

**MINUTES OF MEETING
SARASOTA NATIONAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Sarasota National Community Development District held a Regular Meeting on October 10, 2023 at 2:00 p.m., at the Sarasota National Clubhouse, 25500 National Boulevard, Venice, Florida 34293.

Present were:

Gerald Bergmoser	Chair
Carlton (Cary) Leuschner	Vice Chair
John Istwan	Assistant Secretary
Richard (Dick) Smith (via telephone)	Assistant Secretary
Douglas Kasl	Assistant Secretary

Also present:

Chuck Adams (via telephone)	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Michael Eckert (via telephone)	District Counsel
Bill Conerly (via telephone)	District Engineer
Bill Kurth	Premier Lakes, Inc. (Premier)
Alex Kurth (via telephone)	Premier
Jack Babich	Resident/HOA Board Member
Jerrilyn Schulze	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 2:00 p.m.

Supervisors Bergmoser, Leuschner, Istwan and Kasl were present. Supervisor Smith attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items [3-Minute Time Limit]

Mr. Bergmoser stated he received three questions from resident Jerrilyn Schulze. Regarding the bond maturing in 2039 and the question of who owns the land, Mr. Bergmoser stated the CDD continues to own the land, in perpetuity; in rare occurrences, CDDs can be dissolved but that is unlikely. The CDD continues to manage. Asked why the HOA is paying for the irrigation and pump station electric expenses, Mrs. Adams stated those are HOA expenses and the CDD does not get involved with HOA matters. Regarding a perception of double-billing, Mrs. Adams stated the CDD does not charge for irrigation; the CDD manages the lakes and wetlands.

Mr. Bergmoser stated the CDD owns the lake but the HOA has the pumping station, pipes, filters, etc.

THIRD ORDER OF BUSINESS

Update: Premier Lakes, Inc. (Alex Kurth)

Mr. Kurth presented the Quarterly Lake Report dated October 6, 2023 and noted the following:

- The next Report will be submitted in January.
- Significant progress was made in reducing the unwanted vegetation. In most areas, the littoral plants are coming back and filling in nicely. The torpedo grass is one-tenth of what it was when treatment began; it will never be completely eliminated but it is fairly well managed.
- There are no significant submersed weed issues other than at Lakes 72 and 73. These lakes were treated and a follow up treatment will be applied. Dead vegetation will be cut and removed by a wetland crew to improve the aesthetics.
- Marine nyad is being treated with a mixture of algaecide and herbicide.
- The large lake was stocked with catfish and assorted sunfish one week ago; the fish are doing well.

Mr. Smith noted that news, such as the fish restocking, can be included in the newsletter.

Mr. Alex Kurth stated he will send photographs to Mr. Kasl.

➤ A large littoral shelf on Lake 56 needs to be treated for torpedo grass; it has not been treated due to the presence of two large alligators measuring approximately 10' and 12'. The 10' alligator was aggressive and residents should be warned.

Mrs. Adams asked Mr. Willis to inform the HOA about what was experienced.

➤ A proposal for additional littoral plantings will be submitted for the Board's consideration at the January meeting.

➤ The fish stocked into the lake are expected to help mitigate midge fly issues; it will take some time for the fish to grow large and propagate within the lakes.

Mr. Smith noted white material around the shoreline in photos of Lakes 44 and 58. Mr. Kurth stated foam can occur when strong winds react with protein from plant decomposition. He noted that the lakes reached very high temperatures in summer.

FOURTH ORDER OF BUSINESS

Discussion: Demand Letter to Sarasota National Golf Club for Reimbursement of Fees and Expenses Regarding Unauthorized Removal of Wetland Vegetation Located in Wetlands 43 and 46

• **Consideration of License Agreement Regarding Wetland Repairs with the HOA**

Mr. Bergmoser presented the Demand Letter and stated the CDD received reimbursement in the amount of \$9,812 50.

Mrs. Adams stated the License Agreement is to allow the HOA the opportunity to allow the golf course crew to do the replantings to save money.

Mr. Eckert stated the Agreement gives the Master HOA permission to work on CDD property; the Agreement is terminable at will and indemnifies the CDD against any losses.

Discussion ensued regarding establishing a deadline of 60 days for the work to be complete, optimal times for planting, obtaining materials and installing the plantings.

Mrs. Adams stated golf course crews will be working in conjunction with the Environmental Consultant retained by the CDD. The work needs to be done right away and, in the event that the work is not completed by the deadline, the CDD has the option to engage its

own contractor. In that case, the Agreement would terminate and the golf club would reimburse the CDD accordingly.

Mr. Eckert was directed to change the deadline in Section 4, on Page 2. He stated he will change the deadline to 60 days from today.

Mr. Adams stated a similar change might be needed to the Agreement to be considered in the Fifth Order of Business.

The following changes were made:

Page 2, Section 4, EFFECTIVE DATE; TERM: Amend the language to state the Agreement will go into effect for 60 days unless extended by mutual agreement of the parties.

Asked how quickly it can be done and delivered to the HOA, Mrs. Adams stated the Agreement will be executed today; when revised, it will be emailed to the HOA.

Mr. Eckert stated he will revise the document today.

Mr. Smith asked if an HOA Board Representative is present.

Mr. Jack Babich stated the next HOA meeting will be in late October.

Mrs. Adams will email the revised Agreement for the HOA Board's consideration.

On MOTION by Mr. Kasl and seconded by Mr. Istwan, with all in favor, the License Agreement with the HOA Regarding Wetland Repairs, as amended, was approved.

Mrs. Adams responded to questions and noted that the Environmental Consultant engaged by the CDD will review the plants to ensure they comply with the requirements and monitor the plantings to ensure their survival.

FIFTH ORDER OF BUSINESS

Continued Discussion/Consideration of Infrastructure Management and Maintenance Services Agreement with the HOA

Mrs. Adams recalled that the Agreement was approved at the last meeting, with edits.

Mr. Eckert presented the Agreement, which included Ms. Whelan's revisions following the last meeting, and noted the following:

- The Agreement originally entered into with the HOA in 2007, in concept, gave the HOA responsibility for performing a lot of the maintenance of the facilities.
- The compensation remains \$10 per year, as some consideration is required.
- The term provides for automatic renewal every five years.
- His understanding is that the last Agreement was not executed.
- Exhibit A sets forth what facilities are included within the Agreement and what facilities are not and provides a good description of the CDD's responsibilities versus the HOA's responsibilities.
- Irrigation, perimeter berms and landscaping, main entry landscaping, landscaping around the lift stations, landscaping adjacent to Mandasota East Road and Venice East Boulevard, and sidewalks are clearly under the HOA's purview under this Agreement.
- If the HOA does not enter into this Agreement, District Counsel's advice is to maintain whatever infrastructure is owned by the CDD.

Mr. Smith stated he previously raised the issue of cracked sidewalks in front of the security gate and noted that Ms. Whelan was under the impression that the HOA would address the issue. It was noted that the repair was completed by the HOA.

Mr. Eckert stated "Exhibit A" assigns responsibility for all sidewalks to the HOA, without limitation.

Mr. Leuschner asked if Section 2B can better define "regular inspections" as monthly, semi-annual, etc. Mr. Eckert stated more detail can be added and noted that Section 2B refers to best management practices.

Discussion ensued regarding options and reasons to modify the wording.

Mr. Eckert suggested "at least annually" be added.

The following changes were made:

Page 2, Section B: Add "or at least annually" after "best management practices"

Page 2, Section D: Change "his designee" to "its designee"

On MOTION by Mr. Kasl and seconded by Mr. Leuschner, with all in favor, the Infrastructure Management and Maintenance Services Agreement, as amended, was approved.

SIXTH ORDER OF BUSINESS

Discussion: New Cell Towers

Mrs. Adams presented a request to explore the possibility of leasing an area of CDD property to accommodate a new cell tower.

Discussion ensued regarding the proposal and whether a suitable parcel of undeveloped property within the CDD that is not a designated protected wetland or lake is available.

The consensus is that the Board is not interested in entertaining this request.

Mr. Conerly stated the proposal was unsolicited; the proposer will be informed that the Board is not interested.

Discussion ensued regarding the locations, ownership and approved uses of various tracts within the CDD boundaries.

Mr. Conerly stated the tract adjacent to the lift station is owned by the CDD; the land was conveyed and it is not conservation land, it is preservation land, which has different constraints. He will inform the proposer that the CDD does not wish to consider a cell tower.

Mr. Smith stated he did not receive a Financial Highlights Report. Mrs. Adams stated it is in the agenda, whenever possible.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2023

Mrs. Adams presented the Unaudited Financial Statements as of August 31, 2023.

Mr. Adams will look into the progress of the recently approved Synovus Bank account.

The financials were accepted.

EIGHTH ORDER OF BUSINESS

Approval of August 8, 2023 Regular Meeting Minutes

Mrs. Adams presented the August 8, 2023 Regular Meeting Minutes.

Mr. Willis asked for attendees, including Board Members, to identify themselves when speaking to facilitate accurate transcription of the minutes.

The following changes were made:

Line 104: Change “Bergmoser” to “Istwan”

Line 122: Change “A Board Member” to “Mr. Smith”

Line 275: Change “Smith” to “Istwan”

On MOTION by Mr. Smith and seconded by Mr. Leuschner, with all in favor, the August 8, 2023 Regular Meeting Minutes, as amended, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineer: Kimley Horn and Associates, Inc.

There were no District Counsel or District Engineer reports.

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

- **NEXT MEETING DATE: November 14, 2023 at 2:00 P.M.**

- **QUORUM CHECK**

The November 14, 2023 meeting was canceled.

Mr. Smith asked when changing the meeting times might be considered. Mrs. Adams stated it can be considered in May 2024, for the Fiscal Year 2025 meetings.

On MOTION by Mr. Bergmoser and seconded by Mr. Istwan, with all in favor, canceling the November 14, 2023 Meeting, was approved.

D. Operations Manager: Wrathell, Hunt and Associates, LLC

The September Field Operations Report was included for informational purposes.

Mr. Willis presented the Lake Observations Report, noting that he incorrectly identified property adjacent to Wetlands 36 as CDD property; however, this area, which is outside of the wetland, belongs to the HOA. It has some invasives and that information was shared with the

HOA. He will continue the inspections and submit Operation Reports for selected lakes, as needed. .

Mr. Smith stated a resident called to report that EcoLogic removed some invasive plants and cut down some branches near their property but the work was only partially completed.

Mr. Willis stated he met with the HOA about this, as those trees are growing over the property line and the responsibility to trim the tree roots back to the property line rests with the HOA. EcoLogic removed some limbs because they were already working in the area. He noted that a very large oak tree remaining to be removed will be costly so he did not ask EcoLogic to perform that work due to the cost and the lack of any safety concerns. The HOA will need to contract for that work directly.

TENTH ORDER OF BUSINESS

Supervisors' Requests

- **Continued Discussion: Supervisor Kasl's Items**

- **CDD Newsletter – October 2023**

Mr. Kasl asked for edits to the newsletter and asked if the approval process can be expedited. Mrs. Adams stated the decision was made to have the Board approve the newsletter in advance. Mr. Kasl asked if the newsletter can be included in the agenda and approved at the meeting to expedite mailing. He asked if he needs to have the newsletter approved again at the next meeting if includes the photos of the fish restocking.

Mrs. Adams stated, with Board approval, Staff can do a final review and email the newsletter.

Mr. Eckert cautioned Board Members to avoid having discussions about CDD matters outside of a public meeting.

Discussion ensued regarding the newsletter formatting, edits, headlines, etc.

- **Electronic Library**

Mr. Kasl discussed his desire to build an electronic library of documents and financials for Board Members and noted that there is a limitation regarding what can be included on the CDD website due to the Americans with Disabilities (ADA) Act.

Mrs. Adams stated District Management staff members have access to information not posted on the website but District Management is not set up to provide that type of “electronic library” to the Board Members. She encouraged Mr. Kasl to ask Staff for any information he needs.

Mrs. Adams discussed how Board Members can access the past Agendas archived on the CDD website. She encouraged Mr. Kasl and all Board Members to call or email Staff for assistance in locating specific documents.

- **GIS System**
- **Undeveloped Land**

Mr. Kasl voiced his belief that not all the GIS data is correct because some of the properties still show as owned by WCI. He asked who is responsible for the accuracy of the CDD property recorded on the County website and how frequently the data is updated.

Discussion ensued regarding the frequency of data updates, CDD and HOA ownership of properties and properties owned by WCI.

Mrs. Adams stated WCI’s land is theirs and not subject to CDD management. The GIS Program on which the District Engineer is working was approved in Phases. Phase I was approved to be completed in 2023; Phase II, which will be completed in 2024, includes drainage pipes and structures, labels and platted easements.

ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Leuschner and seconded by Mr. Bergmoser, with all in favor, the meeting adjourned at 3:04 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair