entered into an Agreement with the HOA for the CDD to use the HOA's landscaping company for maintenance.

Mr. Willis stated, if the CDD uses its own landscaping company, he does not suggest maintenance more than once per month, due to the cost, which was quoted at approximately \$4,700 per month or \$60,000 per year.

Discussion ensued regarding difficulty accessing the waterline with a lawnmower, areas in question and efforts to obtain additional quotes.

Mr. Marquardt stated a long-term solution might be re-grading the property in a future year, beginning with one-third or one-quarter of the project per year.

Steep lake banks, the desire to prevent grass from going into the water, lake maintenance and the CDD's responsibility from the high-water mark to the water's edge were discussed.

Mr. Willis stated that a ribbon is not addressed. Ms. Harmon noted that the area has not been maintained. Mr. Marquardt suggested a one-time maintenance be performed in the short term, while long-term solutions are explored.

**On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, a one-time lake bank maintenance contract in the specified two communities, in an amount not to exceed \$5,000, was approved.**

Ms. Sanchez noted that the next meeting will be held on March 14, 2024 at 10:00 a.m.

Discussion ensued regarding exploring littoral options to replace spikerush.

Mr. Nott stated he will provide recommendations.

Mr. Cole stated Mr. Bob Ferguson will work with Mr. Willis to determine which lots will be regraded at the back side of the lots; he stated a proposal will be needed.

Mr. Marquardt thinks it will be helpful to identify those properties. He wants to see the proposal to advise property owners that their homes have been identified for re-grading.

Regarding the last two photographs included in the Sixth Order of Business, labeled “Berm Preventing Runoff” and “Water Pools Here”, Mr. Cole stated, as he mentioned many times before, that berm must remain in sight and any water along the back side of those lots must drain into yard drains and/or catch basins and then flow internally into the property and then be treated in the lakes and go through a water management control structure before it discharges to the north. That berm is there for a purpose and it is supposed to block the runoff. It could be that the swale along the back side of those lots is incorrectly graded or, during construction of the homes, it might have been altered. The solution is that possibly to regrade some of the drainage along the back side of the homes or the pool cage; however, that is not something that the CDD caused.

Mr. Marquardt asked if that is something the CDD should supervise or approve. Mr. Cole stated the CDD should have some oversight. Mr. Marquardt asked if Mr. Cole is suggesting the response is to communicate to the property owner that the CDD has determined that this problem was caused by pool construction and that the property owner is responsible for repairing the damage, with CDD supervision. Mr. Cole replied affirmatively.

Mr. Cole will draft the letter stipulating that the CDD wants to review the plan before it is executed; Ms. Magaldi will review the letter before it is sent.

**SEVENTH ORDER OF BUSINESS****Discussion: Leeward Drainage Mitigation**

Mr. Cole stated he and Mr. Bob Ferguson inspected the area; a recommended solution and proposal will need to be developed. They believe the cause of the problem is that the first lots to the left had homes on them and the third was built later and it looks like, when the pool and/or the house was built, excavated material was piled up into the swale that presumably existed before home construction. The rear drainage is supposed to drain from the back side of the lots to the east to an existing catch basin between the third and fourth lots. There is now a mounded area from the pool construction that must be reviewed to see how it can be re-graded to drain so that the water from the first two lots does not pond up.



Mr. Marquardt believes the area was inspected before regrading and consideration of a second drain. Mr. Cole will see if a yard drain is needed. A proposal will be presented at the next meeting.

Ms. Sanchez stated she spoke with resident Bill Pokius for the first time two days ago and he stated he is affected by the construction of this pool. She is unsure who he spoke to in the past; he might have been communicating with the HOA, as she did not find any communications with CDD Staff. After following up with Mr. Cole, she thinks Mr. Pokius is affected. Mr. Willis will follow up with Mr. Pokius today.

Mr. Marquardt will forward another resident inquiry to Mr. Willis.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Boat Dock Encroachment Agreement [14342 Laguna Springs Lane]**

Ms. Sanchez presented the Boat Dock Encroachment Agreement for 14342 Laguna Springs Lane, previously executed by the Chair.

**On MOTION by Ms. Godfrey and seconded by Ms. Harmon, with all in favor, the Boat Dock Encroachment Agreement for 14342 Laguna Springs Lane, was ratified.**

**NINTH ORDER OF BUSINESS**

**Consideration of BrightView Landscape Services, Inc. Proposal for Extra Work [Clean Up Lake Banks Around Bimini and Crown Point]**

This item was discussed during the Sixth Order of Business.

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of December 31, 2023**

Ms. Sanchez stated budget discussions will begin at the next meeting; a proposed Fiscal Year 2025 budget might be presented at the May meeting.

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

**ELEVENTH ORDER OF BUSINESS**

**Approval of October 5, 2023 Regular Meeting Minutes**

**On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, the October 5, 2023 Regular Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Other Business**

There was no other business.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Coleman, Yovanovich & Koester, P.A.**

- **Draft Stormwater Management Rules and Policies**
- **Required Ethics Training**

Ms. Magaldi discussed the new requirement for Supervisors to complete four hours of ethics continuing education every year. Free trainings are available on the Florida Commission on Ethics website. Completion will be reported by checking a box on Form 1 in 2025. Proof of completion need not be submitted but any certificates, dates of completion, notes and documentation related to completion should be retained. If a Supervisor whose seat is up for election does not plan to run again, it is not necessary to meet the requirement.

Ms. Sanchez stated she will email the link to coursework to Board Members.

Ms. Magaldi presented the new Draft Stormwater Management Rules and Policies.

Mr. Marquardt suggested the Board review the document and discuss it at the next meeting. Ms. Sanchez stated some comments received were notated. She asked the Board Members to email their questions to her in advance, to help with discussion at the next meeting.

This item will remain on the agenda.

**B. District Engineer: Bowman Consulting Group LTD**

There was nothing further report.

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

**I. Monthly Report**

Mr. Willis reported the following:

➤ A large irrigation break occurred behind a home on Charthouse Circle. The contract was executed, the repair was completed yesterday and the invoice was sent to the HOA. The proposal is included in the report.

➤ A resident on Laguna Springs called the offices numerous times and claims that his phone calls and communications are not being returned. He was called at least four times and messages were left asking the resident to call back. The resident is convinced that there is a fire hazard behind his home and, each time he called, he was advised that the area is part of the Picayune Strand so his inquiry should be directed to the State; was advised that it is not CDD property and the CDD can do nothing.

Mr. Willis recalled that, at the last meeting, a question was asked about how lake restoration is conducted. He offered to show a brief one-minute video. The Board Members agreed to watch the video.

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

- **NEXT MEETING DATE: March 7, 2024 at 10:30 AM**
  - **QUORUM CHECK**

The next meeting will be held on March 14, 2024, at 10:00 a.m., not on March 7, 2024.

**FOURTEENTH ORDER OF BUSINESS**

**Public Comments**

Mr. Dixon asked Mr. Willis to check the lake bank behind the house at 14748 Windward Lane.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

There were no Supervisors’ requests.

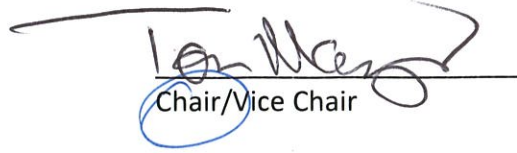
The Board and Staff viewed the brief informational lake bank restoration video. Following the presentation, Mr. Willis stated the prices for lake bank restoration generally start at \$49 per linear foot. The option shown costs \$100 per linear foot and comes with a lifetime warranty, as opposed to a three-year warranty for the less expensive options.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Marquardt and seconded by Ms. Godfrey, with all in favor, the meeting adjourned at 11:57 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair