

BOARD OF SUPERVISORS MONTHLY MEETING OF THE SAN CARLOS ESTATES WATER CONTROL DISTRICT AGENDA MONDAY, DECEMBER 9, 2024, 06:00 P.M. GULF SHORE CHURCH, 25300 BERNWOOD PARKWAY, BONITA SPRINGS FL 34135

1. Call Meeting to order. 6:00p.m.

2. Roll Call of the Board of Supervisors: Chair and President, Jim Bradford (Jim); Vice-Chair and Vice President, Jennifer Finazzo (Jennifer) and Supervisor, James Gilchrist (James); Engineer Ron Edenfield, Attorney Richard Pringle, John Cellucci, Manager and Superintendent of Operations, Shanelle Cruz Secretary/Treasurer (via phone) and guests: 18 (approx.)

3. Pledge of Allegiance and Invocation.

*Board presented Donald and Darlene Smith with a plaque thanking them for their dedication and support of the Water Control District for many years.

4. Receive Engineer's Report on District Works:

Open 36 Approved 2 Finalized 1 Inspections 12

- Our portion of MS-4 permit has been filed.

- Worked with manager to develop goals and objectives.

- To discuss North Strike Lane changes.

- Met with the executive director and assistant executive director of the Lehigh acres municipal service improvement district.

5. Manager's Report

- Worked with gate manufacturers to fix a burned out copper bushing in the south side motor gate. Gate was not functioning most likely as a result of Hurricane Milton.

- Quotes sent out to replace some of the split rails and the posts around the two retention ponds. Or another option to get materials ourselves and asks for volunteers to make the repairs.

- FPL has repaired several lights, including the gate light.

- Waiting on manufacturer of the fobs to get back to us on when they'll have additional supply. Not depositing checks until we have the fobs, for anyone that requested them.

- All historical records are now in an off-site secure storage location.

- Ordered new weather resistant signs for the monthly meeting.

- The website will be updated to reflect Board's new emails.
- Manager has been working with Engineer to inspect several of the permits, saving the engineer from driving to the District and saving the District money.
- Traveled with the Engineer to Lehigh acres water district municipality and learned their best practices on how they're dealing with their canals, swales, weirs, and everything.
- FPL has been flying drones over the district doing surveying.
- Recap of grant work done
 - Southwest Regional Council, new water resources act passed in May 2024, working with director to see if we can qualify any of our projects.
 - Conservation 2020, has \$43 million and their main goal is to buy land and make it a preserve. We've identified 80 acres in our district that could qualify as a preserve.
 - US Dept of Agriculture has a program in Florida that approves roughly 30% of applicants so working on that.
- Going to be following a new statute passed in April 2024 regarding Florida Bill 7013. All special districts will need to do performance and goals each year and we will be posting it on the website.
- Annual Christmas golf cart parade will be held Sunday, December 22nd at 5pm.
- Received our \$25,000 check from the Brooks for their portion of using our canals. Will continue to work with Ron and Shanelle in doing calculations for the other adjacent properties around our canals.

6. Chair's Report

- Previous years the Brooks were paying \$20,000, however the contract was for \$25,000. The error was discovered and they were billed for the correct \$25,000 amount this year and they paid it.
- Christmas parade lineup at 5pm, parade starts at 5:30pm, there was some confusion on that.
- Anyone can apply for grants for the district. Anybody can look them up and if grants that pertain to water district are found anyone can apply for them.

7. Treasurer's Report

- All bank statements were not received by the meeting .

- All deposits from Lee County tax collector will be going the new bank account at Cogent Bank.

- Anticipate closing the BOA Phase 1 bank account and the credit card account by the end of the month. Main BOA account may not be closed until January or February in order to make sure all deposits are coming in.

8. Attorney's Report –

- Worked with manager on the key performance indicators as referenced and created by the new law passed last year.

- Have a first draft of a public records policy for the board's consideration.

- Performed research related to the landowner voting at the annual meeting.

9. Amendments to the Meeting Agenda –

10. Public Input on Business Agenda Items (3-minute limit) – NONE

11. Business Agenda Items (Agenda Items Requiring Action)

a. Meeting Minutes Approval – 11/01/24 and 11/30/2024 *Meeting was 11/18/24

Supervisor Finazzo motions to approve Meeting minutes of 11/18/24 , Supervisor Gilchrist seconds the motion. All vote in favor. Motion passes.

b. Financial Reports Approval – 11/01/2024 Bank Statements and 11/30/24 Financial Reports.

Supervisor Finazzo motions to approve Financial Reports and Bank Statements for 11/30/24 Supervisor Gilchrist seconds the motion. All vote in favor. Motion passes.

c. Board approval of Key Performance Indicators in the form of Fiscal Year Goals, Objectives Performance and Standards pursuant to the new Florida Statute house bill 7013 in Chapter 2024-136.

Chairman Bradford motions to approve Key Performance Indicators, Supervisor Gilchrist seconds the motion. All vote in favor. Motion passes.

d. Public Records Policy

- The attorney discussed the district is subject to statutory and legal requirements for responding to public records request. Public records request under Florida law are slightly different from Freedom of Information Act request under the federal law, slightly different standards apply under the statutory law. Under Florida statutory law with a

public records request, there are two essential steps in the district's response to a public records request. The first step is for the district to assemble the documents, and as part of the assemblage, the district has an obligation to ensure that exempt or confidential information, in any public record, is redacted or removed before it is inspected by a 3rd party. Once the documents have been assembled and redacted they are allowed to be inspected.

- Separate statute that deals with costs that can be charged and extra work
- Noted in policy that the District does not have an office where inspections can occur so the manager will make arrangements for the day, time and place.

e. Landowner voting at Annual Landowners Meeting to elect Supervisors

- Voting rights were applied consistently to every vote so there was no unfairness at the landowners meeting.

-Poll watchers were involved in the decision and understood. This protects the integrity of the voting process.

-Statutes say will aggregate acreage, that's all it says. Ultimately it is up to the board to define that.

-Attorney's recommendation is to aggregate acreage based upon Lee county property appraisers parcel ID.

-Discussion amongst board members, attorney and manager regarding policy. Attorney will bring back a policy before next board meeting

g. North Strike Lane changes

-With growth in the district there has been an increase in runoff that has led to the District looking at additional opportunities for water quality treatment and water quality storage within the district.

- Option 1 would remove Red Robin between Strike Lane and north Strike Lane to create a filter marsh in that area. A driveway for residential units at 9031 and 9001 Strike would be provided.
- Option 2 is very similar just calls for a bigger pond area which would stay wet throughout the year.
-

-New rule that came in June 2024 says dry detention does not get you any water quality benefit. This must be wet retention.

12. Public Input (3-minute limit)

- Many homeowners had comments on the voting policy.

- Homeowner questioned if the District takes FEMA money will we be liable to address septic tanks as stated by a 2011 study done by Corps of Engineers.
- Homeowner asked about private road signs.
- Homeowner would like more stop signs.
- Homeowner had questions regarding water in retention ponds.

13. Supervisor Comments

- Regarding speeding, may not be the board's responsibility, but as homeowners we could ask for more police to come out and monitor the roads.

14. Adjournment 7:30pm