

**MINUTES OF MEETING
BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Beach Road Golf Estates Community Development District's Board of Supervisors was held on **Monday, February 22, 2016 at 1:00 p.m.**, at the offices of **Lennar, 10481 Six Mile Cypress Parkway, Fort Myers, Florida 33966**

Present at the meeting were:

Russell Smith	Chair
Steve Gabor	Assistant Secretary
Dalton Drake	Assistant Secretary
Alex Hinebaugh	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Greg Urbancic	District Counsel
Ashley Kingston	Developer Representative

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:05 p.m., and noted, for the record, that Supervisors Smith, Gabor, Drake and Hinebaugh were present, in person. One seat remained vacant.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Board of Supervisors Sitting as Audit Committee for Consideration of Responses to RFP for Annual Audit Services

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

The Audit Committee Session convened at approximately 1:06 p.m.

A. Affidavit of Publication

Mr. Adams presented the affidavit of publication for the Annual Audit Services Request for Proposals (RFP).

B. RFP Package

This item was included for informational purposes

C. Proposers

- i. Berger, Toombs, Elam, Gaines & Frank**
- ii. Carr, Riggs & Ingram, LLC**
- iii. Grau & Associates**
- iv. McDirmit Davis & Company, LLC**

Mr. Adams indicated that each Audit Committee Member reviews the proposal submitted.

D. Ranking of Proposals

Mr. Adams noted, for the record, that ranking forms were received from each Audit Committee Member. McDermit Davis & Company, LLC (MDC) was ranked highest, unanimously. Grau and Associates (Grau) ranked second, Carr, Riggs & Ingram, LLC (CRI) ranked third and Berger, Toombs, Elam, Gaines & Frank (BTEGF) ranked fourth.

On MOTION by Mr. Smith and seconded by Mr. Drake, with all in favor, the Audit Committee rankings and recommendation, with McDirmit Davis & Company, LLC, as the #1 ranked firm, was approved.

The Auditor Committee session adjourned at approximately 1:10 p.m.

The Regular Meeting reconvened at approximately 1:11 p.m.

▪ **Board of Supervisors Acceptance of Audit Committee’s Ranking of Proposals for Annual Audit Services for Award of Contract**

- **Authorization for District Manager to Negotiate with #1 Ranked Firm**

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

Mr. Adams advised that the Audit Committee ranked MCD as the #1 ranked firm.

On MOTION by Mr. Smith and seconded by Mr. Gabor, with all in favor, acceptance of the Audit Committee rankings and authorization for Staff to engage McDirmit Davis & Company, LLC, for Annual Audit Services for Fiscal Year 2015, were approved.

FOURTH ORDER OF BUSINESS

Consider Appointment of Ashley Kingston to Fill Unexpired Term of Office for Seat 5; Term Expires November, 2016

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

Mr. Smith nominated Ms. Ashley Kingston to fill Seat 5; term expires November, 2016.

No other nominations were made.

On MOTION by Mr. Smith and seconded by Mr. Gabor, with all in favor, the appointment of Ms. Ashley Kingston to Seat 5, term expires November, 2016, was approved.

A. Administration of Oath of Office

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Kingston.

Ms. Kingston waived the \$200 per meeting stipend.

Mr. Adams provided and briefly explained the following items:

B. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees.

C. Membership, Obligations and Responsibilities

D. Financial Disclosure Forms

- **Form 1: Statements of Financial Interests**
- **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- **Form 1F: Final Statement of Financial Interests**

E. Form 8B: Memorandum of Voting Conflict for County, Municipal and Other Local Public Offices

F. Consideration of Resolution 2016-3, Electing Officers of the District

Mr. Adams presented Resolution 2016-3 for Board’s consideration. The Board must elect a Vice Chair and designate Ms Kingston’s position.

Mr. Smith nominated Mr. Alex Hinebaugh as Vice Chair and Ms. Ashley Kingston as Assistant Secretary, with the remaining slate of officers unchanged.

On MOTION by Mr. Smith and seconded by Mr. Drake, with all in favor, Resolution 2016-3, Electing Officers of the District, as nominated, was adopted.

FIFTH ORDER OF BUSINESS

Board of Supervisors Acceptance of Audit Committee’s Ranking of Proposals for Annual Audit Services for Award of Contract

This item was addressed during the Third Order of Business.

SIXTH ORDER OF BUSINESS

Consideration of Community Development Systems and Facilities Operation and Maintenance Agreement with the Master Association

Mr. Adams indicated that this agreement was submitted to the developer’s counsel and Master Association. Mr. Urbancic explained that the District owns the stormwater management system and is contracting with the Master Association to budget for and maintain the system.

On MOTION by Mr. Smith and seconded by Mr. Drake, with all in favor, the Community Development Systems and Facilities Operation and Maintenance Agreement with the Master Association and authorizing Staff to finalize the Agreement with the Master Association, were approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2016-4, Relating to the Acceptance of Responsibility for Ownership, Operation and Maintenance of District Infrastructure Within the Boundaries of the Unit 4 Plat of Bonita National; Providing for an Effective Date

Mr. Adams presented Resolution 2016-4 for the Board’s consideration. Resolution 2016-4 is in the form that is acceptable to the City of Bonita Springs. It is a reaffirmation to the City

that the District is accepting responsibility for operating and maintaining the stormwater management system, as well as any other assets that the District may own within the Unit 4 plat area. The dedication language was the same as for Units 1 through 3.

On MOTION by Mr. Smith and seconded by Mr. Drake, with all in favor, Resolution 2016-4, Relating to the Acceptance of Responsibility for Ownership, Operation and Maintenance of District Infrastructure Within the boundaries of the Unit 4 Plat of Bonita National; Providing for an Effective Date District 4, was adopted.

EIGHTH ORDER OF BUSINESS

Discussion/Consideration: Authorization of Chair to Execute Certain Administrative Documents with Board of Supervisors Ratification at Subsequent Meeting

Mr. Adams noted that, on occasion, time sensitive, administrative documents must be executed by the District; however, it is not possible to meet and bring the Board together to formally approve the items, prior to execution. With regard to the plats, the specific process for the City Attorney will require meeting quickly; therefore, if plat matters are coming up, doing one in preliminary form may be the best way to handle them. Other matters could be best handled by having the Chair execute documents, with ratification at the following meeting.

On MOTION by Mr. Hinebaugh and seconded by Mr. Drake, with all in favor, authorizing the Chair to execute certain administrative documents, with Board of Supervisors ratification at the subsequent meeting, was approved.

NINTH ORDER OF BUSINESS

Discussion: Posted Speed Limit on District's Portion of Bonita Beach Road

Mr. Adams remarked that this item was for the District Engineer; however, he was not present. The posted speed limit on the District's portion of Bonita Beach Road is 10 miles per hour (mph) less than the remainder of Bonita Beach Road, which raised the question of whether, through traffic engineering standards, the District could increase the speed limit to have a

consistent speed limit along the entirety of Bonita Beach Road. Mr. Smith had not heard anything further from the District Engineer and asked Mr. Adams to follow up with Mr. Underhill and request an opinion by the next meeting. Mr. Adams suggested authorizing Staff to proceed, if there is no engineering reason why the increase could not be accomplished. Mr. Smith agreed to authorize his staff to seek to increase the speed limit on Bonita Beach Road, the same as exists before the District ownership begins, which is 45 mph.

On MOTION by Mr. Smith and seconded by Mr. Hinebaugh, with all in favor, authorizing Staff to proceed with increasing the posted speed limit on the District’s section of Bonita Beach Road to 45 mph, subject to the District Engineer’s confirmation that there are no engineering reasons to the contrary, was approved.

TENTH ORDER OF BUSINESS

**Discussion/Consideration: Amended
Supplemental Special Assessment
Methodology Report**

Mr. Adams recalled that the Master Supplemental Special Assessment Methodology Report was approved about one year ago. A revision of the development plan requires a modification to the Assessment Methodology. Generally, most of the Recitals are the same until Page 4. There was a reduction in single-family residential units from 667 to 657 units, but no change in multi-family residential units. Mr. Adams went on to explain that there were three new categories, on Page 7. The upper table contained the original development plan and the new plan was below. The three new categories of single-family residential units, included 52’, 53’ and 63’. The middle column, to the right, reflected the assignment of an Equivalent Residential Unit (ERU) factor.

Mr. Smith explained that the Assessment Methodology assigned the bond debt over all of the homes in the community, based on each unit’s unique benefit from the improvements. For example, the family executive homes would get .96, the manor home would be 1, and the 63’, which are a little larger, would be 1.05. The basic concept being, the more real estate or property owned, the greater the benefit from the improvements; therefore, the greater the proportional assessment. Since the numbers and types of units changed, the Assessment Methodology must be recalculated.

Mr. Adams pointed out that, since the number of units in lower single-family category was significantly reduced, there was a significant increase in the new 53' category, with a higher ERU value, which was similar, across the board. Ultimately, the increase in ERU values outweighed the previous values. Overall, the ERU values increased from 1137.13 to 1137.55, resulting in a very slight reduction in the per unit assessment lien amount. There is no requirement for True-Up, because it is a de minimus amount of reduction. Because it is a reduction, it does not increase over the amount previously noticed to property owners, so the noticing and public hearing process would not be required.

Mr. Adams noted a scrivener's error on Page 5. In the first sentence, "of a substitution of smaller single family units or larger single family units" would be changed to "of a substitution of larger single-family units for smaller single-family units".

Mr. Smith asked about the number of registered voters in the District. Mr. Adams stated that the deadline for the Supervisor of Elections to transmit the information on April 15th. In response to Mr. Smith's comment, Mr. Adams clarified that the Board begins to transition to a resident board when the District reaches six years and 250 regular voters. Mr. Smith noted the CDD passed the six-year mark so reaching 250 regular voters will be when the Board begins to transition. Mr. Adams advised that, when the transition begins, three seats would be up for election, and two of those seats would be filled by residents. The other seat would be the last landowner-elected seat, with a term of four years. Two years after, the other two seats would be up for general election resulting in full transition to a resident board. Theoretically, in ten years, the District would be fully transitioned.

On MOTION by Mr. Smith and seconded by Mr. Drake, with all in favor, Resolution 2016-5, Approving the Amended Supplemental Methodology Report, as revised, authorizing Staff to prepare Resolution 2016-5, and the Chair to execute, were approved.

ELEVENTH ORDER OF BUSINESS

Approval of November 16, 2015 Regular Meeting Minutes

Mr. Adams presented the November 16, 2016 Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Smith and seconded by Mr. Hinebaugh, with all in favor, the November 16, 2016 Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Urbancic reported that previously a new bill in the legislature, regarding accountability and oversight for Special Districts was moving and it appeared as though it would pass; he believed that, the outcome would be known by the March meeting. Should the bill pass, the District’s website must be updated to include more information. It is all about accountabilities for Special Districts. In response to Mr. Smith’s question regarding “accountability”, Mr. Urbancic stated that processes would be in place such that, if the annual report, financials, etc., are not filed, districts could, potentially, be declared inactive. Otherwise, it imposes requirements to post certain things on the website to, hopefully, boost transparencies so anyone can access the budget.

B. Engineer

There being no report, the next item followed.

C. Manager

i. Approval of Unaudited Financial Statements as of January 31, 2016

Mr. Adams presented the Unaudited Financial Statements as of January 31, 2016.

ii. NEXT MEETING DATE: March 21, 2016 at 1:00 P.M.

Mr. Adams advised that the next meeting is scheduled for March 21, 2016 at 1:00 p.m.

FOURTEENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors’

There being no audience comments or Supervisors’ requests, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Drake and seconded by Mr. Gabor, with all in favor, the meeting adjourned at 1:33 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair