

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

The Board of Supervisors of the Beach Road Golf Estates Community Development District held a Regular Meeting on October 18, 2021, at 1:00 p.m., at the Bonita National Golf and Country Club, 2nd Floor of the Clubhouse, 17671 Bonita National Boulevard, Bonita Springs, Florida 34135 and via Zoom at <https://us02web.zoom.us/j/81142213094> and telephonically at 1-929-205-6099, Meeting ID 811 4221 3094, for both.

Present at the meeting were:

Barry Kove	Chair
Daniel DiTommaso	Vice Chair
Joseph Grillo	Assistant Secretary
Peter Leyon	Assistant Secretary
Denise Kempf	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via telephone)	District Counsel
Jim Werbeck	Resident
Sal Dona	Resident
Chris Applegate	Resident- Bonita Landing
Johnathan Ehret	Resident- Bonita Landing
Ben Amarusso	Resident
Ellen Caydee	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:00 p.m. All Supervisors were present, in person.

▪ **Chairman's opening remarks**

This item was an addition to the agenda.

Mr. Kove reported the following:

- The littoral planting around the community was going very smoothly and should be completed within a few days.
- The CDD facilitated removal of "45 speed limit" that was written on trees on Bonita Beach Boulevard and it is no longer an issue.

- SOLitude Lake Management (SOLitude) would be asked to inspect and cut back the weeds and extra growth near Holes #17 and #18 and the remainder of the golf course. Mr. Adams would ascertain when SOLitude would be on site and apprise the Board.
- Staff should include an agenda item in two months regarding having MRI re-evaluate the grass-line when the water levels recede in a few months, especially in Cherrywood behind the multi-family homes.
- The Board gave approval for LandCare to replant bushes, palm trees and clusters on Galway and at the end of Galway and Wicklow, so landscaping is uniform with the other end of Galway.
- Plantings would be installed behind the mailbox on Cherrywood by the end of October. Mr. Adams reported the following:
- The City is requiring the CDD to submit a Limited Development Order (LDO) or permit request for the streetlighting being installed by Florida Power & Light (FPL).
- As part of a request for additional information, the District Engineer is preparing a new set of construction drawings with a photometric survey overlay from Mr. Reed Fellows, at Transportation Consultants, for submittal to the City.
- There was no requirement to redo the photometric survey, as nothing is changing and because the original sizing, spacing, is sufficient.
- FPL would be installing shields on the lights, as the light is casting further than was anticipated in the photometric survey.

Resident Chris Applegate believed that, on August 29, 2021 the City advised the CDD not to proceed with the streetlights until it had a permit but the CDD proceeded anyway. He stated that City code states that anything within 50' of a property cannot exceed 15' of pole height. Mr. Adams stated that the streetlighting details would be fleshed out in the LDO process that the CDD is currently undertaking. Discussion ensued regarding adhering to code requirements, an environmental study requirement, the LDO, installing shields onto LED lights and flaws in the photometric survey.

Mr. Adams recalled that the CDD received a request to disconnect the lights until the LDO is issued and stated that, within a few days, FPL would disconnect all the lights that were installed up to this point. Asked if the CDD incurred significant expenses due to the streetlighting issues, Mr. Adams stated Engineer and Lighting Consultant fees have been incurred. Mr. Applegate felt that the entire streetlight project was rushed so that the CDD

could turn the project over to Bonita Landing early next year and residents would then have less input in the decisions being made. Mr. Adams stated, since this CDD takes the lead in the interlocal agreement with neighboring communities, residents can voice their concerns at the Board Meetings. Mr. Applegate voiced his opinion that it was a conflict of interest for Mr. Adams to oversee this CDD and the Bonita Landing CDD. Mr. Adams stated he is simply the CDD District Manager and the CDD Board Members are the decision makers.

SECOND ORDER OF BUSINESS**Public Comments**

Resident Ben Amarusso inquired about assessments, CDD fees, Lennar, the lakes and streetlights. He asked who to contact for issues with Bonita National.

Mr. Adams stated a facilities maintenance assignment agreement is in place between the CDD and the HOA wherein most of the CDD's infrastructure is maintained by the HOA, on behalf of the CDD. He discussed cost-shares with Seasons CDD, Bonita Landing CDD and Valencia HOA, the CDD assuming maintenance of the onsite conservation areas and lakes as of October 1 and sovereign immunity protection in case of a claim. He reviewed recent CDD projects, such as the littoral re-plantings that were funded from surplus construction funds. Asked if the lights had been installed on both sides of the road, Mr. Adams stated no, they have only been installed on the north side. He reiterated that the CDD is waiting for the permit which includes installation of shields on the streetlights, which will be a part of the permit and part of the photometric overlay as well.

Resident Ellen Cadee voiced her opinion that streetlights are needed on Bonita Beach Road but the LED lights that were installed are far too intense. There was even a local news story about it.

Ms. Kempf stated the last paragraph of the photometric study states that the westbound lanes would closely meet the lighting design criteria required by the FDOT of the County. She took issue with that statement and recalled that, at the last meeting, it was stated that the study was flawed.

Mr. Kove asked if FPL would analyze whether the south side really needs the lights. Mr. Adams stated nothing would be done until the project is permitted and the Engineering Staff would review the photometric survey, the shielding and the type and design of the shields.

Asked if the Board would be apprised of everything before the projects proceed, Mr. Adams replied affirmatively.

Mr. Kempf read a statement from the last meeting minutes into the record, which she believed was proof that the survey is flawed. She stated Line 93 reads as follows:

“Resident Ralph Hall voiced his opinion that the CDD was making assumptions based on the Photometric Survey, which he felt everyone agreed is flawed.”

Discussion ensued regarding whether Board Members agreed with the quote, the confusion over the Photometric Survey, the CDD having to pay for the Engineer’s error, permitting process, the 10-year Lighting Agreement with FPL and the intensity of the LED lights where they were previously installed.

Mr. Kove asked if FPL could be asked to install different lights and for the Board to review the project details before the streetlighting project commences. Mr. Adams replied affirmatively and voiced his opinion that Mr. Fellows should be invited to a future meeting to explain what the Photometric Survey does and address the intensity of the lights.

Ms. Kempf asked for an explanation of the shield installation process. Mr. Adams stated the idea is to install five or six shields first, determine if those give the desired effect and, if so, install the remainder of the shields; however, for now the streetlights would be disconnected until the LDO is approved.

THIRD ORDER OF BUSINESS

Update: Streetlight Project on Bonita Beach Road

Regarding the streetlight project, Mr. Kove stated the CDD and HOA Boards are still evaluating the project details, nothing has been signed off on and the comments during today’s meeting are initial thoughts to clarify safety issues and facilitate the project as soon as possible.

FOURTH ORDER OF BUSINESS

Update: Traffic Study

Mr. Adams gave the following update:

- The Traffic Committee met last month to review the Traffic Study and made recommendations. Ms. Tracy Bower would meet with the HOA Board in October and apprise the CDD Board of the direction that the HOA Board is comfortable moving forward with.

- The Committee chose, upon HOA approvals, to plan a three-phase traffic control project involving trimming the existing sidewalk and cart path on the east side of the intersection at the front gate of Bonita National Boulevard, installing a 10' speed hump and expanding it into raised pavers.
- The temporary, existing speed hump on International Boulevard would be relocated to the corner of Cookstown and Bonita National Boulevard and another speed hump would be purchased by the CDD to install in the opposite direction of this corner. If successful, this installation can be transitioned to a permanent speed hump at any time and the temporary ones could be tested in other areas of the community as needed.
- Installation of a permanent speed hump in both directions on Bonita National Boulevard between the west gate and Carlow Court will control excessive speeding in that area. The actual location would be determined by evaluating what would work best for the community. This speed hump would match the one at the front gate entrance.
- Banks Engineering did the initial design for this project.

Mr. Kove noted that the CDD and HOA Boards initially discussed installing only one speed hump on the outbound side but, after speaking to Ms. Bower, it was determined that it should be done on both sides in that specific section to control incoming and outgoing traffic; further discussion and consideration was necessary.

Discussion ensued regarding obtaining the HOA Board agenda, installing temporary and permanent speed humps, timing of the installation and project costs.

Mr. Kove read the following email he received from Ms. Nancy Pennington:

“I am raising my hand again for a crosswalk for the corner and the residents of Bridgetown Court just in time for the busy season to begin. We are now 156 doors without a crosswalk to safely access the sidewalk on Bonita National Boulevard, likewise Terrace Buildings 1 to 3, another 90 doors, have no access to the satellite pool as well. I know there is no sidewalk, but certainly one could be installed to the sidewalk in front of the pool.”

Mr. Kove motioned to have Banks Engineering re-inspect the area and re-evaluate what it would take to construct a crosswalk on Bonita Beach Boulevard and a small sidewalk for residential pool access, with funds from the construction budget.

On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, having Banks Engineering re-inspect and re-evaluate the community to facilitate

installing a crosswalk on Bonita Beach Boulevard and a sidewalk for access to the Satellite Pool, was approved.

Mr. Kove stated the Board decided to engage a new aeration maintenance company and would be terminating the current contractor soon.

Mr. DiTommaso stated it was important to examine the CDD’s long-term plans mostly from an infrastructure standpoint. He asked what items the Board should be evaluating as the new year approaches and beyond. Mr. Adams replied that the community was recently-developed, the infrastructure is new and pipe repairs were planned for the spring months, once water levels recede. He discussed the CDD’s fund balance, unforeseen expenses, infrastructure re-investment, real-time pricing, assessments and debt service bonds. Asked if the construction budget could be kept open and active through March or April 2022, Mr. Adams stated the construction funds could remain open until November 2022. Discussion ensued regarding Lennar, the Traffic Study, drainage pipes, MRI invoices, installing fountains, HOA guidelines, shared costs, CDD budget, advertisements on Bonita Beach Road and petitioning to turn over maintenance of Bonita Beach Road to the County.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2021

Mr. Adams presented the Unaudited Financial Statements as of August 31, 2021. He responded to questions regarding current charges, assessment notices and legal advertising.

The financials were accepted.

SIXTH ORDER OF BUSINESS

Approval of September 20, 2021 Regular Meeting Minutes

Mr. Adams presented the September 20, 2021 Regular Meeting Minutes. The following changes were made:

- Line 23 and throughout: Change “Tanin” to “Taynin”
- Line 53: Change “in the middle of the lakes” to “on the perimeter of the lakes”
- Line 108: Change “progress” to “proceed”
- Line 143: Change “purchase” to “maintain”
- Line 145: Change “Mr. Leone” to “Mr. Kove”
- Line 192: Change “Galloway” to “Galway”

On MOTION by Mr. Kove and seconded by Mr. DiTommaso, with all in favor, the September 20, 2021 Regular Meeting Minutes, as amended, were approved.

SEVENTH ORDER OF BUSINESS

STAFF REPORTS

A. District Counsel: *Coleman, Yovanovich & Koester, P.A.*

There was no report.

B. District Engineer: *Banks Engineering, Inc.*

There was no report.

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

- **NEXT MEETING DATE: November 15, 2021 at 1:00 P.M.**
 - **QUORUM CHECK**

The next meeting will be held November 15, 2021.

EIGHTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

Mr. Amarusso asked if the CDDs charged for roadway construction and infrastructure of the two or three communities from Bonita National to Logan Road when they were developed. Mr. Adams explained that, in 2005 and 2006, one Developer owned four communities in the area and the road was installed as a private road. The City and County were not willing to accept conveyance of the roadway so the Developer had to assume long-term ownership and a deal was reached with the Developers of Village Walk, such that the CDD would be responsible for the landscaping of the center median and the north right-of-way (ROQ) across the frontage of Village Walk.

NINTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Kove and seconded by Mr. Leyon, with all in favor, the meeting adjourned at 2:25 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair