

**BEACH ROAD
GOLF ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

**REGULAR MEETING
AGENDA**

November 14, 2016

Beach Road Golf Estates Community Development District

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

November 7, 2016

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors
Beach Road Golf Estates Community Development District

Dear Board Members:

A Regular Meeting of the Beach Road Golf Estates Community Development District's Board of Supervisors will be held on **Monday, November 14, 2016, immediately following the landowners' meeting at 1:00 p.m.**, at the offices of Lennar Homes, 10481 Six Mile Cypress Parkway, Fort Myers, Florida 33966. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Newly Elected Supervisors [Seats 1, 2 & 5] (*the following to be provided in a separate package*)
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Financial Disclosure Forms
 - i. Form 1: Statement of Financial Interests
 - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - iii. Form 1F: Final Statement of Financial Interests
 - D. Form 8B – Memorandum of Voting Conflict
4. Consideration of **Resolution 2017-1**, Canvassing and Certifying the Results of the Landowners' Election
5. Consideration of **Resolution 2017-2**, Electing Officers of the District
6. Update: Installation of Increased Speed Limit Signage
7. Acceptance of Unaudited Financial Statements as of September 30, 2016
8. Approval of **October 17, 2016** Regular Meeting Minutes
9. Other Business

10. Staff Reports

- A. District Counsel
- B. District Engineers
- C. District Manager

i. **NEXT MEETING DATE: December 19, 2016 at 1:00 P.M.**

11. Audience Comments/Supervisors' Requests

12. Adjournment

Should you have any questions and/or concerns, please contact me directly at (239) 464-7114.

Sincerely,



Chesley "Chuck" Adams
District Manager

FOR BOARD MEMBERS AND STAFF TO

ATTEND BY TELEPHONE:

CALL IN NUMBER: 1-888-354-0094

CONFERENCE ID: 8593810

RESOLUTION 2017-1

A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS' ELECTION OF SUPERVISORS FOR THE BEACH ROAD GOLF ESTATES COMMUNITY DEVELOPMENT DISTRICT HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES

WHEREAS, pursuant to Section 190.006(2), Florida Statutes, a landowners' meeting is required to be held within 90 days of the District's creation and every two (2) years following the creation of a Community Development District for the purpose of electing Supervisors of the District; and

WHEREAS, following proper publication of notice thereof, such landowners' meeting was held on **November 14, 2016**, at which the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

WHEREAS, the landowners, by means of this Resolution desire to canvass the votes and declare and certify the results of said election;

NOW, THEREFORE, BE IT RESOLVED BY THE LANDOWNERS AND BOARD OF SUPERVISORS OF THE BEACH ROAD GOLF ESTATES COMMUNITY DEVELOPMENT DISTRICT;

1. The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in their favor as shown, to wit:

_____	Votes	_____
_____	Votes	_____
_____	Votes	_____

2. In accordance with said statute, and by virtue of the number of votes cast for the respective Supervisor, they are declared to have been elected for the following terms of office:

_____	Seat	__	four (4)-year term
_____	Seat	__	four (4)-year term
_____	Seat	__	two (2)-year term

3. Said terms of office shall commence immediately upon the adoption of this Resolution.

PASSED AND ADOPTED this ____ day of _____, 2016.

Chair/Vice Chair

Secretary/Assistant Secretary

RESOLUTION 2017-2

**A RESOLUTION ELECTING THE OFFICERS OF THE
BEACH ROAD GOLF ESTATES COMMUNITY
DEVELOPMENT DISTRICT, LEE COUNTY, FLORIDA**

WHEREAS, the Beach Road Golf Estates Community Development District held their Landowners' Election for Seats 1, 2 & 5 on November 14, 2016; and

WHEREAS, the Board of Supervisors of the Beach Road Golf Estates Community Development District desires to elect the below recited person(s) to the offices specified.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD
OF SUPERVISORS OF THE BEACH ROAD GOLF
ESTATES COMMUNITY DEVELOPMENT DISTRICT:**

1. The following persons are elected to the offices shown:

Chair	_____
Vice Chair	_____
Secretary	_____ Chuck Adams _____
Treasurer	_____ Craig Wrathell _____
Assistant Secretary	_____
Assistant Secretary	_____
Assistant Secretary	_____
Assistant Secretary	_____ Craig Wrathell _____

PASSED AND ADOPTED this _____ day of _____, 2016.

Chair/Vice Chair

Secretary/Assistant Secretary

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
SEPTEMBER 30, 2016**

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
BALANCE SHEET
SEPTEMBER 30, 2016**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 27,696	\$ -	\$ -	\$ 27,696
Investments				
Reserve	-	998,814	-	998,814
Capitalized Interest	-	741,853	-	741,853
Interest	-	25	-	25
Construction	-	-	12,236,157	12,236,157
Prepaid expense	614	-	-	614
Total assets	<u>\$ 28,310</u>	<u>\$ 1,740,692</u>	<u>\$ 12,236,157</u>	<u>\$ 14,005,159</u>
LIABILITIES				
Liabilities				
Accounts payable	\$ 548	\$ -	\$ -	\$ 548
Developer advance	1,983	-	-	1,983
Total liabilities	<u>2,531</u>	<u>-</u>	<u>-</u>	<u>2,531</u>
FUND BALANCES				
Restricted for:				
Debt service	-	1,740,692	-	1,740,692
Capital projects	-	-	12,236,157	12,236,157
Unassigned	25,779	-	-	25,779
Total fund balances	<u>25,779</u>	<u>1,740,692</u>	<u>12,236,157</u>	<u>14,002,628</u>
 Total liabilities and fund balances	 <u>\$ 28,310</u>	 <u>\$ 1,740,692</u>	 <u>\$ 12,236,157</u>	 <u>\$ 14,005,159</u>

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED SEPTEMBER 30, 2016**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
On-roll assessments	\$ -	\$ 2,665	\$ 2,657	100%
Off-roll assessments	-	112,051	112,051	100%
Interest	1	19	-	N/A
Total revenues	<u>1</u>	<u>114,735</u>	<u>114,708</u>	100%
EXPENDITURES				
Management/recording	3,333	40,000	40,000	100%
Financial accounting services	1,292	15,500	15,500	100%
Audit	-	3,700	6,000	62%
Dissemination agent	417	5,000	5,000	100%
Trustee fees	-	10,843	10,000	108%
Legal	536	6,597	15,000	44%
Engineering	-	-	10,000	0%
Postage	22	629	300	210%
Printing & reproduction	83	1,000	1,000	100%
Legal advertising	949	3,082	5,000	62%
Annual district filing fee	-	175	175	100%
Insurance	-	5,150	5,500	94%
Other current charges	60	688	650	106%
Website	-	1,282	500	256%
Total professional & admin	<u>6,692</u>	<u>93,646</u>	<u>114,625</u>	82%
Other fees and charges				
Property appraiser	-	33	33	
Tax collector	-	46	50	
Total other fees and charges	<u>-</u>	<u>79</u>	<u>83</u>	
Total expenditures	<u>6,692</u>	<u>93,725</u>	<u>114,708</u>	
Excess/(deficiency) of revenues over/(under) expenditures	(6,691)	21,010	-	
Fund balance - beginning	<u>32,470</u>	<u>4,769</u>	-	
Fund balance - ending	<u>\$ 25,779</u>	<u>\$ 25,779</u>	<u>\$ -</u>	

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2015
FOR THE PERIOD ENDED SEPTEMBER 30, 2016**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Interest	\$ 388	\$ 2,723	\$ -	N/A
Total revenues	<u>388</u>	<u>2,723</u>	<u>-</u>	N/A
EXPENDITURES				
Interest	-	1,474,660	1,474,660	100%
Total expenditures	<u>-</u>	<u>1,474,660</u>	<u>1,474,660</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	388	(1,471,937)	(1,474,660)	100%
OTHER FINANCING SOURCES/(USES)				
Transfers out	-	(50)	-	N/A
Total other financing sources/(uses)	<u>-</u>	<u>(50)</u>	<u>-</u>	0%
Net change in fund balances	388	(1,471,987)	(1,474,660)	
Fund balance - beginning	1,740,304	3,212,679	3,212,519	
Fund balance - ending	<u>\$ 1,740,692</u>	<u>\$ 1,740,692</u>	<u>\$ 1,737,859</u>	

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2015
FOR THE PERIOD ENDED SEPTEMBER 30, 2016**

	Current Month	Year to Date
	<u> </u>	<u> </u>
REVENUES		
Interest	\$ 2,730	\$ 16,298
Total revenues	<u>2,730</u>	<u>16,298</u>
 EXPENDITURES		
Capital outlay	-	14,181,755
Total expenditures	<u>-</u>	<u>14,181,755</u>
 OTHER FINANCING SOURCES/(USES)		
Transfers in	-	50
Total other financing sources/(uses)	<u>-</u>	<u>50</u>
 Net increase/(decrease), fund balance	2,730	(14,165,407)
Beginning fund balance	12,233,427	26,401,564
Ending fund balance	<u>\$ 12,236,157</u>	<u>\$ 12,236,157</u>

1 **MINUTES OF MEETING**
2 **BEACH ROAD GOLF ESTATES**
3 **COMMUNITY DEVELOPMENT DISTRICT**
4

5 A Regular Meeting of the Beach Road Golf Estates Community Development District's
6 Board of Supervisors was held on **Monday, October 17, 2016 at 1:00 p.m.**, at the offices of
7 **Lennar Homes, 10481 Six Mile Cypress Parkway, Fort Myers, Florida 33966.**
8

9 **Present at the meeting were:**

10 Russell Smith	Chair
11 Alex Hinebaugh	Vice Chair
12 Ashley Kingston	Assistant Secretary
13 Dalton Drake	Assistant Secretary
14 Steve Gabor	Assistant Secretary

15
16
17 **Also present were:**

18 Chuck Adams	District Manager
19 Greg Urbancic	District Counsel
20 Dave Underhill	District Engineer

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22
23
24 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

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26 Mr. Adams called the meeting to order at 1:00 p.m., and noted, for the record, that all
27 Supervisors were present, in person.
28

29 **SECOND ORDER OF BUSINESS**

Public Comments

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31 There being no public comments, the next item followed.
32

33 **THIRD ORDER OF BUSINESS**

**Update: Installation of Increased Speed
Limit Signage**

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36 Mr. Underhill submitted the plans to the City, for approval. The City would not review
37 the plans until the District communicated with the City Attorney about an agreement for private
38 enforcement, by the Sheriff's Department. Further coordination was necessary for completion.
39 The City would not comment on the plans.

40 Mr. Adams stated that the signs could be installed and an Interlocal Agreement, for
41 policing, would be necessary.

42 Mr. Drake asked if the City was okay with the new, higher speed limits. Mr. Underhill
43 stated that the City was not concerned but he recommended that the speed limit not exceed 45
44 miles per hour.

45 Mr. Hinebaugh asked if the Interlocal Agreement would be mandated or if it would be
46 considered by the Board. Mr. Underhill would discuss it with the City Attorney. Mr. Adams
47 could provide a form of agreement for Mr. Underhill to begin the process.

48

49 **FOURTH ORDER OF BUSINESS**

Consideration of Requisitions

50

- 51 **A. Requisition Number 2 (Phase 2)**
- 52 **B. Requisition Number 3 (Phase 3)**
- 53 **C. Requisition Number 4 (Phase 4)**
- 54 **D. Requisition Number 5 (Phase 5)**
- 55 **E. Requisition Number 6 (Phase 6)**

56 Mr. Underhill presented Requisitions Numbers 2 through 6, for Phases 2 through 6. The
57 Requisitions were for completed improvements, as described in the original Engineer’s Report,
58 consisting of roadways, irrigation and drainage facilities. Each Requisition reflected the
59 facilities, summarized the locations and the cost of the facilities.

60 Mr. Adams stated that the Requisitions included land acquisitions. Mr. Underhill stated
61 that part of the roadway included the cost for the right-of-way (ROW) being purchased.

62

<p>63 On MOTION by Mr. Smith and seconded by Ms. Kingston,</p> <p>64 with all in favor, Requisition Numbers 2 through 6, for Phases</p> <p>65 2 through 6, for completed improvements, consisting of</p> <p>66 roadways, irrigation, drainage facilities and land acquisitions,</p> <p>67 were approved.</p>

68

69

70 **FIFTH ORDER OF BUSINESS**

Discussion: Panther Mitigation Cost Sharing Interlocal Agreement

71

72

73 Mr. Adams stated that an appropriation for this expense was budgeted. It was anticipated
74 that the CDD would be the lead on the Interlocal Agreement to engage professionals and prepare
75 and submit the reporting, as part of the requirements. Proportionate shares would be collected
76 from the other three Districts, based on the originally agreed upon percentages. The goal was to
77 move this from a developers’ Agreement to a long-term entity. Three of the CDDs were

78 anticipated to remain in place. Beach Road Estates CDD would be dissolved, by the landowner,
79 GL Homes, which was why a portion of the Interlocal Agreement was with Bonita Springs
80 Associates I, LLLP. Once an Association was created and finalized, the developer’s portion
81 would be assigned to that Association.

82 Mr. Underhill explained this became a quasi-Interlocal Agreement because there would
83 be three governmental entities and one private entity; therefore, the same benefit of dispute
84 resolution was not available. If there was a dispute among the Districts, it would be resolved
85 under Chapter 164 but, with a private entity, it would be different. This document would follow
86 the existing requirements, in the Developer’s Agreement. The District would perform the work
87 and be reimbursed for all common area expenses, such as roadways, the off-site mitigation
88 parcel, etc. Under the Agreement, landowners and Districts have responsibility for on-site
89 mitigation work occurring in their respective communities. Enforcement language specified the
90 Districts rights regarding compliance by the other parties.

91 Mr. Adams noted a Scrivener’s error, on Page 5. The “Common Expenses” percentages
92 should be “BRGE 46%” and “BL 7%”. The Agreement would be negotiated with the other
93 parties, executed and then considered by the Board.

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95 **SIXTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial
Statements as of August 31, 2016**

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98 Mr. Adams presented the Unaudited Financial Statements as of August 31, 2016.
99

100 **SEVENTH ORDER OF BUSINESS**

**Approval of August 15, 2016 Public
Hearings and Regular Meeting Minutes**

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103 Mr. Adams presented the August 15, 2016 Public Hearings and Regular Meeting Minutes
104 and asked for any additions, deletions or corrections.
105

106 **On MOTION by Mr. Smith and seconded by Mr. Gabor, with**
107 **all in favor, the August 15, 2016 Public Hearings and Regular**
108 **Meeting Minutes, as presented, were approved.**

109
110
111 **EIGHTH ORDER OF BUSINESS**

Other Business

112
113 There being no other business, the next item followed.

114 **NINTH ORDER OF BUSINESS** **Staff Reports**

115

116 **A. District Counsel**

117 Mr. Underhill was addressing public records requests from American Transparency (AT)
118 and asked that any requests from AT be forwarded to him or Mr. Adams.

119 **B. District Engineers**

120 There being no report, the next item followed.

121 **C. District Manager**

122 **i. NEXT MEETING DATE: November 14, 2016 at 1:00 P.M. (Landowner's**
123 **Meeting and Regular Meeting)**

124 Mr. Adams stated that the next meeting will be held on November 14, 2016 at 1:00 p.m.,
125 at this location.

126

127 **TENTH ORDER OF BUSINESS** **Audience** **Comments/Supervisors'**
128 **Requests**

129

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

131

132 **ELEVENTH ORDER OF BUSINESS** **Adjournment**

133

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

135

**On MOTION by Mr. Smith and seconded by Mr. Hinebaugh,
with all in favor, the meeting adjourned at 1:13 p.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

DRAFT