

**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 May 16, 2022, 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/81619773399> and telephonically at 1-929-205-6099, Meeting ID 816 1977 3399, for both.

Present at the meeting were:

Barry Kove (via telephone)	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
Peter Serena	Troon-General Manager
Jim Werbeck	Resident and HOA President
Richard Slattery	HOA
Jon Ehret (via telephone)	Resident
Craig Ramsey	Resident
Tom Henderson	Resident
Carl Burnton	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:00 p.m. Supervisors DiTommaso, Grillo, Leyon and Kempf were present, in person. Supervisor Kove was attending via telephone.

SECOND ORDER OF BUSINESS

Chairman's Opening Comments

Mr. Kove gave the following update:

- The pressure washing project at the front was completed.
- Erosion issues at Monaghan Run and Foxrock Court were completed expeditiously.

Mr. Willis reported the following:

➤ Project on Galway: A revised proposal to relocate the oak trees is expected this week; the original amounts submitted were too high.

Mr. Willis explained the tree markings and scope of work, which includes irrigation at the new location.

➤ Plantings: A second row of plants is being added from Antrim Court to Cherrywood Court; work will be completed on Friday.

➤ Mr. Willis will have the landscaper remove the hedges from the Clubhouse on Antrim Court to Cherrywood Court.

➤ The homeowner's complaint about inadequate lighting at the corner of Cherrywood Court and Antrim is an issue that the HOA must address with Florida Power & Light (FPL).

➤ SOLitude Lake Management (SOLitude) treated the lake for algae.

➤ SOLitude Weekly Reports: An Operations Staff Report will be created for SOLitude to submit the reports to the Chair.

Mr. Kove's updates continued:

➤ The trailer area on Valencia was knocked down.

Mr. Kove asked if it is the CDD's responsibility to change the driveway into a curb. Mr. Adams stated he would ask Mr. Asher, with GL Homes, about their intentions. Whatever the plans, they will be responsible for removing the right-of-way (ROW) and closing the curb.

➤ Troon continues to provide regular project updates. Lennar is fixing and repairing curbs and is expected to proceed with the repaving and top coat on May 31, 2022, which should complete all the items that needs to be addressed.

Mr. Willis and Mr. Adams reported on the following:

➤ Regarding SOLitude identifying areas with exposed extension pipes in the lakes, SOLitude was on site but he must check on the status of the Report. An update will be emailed.

➤ Proposals for repairs and relocation of aeration systems were pending. Vendors are still experiencing supply chain delays.

➤ Regarding Lennar addressing erosion repairs referenced in the Seventh Order of Business, the CDD will probably engage MRI, in order to control the pace and the process, as the work will be funded from the construction fund account.

➤ Regarding debris and rocks to be removed around the lake banks, Mr. Dean, of Lennar, is having the construction debris removed but leaving the rocks around the lakes.

THIRD ORDER OF BUSINESS

Public Comments

Resident John Ehret wanted the Board to hold the parties responsible for this issue accountable and asked why this is being held up for a year. He did not want this to continue with a poor plan of keeping the poles, which, in his opinion, is a plan that is not backed up with an Engineer’s Report. He appreciated the Board’s efforts looking out for the community.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Adams presented Resolution 2022-02. He explained the intent to keep assessment levels the same. If assessments will increase, the levels must be set at least 30 days prior to the budget public hearing, in order to send mail notices to homeowners. He reviewed the proposed Fiscal Year 2023 budget, highlighting any line items increases, decreases and adjustments, compared to the Fiscal Year 2022 budget, and explained the reason for any changes. Formatting and calculation errors in the proposed Fiscal Year 2023 budget will be corrected.

On MOTION by Mr. Grillo and seconded by Mr. Leyon, with all in favor, Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 15, 2022, 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; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-03, Designating Dates, Times and Locations for the Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

Mr. Adams presented Resolution 2022-03.

On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, Resolution 2022-03, Designating Dates, Times and Locations for the Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Carter Fence Proposal to Install Gate to the Sidewalk

Mr. Willis presented the Carter Fence proposal and discussed the scope of work, operation of the gate and access.

On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, Carter Fence Estimate #40644 to modify and install a gate to the sidewalk, subject to HOA Board approval, in the not-to-exceed amount of \$17,686.14, was approved.

SEVENTH ORDER OF BUSINESS

Status of Lennar’s Accurate Grading Erosion Repairs

- **Erosion at 16th Tee and Other Areas Around the Berms**

This item was addressed during the Second Order of Business.

Mr. Willis will coordinate adding this to the MRI projects list.

EIGHTH ORDER OF BUSINESS

Update: Resolution of Aeration Issues

Mr. Willis stated that the parts and proposal to repair maintenance items were pending.

NINTH ORDER OF BUSINESS

Update: Status of LDO for Streetlight Installation Project on Bonita Beach Road

Mr. Adams discussed a recent conversation Mr. Reid Fellows, of TR Transportation Consultants, Inc., had with the new FPL Representative. Mr. Adams reported the following:

- Since the CDD already has a portion of the contract system installed, FPL did not think it feasible to switch considering that FPL would have to charge the CDD for the original system, proration for depreciation and the additional labor costs associated with removing and installing new poles, which must fall within the design criteria.
- Mr. Fellows is waiting on FPL to submit design proposals.

➤ Per Mr. Fellows, the potential to reduce the number of poles would not likely have any impact to the issues. Of importance is making sure all luminaires are level, as some are not.

➤ The revised Photometric Report to install shields on the north and south sides is ready to submit to the City for a permit and request an extension of the Limited Development Order.

After further consideration, Mr. Grillo and Mr. Kove voiced their opinions that the lights are a big improvement and appropriate for the new communities. Both were against incurring the high cost and removing and installing decorative fixtures. Based on prior discussions, Mr. Kove did not think the CDD has any financially feasible recourse.

Discussion ensued regarding the limited options provided by FPL, shields for the front not meeting design criteria, lowering wattage and whether leveling the poles is the only option to mitigate the lighting issues.

An unidentified person not affected by this expressed concern for the homeowners on the south side and voiced their opinion that the only recourse will be to file lawsuits if this issue is not resolved, which will be at a cost to the CDD. He suggested looking at the Design Report.

Mr. Kove asked Mr. Adams to invite Mr. Fellows and the FPL Representative to the next meeting. Mr. Adams expected the removal costs to range from \$100,000 to \$200,000. Mr. Adams and Mr. Urbancic responded to questions about safety concerns and potential lawsuits due to inadequate lighting, whether claims would have any merits and the City not taking ownership of the Road.

This item would remain on the agenda.

TENTH ORDER OF BUSINESS

Update: Status of Accommodations for Improved Pedestrian Foot Traffic, Traffic Calming Improvements Design/Permitting/LDO Submittal

Mr. Adams stated the package was submitted on behalf of the CDD. He discussed the scope of work; upon approval by the City and receipt of the permit, he will have the contractor order the signs and speed humps.

ELEVENTH ORDER OF BUSINESS

Continued Discussion: Easement Request from Valencia Bonita HOA Regarding Plant Material and Maintenance Obligations

Mr. Urbancic stated a response is pending from Ms. Holmes’ Counsel regarding whether she has other language she wants the CDD to consider. He hoped to present the final version at the next meeting.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2022

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2022. He expected the final requisition on the Capital Projects Fund Series 2015 bonds to be submitted in August. He listed several upcoming projects for which those funds will be used and noted the remaining balance will go into the Debt Service Fund to reduce outstanding principal.

In response to questions regarding the lakes, Staff stated that, after inspection, they determined it is not feasible to add sod around the lake edges, as it will not survive without proper irrigation, but with the rainy season and water levels rising, the grass is expected to chase the water pattern down to the lake edges. Regarding the good condition of the sod at Lake #13, Mr. Willis recalled that it is because the sprinkler heads were adjusted.

The financials were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of April 18, 2022 Regular Meeting Minutes

Mr. Adams presented the April 18, 2022 Regular Meeting Minutes. The following changes were made:

- Line 32: Change “Willis” to “Adams”
- Line 46: Change “Easton” to “Edenderry”
- Line 196: Change “Warbach” to “Werbeck”

On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the April 18, 2022 Regular Meeting Minutes, as amended, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: *Coleman, Yovanovich & Koester, P.A.***
- B. District Engineer: *Banks Engineering, Inc.***

There were no District Counsel or District Engineer reports.

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

I. 1,220 Registered Voters in District as of April 15, 2022

II. NEXT MEETING DATE: June 20, 2022 at 1:00 P.M.

o QUORUM CHECK

The next meeting will be held on June 20, 2022. A Special Meeting might be scheduled for before June 14, if an earlier meeting with FPL can be coordinated. All Supervisors confirmed their attendance, if a Special Meeting is scheduled.

FIFTEENTH ORDER OF BUSINESS

Audience Requests

Comments/Supervisors'

Resident Craig Ramsey voiced his opinion that the lighting issue is causing travel problems and asked if the solution is to reduce the speed limit. He felt that residents will feel safer altering the lighting behind their residences. Mr. Adams did not think the two matters are related to one another.

Resident Tom Henderson stated that highway lights, not decorative residential ones like in Palmira, were installed before homeowners had any say in the matter.

Street lights shining into homes and possibly lowering property values was discussed.

Resident Carl Burton discussed his prior experience in the lighting industry and voiced his opinion that the poles that were installed are not appropriate for a residential boulevard. He asked if the Board is concerned about the cost of initiating a law suit and if they considered what it could, in his opinion, cost homeowners in lowered property values.

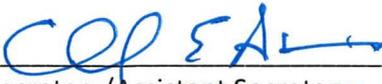
Homeowners in attendance heatedly discussed whether a statement that certain communities wanted lighting and others did not is true and whether homeowners were polled; some thought that leveling the lights will not impact the ongoing issue.

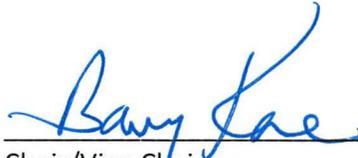
Resident and HOA President Jim Werbeck asked homeowners to realize the \$100,000 to \$200,000 to remove the lights is not a substantial amount to absorb, when dispersed over the four communities, although the CDD Board must still vote on approving a special assessment.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Grillo and seconded by Mr. DiTommaso, with all in favor, the meeting adjourned at 2:23 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair