

**MINUTES OF MEETING  
WENTWORTH ESTATES  
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of Wentworth Estates Community Development District was held on Thursday, May 13, 2021, at 8:30 a.m., at the Treviso Bay Clubhouse, 9800 Treviso Bay Boulevard, Naples, Florida 34113.

**Present and constituting a quorum:**

Joe Newcomb	Chairperson
Robert Cody	Vice Chairperson
Steve Barger	Assistant Secretary
Joanne Lekas	Assistant Secretary

**Absent:**

Andrew Gasworth	Assistant Secretary
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**Also present were:**

James P. Ward	District Manager
Greg Urbancic	District Attorney
Bruce Bernard	Assets Manager, Calvin Giordano & Associates
James Messick	

**Audience:**

Tony Pires	Shadi of Naples, Inc.
Mohammed Rahman	Shadi of Naples, Inc.

All resident's names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE TRANSCRIBED IN *ITALICS*.**

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

District Manager James P. Ward called the meeting to order at approximately 8:30 a.m. He conducted roll call; all Members of the Board were present, with the exception of Andrew Gasworth, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes**

**March 11, 2021 – Regular Meeting**

Mr. Ward stated the second order of business was consideration of the Minutes. He asked if there were any additions, corrections, or deletions to these Minutes; hearing none, he called for a motion.

**On MOTION made by Mr. Robert Cody, seconded by Mr. Joe Newcomb, and with all in favor, the March 11, 2021, Regular Meeting Minutes were approved.**

### THIRD ORDER OF BUSINESS

### PUBLIC HEARING

Mr. Ward explained the public hearing process including public comment, Board discussion and vote.

#### a. PUBLIC HEARING – FISCAL YEAR 2022 BUDGET

##### I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

**On MOTION made by Mr. Joe Newcomb, seconded by Mr. Robert Cody, and with all in favor, the Public Hearing was opened.**

Mr. Ward asked if there were any public comments or questions with respect to the Fiscal Year 2022 Budget. He noted public comments should be limited to 3 to 5 minutes if possible.

Mr. Tony Pires representing Shadi of Naples, Inc., indicated he sent Mr. Ward an email with his objections to the assessment rate for Fiscal Year 2021-2022. He stated he also sent the Board Members a copy of his October 29, 2020, letter regarding the previous years' assessments and his objections thereto. He noted with regard to the Operation and Maintenance assessments, last year the Board approved a reduction; however, this reduction was not included on the roll. He noted Mr. Ward indicated he would correct this oversight with the tax collector. He discussed the FY 2021-2022 assessment and listed his objections. (Portions of his statements were indecipherable. Mr. Ward asked Mr. Pires to move closer to the microphone.)

*Mr. Pires: In 2006 was when the project was first indicated and is outlined in the materials. There was a statement by the engineer for the District at the time, that the commercial property received no benefit from the storm water management system. The specific reference to that is outlined in my materials, and also contained in pages 7 and sheet 6a of April 28, 2006, Supplemental Engineer's Report, and said the "community infrastructure which will be constructed will represent a system of improvements that will provide benefits to all developable land within the District with the exception of the planned commercial parcel." It goes on to say, "Any benefits that the commercial parcel will receive from the District's infrastructure will be general in nature, and as such no assessments will be allocated to this property." In 2012 there was another Engineer's Report by Morrison Engineering, adopted by the Board in August of 2012. In that Report it said the 2006 project was substantially completed. In other*

*words, the fact that there was storm water management system, and all the other capital infrastructure was substantially completed. Attached to the Engineer's Report from 2012, was a map. This map is exactly the same map as the 2006 Engineer's Report. The first 2006 Engineer's Report said, again, no benefit to the property from the infrastructure, so that has not changed in our opinion. In addition, we have this temporary sales facility. I provided the site development plan for this in the materials. That shows the discharge to the canal off site, no discharge to any aspect of the storm water management system of Wentworth Estates. This is from the South Florida Water Management District Permit Application. (He presented a copy of this to the Board and to Mr. Ward for the record.) He displayed and discussed copies of the stormwater plan for the property showing the drainage system with no connection to Wentworth Estates' system. Also interesting, in 2018, a revised assessment report and methodology contained a number of references, and it said the resolving plan had changed, that the cost had to be reallocated based on the new usage for each property within the District (that's page 4 of Mr. Ward's Special Assessment Report dated 12/14/2017). Interestingly enough, there is no reference to the commercial property in that report. I will provide a copy of this later. It just said the allocation of the costs associated with the construction of the surface water management system are based on utilization of this system by each property owner within the District. It says the storm water management system was designed to provide all treatment and flood protection for the entire District, but then it goes on to say in section 6.1.2.3.2, "flood protection for all properties, including the golf course." It does mention commercial in 6.1.2.4, "the above functions of the storm water management system relieves other property owners, including the golf course, from having to provide these functions in a separate system that would otherwise have to be constructed to provide these services," and that all the areas associated with the golf course, and all residential property, flows into the District's storm water management system where treatment and flood protection is provided. I think that's a critical component. Page 9 of Mr. Ward's December 2017 report adopted by the Board by Resolution 2018-3, in 2018 is 6.1.2.6, "all the areas associated with the golf course, including clubhouse and maintenance facility, and all residential property, flows into the District storm water management system where treatment and flood protection is provided." No reference to the commercial property. What other aspect about the commercial property, which was noted in my correspondences, is that it has been carried as 10 acres. It is 9.07 acres, but everything has been calculated based upon 10 acres, so that correction needs to be made on both a going forward and a retroactive basis. The 10 acres came about because the plat says there is 10 acres of commercial, but this tract is not the entire 10 acres of commercial, it is 9.07 acres as reflected in the appraisal the Board had to perform in April of 2020 where Julian Stokes a well-respected appraiser performed the appraisal and said it was 9.07 acres in size, so we believe that also needs to be corrected. One other aspect is that the notice for today's hearing, published 15 days prior to the public hearing, said all objections needed to be filed within 20 days of the date of the notice, so our argument is, and it's in our correspondence, is that this hearing cannot adopt a budget or assessment roll today; you have to wait until at least 20 days.*

*Mr. Greg Urbancic: Are you saying you did not have notice and that you didn't have enough time to file objections? You personally didn't?*

*Mr. Pires: That is correct. And others didn't either. It says you have to file objections within 20 days. We filed objections within 20 days, but it gives everyone the opportunity to have until May 18, 2021, to file objections. We would contend that's a notice law. The Board continue the hearing until May 18<sup>th</sup> to consider the assessment roll and Budget at that time. Then, in my opinion, it would meet the notice requirements. It in the notice; it's gratuitous, but it's there, provided to the public as a whole. One other question is, I wasn't able to ascertain, and I'm sorry if I didn't read the documents properly, how the number of ERUs was assigned to this property. It varied at times. One Engineer's Report had 79, one had 110. I think it is 91 at the present time. We would like to have the information as to how it was revised. I didn't see the basis for that in assessment Methodology that's in today's agenda packet. So, what we are asking for is for 2021-2022 fiscal year, that the operation and maintenance assessment be reduced to reflect the benefit accruing to the property solely from those discreet elements of the infrastructure that they benefit the property, such as the road up to the gatehouse, exclude the gatehouse, exclude access control, exclude all costs associated with the water management system and exclude all costs for landscaping other than what might be along 41 because the property is on U.S. 41. Additionally, we still object to the debt service assessment based upon the same argument. That's a \$40,000 dollar number. I believe it was a \$23,000 dollar number for the operations and maintenance assessment. We reiterate our request for refunds for prior years, and don't waive that at all. Mr. Rahman will address a concept plan showing all the water will be kept on site from this project and did not discharge anything into the storm water management system.*

*Mr. Mohammed Rahman, President of Shadi of Naples: I just want to share with you in 2018 I had an Engineering Firm do the conceptual plan, and it shows the intention (indecipherable).*

*Mr. Pires: On the black and white portion of that plan it shows the sales center facility, which is again, the materials I provided from the South Florida Water Management District showing the discharge not into the water management system. We are not waiving any objection to the notice.*

*Mr. Urbancic: We could debate that.*

*Mr. Pires: We do appreciate the actions taken last year when it was reduced, but it wasn't reduced, and that happened, and Jim is taking care of that. But again, I think on an going forward basis the (indecipherable 16:24).*

Mr. Ward asked if there were any members of the public on audio or video who had any questions or comments from the Board; hearing none, he called for a motion to close the public hearing.

**On MOTION made by Mr. Joe Newcomb, seconded by Ms. Joanne Lekas, and with all in favor, the Public Hearing was closed.**

## **II. Board Comment**

Mr. Ward asked if there were any Board comments or questions specifically related to the Budget itself. He explained Mr. Pires' comments were related to the imposition of the Assessment, which is actually the next public hearing. There were no questions or comments.

### **III. Consideration of Resolution 2021-3 adopting the annual appropriation and Budget for Fiscal Year 2022**

Mr. Ward called for a motion for Resolution 2021-3.

**On MOTION made by Mr. Robert Cody, seconded by Mr. Joe Newcomb, and with all in favor, Resolution 2021-3 was adopted, and the Chair was authorized to sign.**

#### **b. FISCAL YEAR 2022 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY**

Mr. Ward indicated this public hearing was related to the imposition of the special assessments for the general fund, certification of an assessment roll, and approval of the special assessment methodology for the District.

##### **I. Public Comment and Testimony**

Mr. Ward called for a motion to open the Public Hearing.

**On MOTION made by Mr. Joe Newcomb, seconded by Mr. Robert Cody, and with all in favor, the Public Hearing was opened.**

Mr. Ward asked if there were any public comments or questions.

*Mr. Pires: For the record, I would like to have the Board incorporate into this section all the comments, objections and materials noted in the Budget Hearing. (Please see the Budget public hearing above for Mr. Pires' statements pertaining to this public hearing.)*

*Mr. Ward: We will incorporate all of that into the record.*

*Mr. Pires: Additionally, I would like to make part of the record the letter that was sent on May 12, 2021, to all the Board Members, Mr. Ward and Mr. Urbancic. A couple of other additional comments with regard to the proposed assessments. We, Shadi of Naples, contend that there are no special benefits to the property from the facilities, services, and improvements of the District, including, but not limited to, the storm water management system, access control, and gates, and irrigation system. We also dispute we don't know what the basis is for the assigned number of ERU's reflected in the assessment methodology report in today's agenda, for this property. It also appears to have been based upon 10 acres versus 9.07 acres and we reiterate that objection. We also object to the debt service assessment based upon the same arguments we made earlier. I would like to have the District articulate its position as to what the special and peculiar benefits that flow to the property are. Again, I believe we've shown that this,*

*from the 2006 Engineer's Report, 2012 Engineer's Report, Mr. Shadi's diagram which is in the record, that this project is not connected to or part of the overall integral water management system for Wentworth Estates Community Development District. What I would like to also make sure the record we have previously attached and included the excerpts from the 2006, my prior letter, which also references the excerpts from 2006 and 2012 where the Engineers specifically stated, "None of the CDD improvements are necessary for the development of the commercial tract." Going on to talk about the infrastructure "which will be constructed will represent the system of improvements that will provide the benefits to all developable land within the District with the exception of the planned commercial parcel," as described further in section 5.1 of this report, and again that's the 2006 report. In the Special Assessment Methodology, it also addressed this same issue. Again, by August of 2012 the improvements referenced in 2006 that provide no benefit to this property were substantially completed. While the 2012 Engineer's Report says there is a benefit to this property, it doesn't articulate how a benefit occurred. In 2012 this project was completed, there is no indication that the project was changed as to the storm water management system with regard to this property. Again, based upon that and everything else I provided earlier, we request that the assessments not be imposed upon this property as to that part attributable to the storm water management system, or any features past the gate, and also that the operation and maintenance assessments not include any component associated with the storm water management system, or any landscaping or features beyond the gate on Treviso Bay Boulevard. We reserve all rights and objects to further contest this as appropriate. Thank you very much. Mr. Rahman's testimony is reiterated as part of this.*

*Mr. Ward: It will be so incorporated. Before we get to responding to Mr. Pires' comments I will just ask are there any other members of the public present by audio or video today that have any public comment with respect to the assessment for Fiscal Year 2022 for the District. There were none.*

Mr. Pires reiterated his objection regarding the public notice.

*Mr. Urbancic: Just for the Board, Mr. Ward and I took a look at that, and essentially what we have is last year, for this current fiscal year, Jim's office had done notices that we were required to do to raise our cap rate and increase the assessments. At that time, mailed notices and also published notices were done in accordance with Chapter 197 of Florida Statutes. This year, we weren't increasing the assessments beyond the cap rate that we established, so that takes us out of one of the notice provisions; however, I think Jim's office took a more comprehensive notice than we actually had to do and published it in the newspaper. So, I think there is more there than we legally had to do, and so what we had to do was publish two notices, one 15 days prior to the hearing, which was done, and then a second notice a week later, which was done. So, we technically have met the notice requirements in terms of if we are looking at technical requirements, because we are not increasing assessments beyond the cap rate which we did adopt pursuant to Chapter 197. So, that's why some of the confusion had arose. I wanted to see whether Mr. Pires thought he didn't have notice, and whether or not they didn't have time to present their case. Clearly, we have given them an opportunity today. I just wanted to at least respond to that portion of it. The only other comment I would make, I wasn't the attorney at the time, but in 2012 this District did adopt a revised*

*Engineer's Report prepared by Morris Engineering which relooked at the infrastructure that was constructed and approved and did reallocate the assessments based upon benefit. That's what we are living under today, and the assessment methodology in terms of capital improvements was done. I know there was discussion of 2006, but there was actually a process in 2012 to redo that and so that's kind of what we are living under today in terms of capital improvements. I know Jim may have some additional comments on where we are today in terms of our maintenance assessment, but I at least wanted to put that out there.*

*Mr. Ward: Shadi of Naples is talking about two different special assessments that we have. One is the debt assessment for our bonds and the second is our operating assessment. Subject of today's hearing is related only to your general fund operating assessment. This is not related to your debt assessments. As Greg pointed out to you, those assessments were done originally in 2006, as Mr. Pires also pointed out. Those were revised in 2012, subsequent to a complete land use plan change and that was revised and relooked at by a new Engineer at the time who made different determinations as to the benefit that accrues to the Shadi property as it relates to our capital assessments and that's what we are living under right now. As far as your operating assessment is concerned, when we started into the program for operations, the original idea was to just look at the Shadi property in terms of what the assessment should be, what a reasonable if it was some kind of residential property. Mr. Rahman, last year, as you may recall, I had discussions with him prior to the public hearing with respect to that assessment. He objected to the 91 units. I relooked at that before that public hearing last year in terms of how it was done for the debt assessments. And that property bears about 2% or 2.1% of the overall assessment for the program, so we revised that for the 2021 assessments down from the 91 units to 2%, so it reduced the assessment from \$46,000 dollars down to \$22,000 dollars on average. In this year's assessment, that is done exactly the same way, so the assessment for this property is essentially equal to how the calculation was done for the debt assessments, roughly 2.1% of the overall assessment program. I frankly thought that was a fair way to allocate the assessments for this District. The key issue here that Tony raised is that he doesn't benefit from the storm water management system, either for debt or for operations, but only for landscaping and road. Clearly the engineer at the time in 2012 who did that original engineering report said otherwise. Basically, this said that they do benefit structurally from all of the improvements that were done, which were primarily the preserves for the property, the storm water management system, the entrance road, landscaping, SW Boulevard improvements, those kinds of things, all provided benefit to this property. The report that you have in your Agenda, and even the report that Tony references of 2012 that I did for the revision to that report, generally we don't always mention commercial property or other parts in a report. You look at a District's assessments from an overall perspective, who is in the District and how does everybody benefit from that. How that shakes out is usually in the Engineer's Report which Morris presented to the Board at the time for the debt assessments and I basically now mirror that process in your operating assessments. So, clearly, we do think that the 2% of the overall cost of the system is a fair allocation for the commercial property for your operating assessments for 2021 as that was recommended to you and as Mr. Rahman knew at that time that we did. And obviously that is recommended to you for 2022. I*

*think I got all of Tony's questions, or most of them at this point. Any questions from the Board?*

*Mr. Pires: You mentioned an allocation of 2% of the overall. What's the basis of the 2%? What's the utilization factor?*

*Mr. Ward: Those are all based out of the Engineer's Report that Morris Engineering did in 2012. If you look at that, you will see that the overall allocation was roughly 2% of whatever the infrastructure costs were at that time.*

*Mr. Pires: What was the difference in the construction of the storm water management system between 2006 when Johnson Engineering did the report for the original project and 2012 when Morris said the project is complete?*

*Mr. Ward: That would not be a question I could answer for you. You would have to read both of those Reports and make that determination.*

*Mr. Pires: I did and there is no articulation as to why the determination was made in 2012. As I mentioned this is a 2006 drainage exhibit, this is the 2012 drainage exhibit, and it is exactly the same. There is no reference in the 2012 Report to any connection of this property to the storm water management system. There is no indication to any factual basis for that determination made. That's why my letters have said it appears arbitrary and inclusive without any basis. The District I think has an obligation to explain what was the functional in the ground difference between the project as approved in 2006 and that which was substantially completed in 2012 that this property now benefits from the storm water management system.*

*Mr. Ward: Again, you would have to go back and read those reports. I don't have them in front of me and I did not review them for today's hearing, so I would not be able to answer that question for you.*

*Mr. Pires: Secondly, where would this property discharge into the storm water management system?*

*Mr. Ward: Tony, I would not know the answer to that question.*

*Mr. Pires: Lastly, South Florida Water Management District permits for Wentworth Estates, (indecipherable).*

*Mr. Ward: I would not know the answer to that question.*

*Mr. Pires: I think it would be important to know that, otherwise, in our opinion it is inclusory, arbitrary, and (indecipherable). That Engineer's Report was also reiterated in 2018. It wasn't just 2012, so the four-year clock starts (indecipherable 34:34).*

*Mr. Urbancic: Tony, was your client not on notice of the assessments when they bought the property.*

*Mr. Pires: That's irrelevant as to whether or not they are valid. And again, the four-year clock began again in 2018, as that's when a further revised assessment report and methodology was done based upon the refinancing of the 2006 bonds, that occurred in January 2018.*

*Mr. Ward: I am not sure I would agree with you on the clock starting in 2018, because it was a refinancing of a bond issue. It was not a reallocation. It was a refinancing of a bond issue with the same allocation from 2012.*

Mr. Ward called for a motion to close the Public Hearing.

**On MOTION made by Mr. Joe Newcomb, seconded by Mr. Robert Cody, and with all in favor, the Public Hearing was closed.**

**II. Board Comment**

Mr. Ward asked if there were any questions or comments from the Board; there were none.

**III. Consideration of Resolution 2021-4 imposing special assessments, adopting an assessment roll, and approving the general fund special assessment methodology**

Mr. Ward called for a motion for Resolution 2021-4.

**On MOTION made by Mr. Joe Newcomb, seconded by Ms. Joanne Lekas, and with all in favor, Resolution 2021-4 was adopted, and the Chair was authorized to sign.**

Mr. Pires asked about the reference to the property as being 10 acres in the Resolution. He indicated the property was only 9.07 acres.

Mr. Ward explained the assessment was based on the percentage of the overall infrastructure as it relates to the bond issuance; it was 2%, not based on 10 acres. He explained every methodology done in the State used an average acreage; special assessments were not calculated according to exact lot size, but instead on an average lot size, as was done in every special assessment.

*Mr. Pires: I respectfully disagree because the record reflects it has been based upon 10 acres. That the 2% was based upon 10 acres.*

Mr. Ward thanked Mr. Pires for his comments.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-5**

**Consideration of Resolution 2021-5 designating dates, time, and location for regular meeting of the Board of Supervisor's for Fiscal Year 2022**

Mr. Ward stated the Wentworth Estates CDD Meetings were set for the second Thursday of every month at 8:30 a.m. at the Treviso Bay Clubhouse, 9800 Treviso Bay Boulevard, Naples, Florida 34113. He explained every meeting was advertised at once to save funds, but only necessary meetings were held. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Mr. Robert Cody, seconded by Ms. Joanne Lekas, and with all in favor, Resolution 2021-5 was adopted as amended, and the Chair was authorized to sign.**

Ms. Lekas asked when the next meeting was to be held.

Mr. Ward stated he did not believe another meeting would be necessary until the fall.

## **FIFTH ORDER OF BUSINESS**

### **Consideration of Reserve Study Proposal**

#### **Consideration of a First Time Reserve Study Proposal from Dreux Isaac & Associates**

*Mr. Ward: We had discussed during your initial budget hearing a reserve study for this District to gauge the value of our assets on a going forward basis, especially as we have a large bridge, a lot of landscaping, the stormwater program, etc. I secured a proposal from Dreux Isaac and Associates. I am only familiar with them in that I have seen their work on some homeowner's associations that have been done. I know they are doing a few districts. They are doing another district that I represent, and Bruce is associated with and actually Greg is associated with. Their fee is \$18,000 dollars for the study and then they update them on a yearly basis for \$3,600 dollars. I would like to authorize this today, simply to be able to get on the schedule in the fall of this year. It will be done in Fiscal Year 2022, but we will authorize it today because they are an extremely busy firm, the work is extraordinary when you see it, but they are two or three months out before you can get on their schedules. This gives us all your assets and all of their current values, and what it would take to actually reserve for them, if you wanted to reserve for them, on an ongoing basis. We will have a good idea of the values of our assets, not only for insurance purposes, but so you know in the event that we have some kind of a storm event, etc., what kind of values we are looking at in case we need to do any renewal or replacement of those.*

*Mr. Steve Barger: We currently are not reserving any monies for these assets?*

*Mr. Ward: Correct.*

*Mr. Barger: Is that part of the intent behind this, to start to create a reserve? Is that something that is required by law or allowed by law?*

*Mr. Ward: Not required. It is permitted. I think the first step is to see what the values are. Personally, I think it is a better use that we have these values to know what kind of values, what we are looking at in terms of if we have to do any renewal and replacements in the event of storms. What I have seen in Districts over the last 5 years or so is, the number of storms we are having in Florida are adversely impacting the capital infrastructure that Districts have, whether it is landscaping or lights or bridges, etc. Based upon what we see in these reports we may want to reserve something. I'm not going to sit here and tell you you're going to reserve everything that you are going to get out of this report, because this*

*will be a big report, but it's something to look at in terms of if we want to move forward and do some kind of reserve for storm events is what I was thinking.*

*Mr. Barger: For instance, things like fountain infrastructure replacement, we could, or maybe should be reserving for that.*

*Mr. Ward: Yeah, the smaller items, that's probably something we should take a look at doing, especially since you have fountains out here. The bridge, probably not so much, but you've got streetlights here. We do have a water management system which will stay primarily in place, but you've got lake bank restorations to do. You might have pipes that get broken on a periodic basis, so there are smaller items that we should look at in the context of this report on a going forward basis, especially now that we have now taken over all of the assets from the HOA for operations and maintenance that the District does own. It's an appropriate time for us to begin looking at this.*

He asked if there were any additional questions; hearing none, he called for a motion.

<p><b>On MOTION made by Mr. Joe Newcomb, seconded by Mr. Robert Cody, and with all in favor, the First Time Reserve Study Proposal from Dreux Isaac &amp; Associates was approved.</b></p>
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## **SIXTH ORDER OF BUSINESS**

### **Consideration of Agreement**

#### **Consideration of Agreement with Calvin, Giordano, and Associates for Additional Services within the District**

Mr. Ward asked Mr. Bruce Bernard to review this Item.

*Mr. Bruce Bernard: This is a proposal from Calvin, Giordano to do a study of what we have there right now, our existing lighting, and to do our plan for upgrading the lighting. As we talked about before, we are looking to do some improvements along 41. As you know right now, we have no light along either side of the entrance, so coming to the property there is nothing lit up out there showing where we start, where we stop, or anything. The lighting we have out there right now is old and the originally lighting. Some of it's broken and not working. So, what we want to do is do a study of what we have and what we need so we can do a plan. This is just the plan. The bidding out of the work would be in next year's fiscal budget. To upgrade that lighting and get it all reset so it looks like it – I would say a third of it right now is broken and not working, and all of those fixtures our there right now are the original fixtures.*

*Mr. Barger: Do you have an idea of what we are talking about in terms of expenditure to do this program? Just ballpark? I know the reason for the study is to get an idea.*

*Mr. Bernard: I'm ballparking between \$35,000 and \$45,000 dollars once we get the plan, to bid it out. We have a lot of the existing electrical there. The only new electrical we will have to run is out front on 41, to extend down in the front of the property, but the rest of it will be the new fixtures, where the lighting is now, to get new lighting fixtures out there where wires are run to. The electrical engineer will also make sure we have enough power and where to get the power from, out of the existing power we have there.*

*Mr. Bob Cody: Someone should get the HOA to be aware of this.*

*Mr. Bernard: I don't know if they need to be aware of it or not. Most of the improvement will be out on 41. Everything else, the lines are existing where they were before. Once we get a plan and stuff, if we need to, we can send it to the HOA if you would like to, but it is not going to be changing basically what we have there. We have the wires already run to certain locations. The only new locations will be out on 41 highlighting our landscaping on both sides of the entrance.*

*Mr. Barger: Would this be a low voltage system?*

*Mr. Bernard: Pretty much. There is not going to be any high voltage out there. It is the same as what we have out there, and those lights we have out there now are low voltage. The \$35,000 dollars is above the \$15,000 dollars. The \$15,000 dollars is just to get the plan. And that's pretty much the last thing we have to do out on the entrance. In the last two years we done every other improvement out there.*

*Mr. Barger: How long would it take to do the plan?*

*Mr. Bernard: We will probably have this in two months.*

*Mr. Barger: Is there money budgeted in the 2022 budget we just adopted to do the lighting?*

*Mr. Bernard: Yes.*

*Mr. Barger: Do you remember what the number is?*

*Mr. Bernard: \$35,000 dollars, I think.*

*Mr. Barger: Jim, do we have the money in this year's budget to develop the plan?*

*Mr. Ward: In this year's budget we will have the money to develop the plan. I was going to hold off actually starting this probably for a month or two before we actually get started, so it would be closer to year end when I have a better feeling for our actual expenditures, but at the moment I'm saying we would have sufficient funds to do this.*

*Mr. Barger: So, what I'm hearing is, even if we approve this today, we might not do it this year if funds are not available.*

*Mr. Ward: Right now, I'm just trying to hold off until July to get the CGA started on this. At the moment, based upon our projections, we will have sufficient funds to do it.*

**On MOTION made by Mr. Robert Cody, seconded by Ms. Joanne Lekas, and with all in favor, the Agreement with Calvin, Giordano, and Associates for Additional Services within the District was approved.**

**SEVENTH ORDER OF BUSINESS****Staff Reports****I. District Attorney**

No report.

**II. Asset Manager****a) Operations Report April 2021****b) Operations Report May 2021**

*Mr. Bernard: Our lake maintenance restoration will be completing this month. I have done about 5,600 linear foot of bank restoration. We got a report from Ivan Vincent on our Howard preserve parcel, but South Florida Water Management District permit back in 2004. We are monitoring a panther preserve in Hendry County as part of our South Florida Water Management District permit for all of the work done here, and it's passed. Everything is good. I'm going to have Ivan Vincent get with SFWM now and see if we can get a final – they say after so many years you are allowed to get away from doing it. It has been 15 years. It costs us \$4,000 dollars a year to monitor. We don't do anything up there, we just send them out to check it and make sure they give you a list of all the animals that are there and everything that's nice. So, I am going to get him to get with South Florida Water Management and do a final inspection of it and see if we can get relieved of having to keep monitoring this preserve next year. We do not own this preserve; we just monitor it.*

Discussion ensued regarding the District not owning the panther preserve, other District's preserves, Hendry County preserves and mitigation.

*Mr. Barger: So, this is something we are required to do as part of the mitigation for the development of the entire Wentworth District. So, that benefits every parcel in the District, is that correct?*

*Mr. Ward: Correct.*

*Ms. Lekas: Are you talking about the lakes, trying to clean up the lakes, is that what we are talking about here?*

*Mr. Bernard: This is a parcel of land that's in Hendry County. South Florida Water Management District said you are taking away all this area for panthers here, you need to mitigate and keep this area up in Hendry County for the panthers to be able to use. It's a swap of area. Even though you don't own it, you get the right to pay for the mitigation of this area.*

*Ms. Lekas: Okay. Could there be periodic communication to the community of how the lake restoration is going? Maybe periodic updates on the things in the water as they are supposed to be cleaning up the water? I know there was some communication to the Treviso Bay Community a while back, but maybe some periodic communication and a reasonable schedule updating?*

*Mr. Bernard: We get a quarterly report from this. This is the first quarterly report, and it ended the end of March. Basically, this report shows graphs of everything that's there. The report is sent to me.*

*Ms. Lekas: I'm thinking more in layman's terms. Nothing fancy.*

*Mr. Ward: So, the first quarterly report basically said, hey, we installed them with pictures of people putting these things out there, so there is really nothing to report at this time. It will probably be a few more months before we start to see data, and then I agree with you. We probably can get something to your HOA to publish somewhere.*

*Ms. Lekas: Part 2 is, I guess some people have seen from the lake grass, spraying of roundup.*

*Mr. Bernard: We do not spray roundup.*

*Ms. Lekas: So, that was false information or if someone was spraying roundup it wasn't the CDD.*

*Mr. Bernard: We spray a different chemical. There are only a few chemicals you are able to spray around lake banks that are soluble in the water. Roundup is not one of them.*

Mr. Ward indicated the CDD was not permitted to use roundup near a body of water; no one was permitted to use roundup near a body of water.

*Mr. Barger: The southeast entrance fountain. Is that working completely? Is that full functional?*

*Mr. Bernard: They were working on it again yesterday. At this time of the year the leaves are shedding so bad that it clogs up the main drain. You will see it actually works a bit and stops. It's like pulsating. They cleaned it up yesterday. They will be out again today to finish, but it is working a lot better today than it was at the beginning of the week. The pumps and everything are functional, it's just the buildup of leaves going into the fountain. I saw them yesterday take out three 5-gallon buckets just out of the main drain.*

*Mr. Barger: Have you had a chance to look at those 4-inch PVC pipes that come out of the ground?*

*Mr. Bernard: I just got a proposal yesterday to do some planning enhancements up on the far east end behind the wall, in front of the wall, almost to the end of our property, and in that proposal is the removal of those flag holders we have out front in the ground. I will be approving that this week and hopefully they will be out there in a few weeks to take them out.*

### **III. District Engineer**

No report.

### **IV. District Manager**

- a) Report on Number of Registered Voters as of April 15, 2021**
- b) Financial Statements for period ending March 31, 2021 (unaudited)**

Mr. Ward indicated Statute required the Supervisor of Elections to report the number of registered voters in the District. He reported as of April 15, 2021, there were 898 registered voters within the District. He noted this number had no significance for the District any longer as the CDD had already transitioned from landowner-controlled boards to qualified elector-based boards. He noted the

Board would receive an update regarding the number of registered voters in the District annually as a matter of record. He asked if there were any questions; there were none.

**EIGHTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

Mr. Ward asked if there were any Supervisor’s requests or questions from the Board; there were none. He asked if there were any audience members present by audio or video with comments or questions; there were none.

**NINTH ORDER OF BUSINESS**

**Adjournment**

Mr. Ward adjourned the meeting at 9:30 a.m.

**On MOTION made by Mr. Joe Newcomb, seconded by Ms. Joanne Lekas, and with all in favor, the meeting was adjourned.**

Wentworth Estates Community Development District

**James P. Ward**

James P. Ward, Secretary

**Joseph Newcomb**

Joe Newcomb, Chairman

**Signature:**   
Joseph Newcomb (Jun 11, 2021 13:43 EDT)

**Email:** sales@medicount.com

**Signature:** 

**Email:** jimward@jpwardassociates.com

# WE - Minutes 05 13 2021 - To be Signed

Final Audit Report

2021-06-11

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