

**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 July 18, 2022, at 1:00 p.m., at the Bonita National Golf and Country Club, 2<sup>nd</sup> Floor of the Clubhouse, 17671 Bonita National Boulevard, Bonita Springs, Florida 34135 and via Zoom at <https://us02web.zoom.us/j/85618785926> and telephonically at 1-929-205-6099, Meeting ID 856 1878 5926, 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
Peter Serena	Troon-General Manager
Richard Slattery	HOA
Nancy Dagher	Director Membership
Jim Werbeck	HOA President
Donna Jimenez	Resident
Jeff Cutler	Resident
Facilities Committee Member	

**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.

**SECOND ORDER OF BUSINESS**

**Chairman's Opening Comments**

Mr. Kove welcomed everyone. He and others provided updates on the following:

- Project on Galway: Oak tree relocation will commence this coming week. He wanted to have the area staked and the exact location flagged prior to the move and suggested meeting with Remy and Mr. DiTommaso on site so there is no confusion with the project.

➤ Speed Humps: The response to the City’s request for additional information on the CDD’s Limited Development Order (LDO) was submitted and approval is pending. Upon receipt, the project is expected to be completed within four to six weeks.

It was noted that the final LDO and the layout of the brick work for each location was emailed to Mr. Serena to review and comment prior to proceeding with the project.

A Board Member asked if this project would be completed prior to high season. This item will be kept in the forefront and it will be included in Staff’s monthly report.

➤ Front Gate Installation: The proposal from the electrician to install power to the area is pending; upon receipt it will be forwarded to Troon and Mr. Serena to review the structural layout before expediting the project.

➤ Flooding: Mr. Willis reported that Anchor Marine is on site today and will be for a few days to evaluate the erosion issues and provide a proposal. The erosion and littoral projects will be coordinated in unison for obvious reasons.

➤ Regarding lowering the pipes at Foxrock Court, Mr. Willis stated he and Mr. Adams are determining ownership and maintenance responsibility for the pipes. He believed the majority belong to the HOA.

Mr. Kove asked to be updated on the pipe matter and for Mr. Willis to review the balance of the CDD lakes, as he felt that additional littorals are needed. Mr. Willis stated EarthBalance will be submitting proposals for littorals; installation is delayed until late August, as the plants are not mature enough to survive the move.

Mr. Kove distributed the Operations Manager Report, which will be emailed to the Board and Troon monthly.

▪ **Field Operations Report**

**This item was an addition to the agenda.**

Mr. Willis presented the Field Operations Report, which will be included in the agenda and posted on the CDD website as part of the monthly agendas. He noted the following:

- He is coordinating for the CDD and HOA to purchase street signs from the same vendor.
- Aerator/Addressing Noise Complaints. A proposal to install clusia near Galway to help deaden the sound is pending.

Mr. Kove noted the same issue near the pool, behind Hole #1 on the golf course, and asked for it to be addressed.

➤ Superior Waterway was engaged to assess, repair and retrofit the aeration systems. It was noted that some were not installed properly and insulation can be added to the system to help deaden any noise issues.

Mr. Kove asked about the nano-bubblers. Mr. Willis stated that diffusers were installed so the bubbles no longer create turbulence on top of the water. A Board Member and SOLitude will work together on the lakes.

- **Update: Aeration System Installation in the Middle of the Lakes for Algae Prevention**  
**This item, previously the Ninth Order of Business, was presented out of order.**

Mr. Willis recommended waiting until the system is repaired and working properly before making a decision about relocating or adding new systems to the lake.

Mr. Kove stated some homeowners are pulling the plug on the systems. He asked about installing locks to stop it from happening. Mr. Willis stated it is possible to install locks but Andy thought it would be a waste of money, as homeowners would still be able to unplug the device. Mr. Serena was asked to include a communique in the bulletin stating that residents should not touch the boxes and that they should report any issues to District Management's office.

In response to the Facilities Committee's request to receive the damaged parts, Mr. Willis explained it is not possible to do this because the vendor trades them for credits. He was asked to have the vendor provide to the CDD a photograph of the system being repaired. The vendor will present his findings at the next meeting.

The Chairman's opening comments, questions and associated responses resumed.

➤ The Request for Qualifications (RFQ) for District Engineering Services will take a few months to finalize.

➤ Mr. Kove asked if the CDD needs to follow any hurricane preparedness protocols to prevent flooding. Mr. Adams stated no; the CDD's structures are fixed and relatively new. He suggested using construction funds on another pipe inspection, which should be done every three to five years. The system performed and drained very well during Hurricane Irma.

It was noted that changing the elevation would entail breaking the pipes and would result in the South Florida Water Management District (SFWMD) fining the CDD. Ms. Kempf voiced concerns about the high water levels and upcoming storms. Mr. Adams stated that the system is at control elevation and explained how the system works and where the water flows.

HOA President Jim Worbech asked which pipes are thought to be HOA pipes. Mr. Kove stated that is still being determined and noted that the original pipes Lennar installed at Foxrock were extremely high and need to be lowered to work more efficiently.

A Facilities Committee Member asked how many littoral plantings survived. Mr. Kove believed 50% to 60%. He noted that the original planting was installed to determine what is needed in the future. Residents should be advised that littoral plants are not weeds and that the littorals should be allowed to mature and grow in, as it helps with erosion.

**THIRD ORDER OF BUSINESS**

**Public Comments (3 minutes per speaker)**

There were no public comments.

**FOURTH ORDER OF BUSINESS**

**Presentation of Audited Financial Statements for the Fiscal Year Ended September 30, 2021, Prepare by McDirmit Davis**

Mr. Adams presented the Audited Financial Report for the Fiscal Year Ended September 30, 2021 and noted the pertinent information. Page 23 included a breakdown of assessments per product type, which was a new audit reporting requirement. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit. The Report was e-filed with the Auditor General by the June 30, 2022 deadline.

Although he did not think it material, Mr. Urbancic referred to Note 1, on Page 13, listing the breakdown of qualified electors and asked that it be addressed in next year’s audit.

Mr. Adams confirmed this is not material but it will need to be corrected.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-04, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2021**

Mr. Adams presented Resolution 2022-04.

**On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, Resolution 2022-04, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2021, was adopted.**

Mr. Adams gave the following update, which was emailed to the Board:

- The City sent notice to the CDD that its original LDO expired and the CDD was required to submit a new “two-phase” LDO, in order to proceed with testing.
- The first phase of the LDO is the testing portion, which consists of making adjustments to the existing lights to ensure there is no light pollution and installing shields.
- A candle light reading will be conducted at certain locations that are under separate power sources. The professionals have already identified the areas.
- The City will only allow readings for a couple hours on a specific evening, subject to the CDD obtaining approval from each of the neighboring communities to proceed with the testing.
- The second phase of the LDO involves proceeding with the plan to adjust the existing poles with the same program that was in the original LDO.
- If the above action is unsuccessful, further discussions will be necessary, as the next step is an expensive approach that would require buying out the existing program and implementing a new one. This will require preparing a new design with a goal to properly light the road. He noted that lighting in front Palmira was chosen for different purpose than for the CDD.

Mr. Adams responded to questions and concerns about supply issues, installation, the testing area, urgency of approval from the other communities and proceeding with testing.

Related to discussions about turning the road over to the City, Mr. Werbeck will invite Mr. Forbes to a meeting. Mr. Adams recommended that the CDD remain in control of landscaping and irrigation, as the City might not meet the CDDs needs.

**SEVENTH ORDER OF BUSINESS**

**Discussion: Stormwater Lake Assessment**

This item was addressed during the Second Order of Business

**EIGHTH ORDER OF BUSINESS**

**Consideration of Easement Agreement with Valencia Bonita HOA**

Mr. Urbancic highlighted additional changes to the Easement Agreement with Valencia Bonita HOA. If the Board approves, he recommended approval in substantial form, as he was unsure if the version in the agenda package included the minor changes from Valencia’s

Counsel and because the updated legal description was still pending. Mr. Urbancic was asked his opinion of the request. He expressed his opinion that it is excessive; he was not concerned that Valencia wanted to make the additional change. Mr. Kove agreed.

Due to pending items, Mr. Urbancic was directed to convey the Board’s verbal approval of the changes to the Agreement, which is still subject to an updated legal description.

This item was deferred until the August meeting.

This Agreement will be the template for use with the Seasons community.

**NINTH ORDER OF BUSINESS**

**Update: Aeration System Installation in the Middle of the Lakes for Algae Prevention**

This item was discussed during the Second Order of Business and is part of the Seventh Order of Business. Related documentation was behind Tab 7.

Mr. Willis recommended deferring the decision to proceed with water quality testing of the lakes until the aeration systems are functioning. Of the levels offered, he thought the “Water Wellness” basic level, at about \$300, is sufficient. He suggested testing a couple of lakes every quarter. It was noted the CDD does not have any water quality issues at this time.

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of May 31, 2022**

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2022.

Mr. Kove asked when the construction fund account must be closed. Mr. Adams expected to close it at the end of the year, once the Engineer certifies the project complete.

A Board Member asked how much is expect to be remaining. Mr. Adams stated about \$1 million, which, upon transfer to the Trust Estate, will fund the principal payment due May 1, 2023; thereby reducing the principal bond amount and the debt assessment.

The financials were accepted.

**ELEVENTH ORDER OF BUSINESS**

**Approval of Minutes**

Mr. Adams presented the following:

- A. May 16, 2022 Regular Meeting**

On MOTION by Mr. Leyon and seconded by Mr. Grillo, with all in favor, the May 16, 2022 Regular Meeting Minutes, as presented, were approved.

**B. June 9, 2022 Special Meeting**

The following change was made:

Line 26: Change “Hammell” to “Hammel”

On MOTION by Mr. Kove and seconded by Mr. DiTommaso, with all in favor, the June 9, 2022 Special Meeting Minutes, as amended, were approved.

**TWELFTH 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: August 15, 2022 at 1:00 P.M. {Public Hearing on Adoption of FY2023 Budget}**

- **QUORUM CHECK**

The next meeting will be held on August 15, 2022.

Ms. Kempf asked if the Bridgetown crosswalk project was inspected and if the project was closed. Mr. Adam stated that the speed table and sidewalk projects were part of the LDO. Three weeks have passed and he has not heard from the City.

**THIRTEENTH ORDER OF BUSINESS**

**Audience Requests**

**Comments/Supervisors’**

There were no audience comments or Supervisors’ requests.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Grillo and seconded by Mr. Leyon, with all in favor, the meeting adjourned at 2:10 p.m.

CPSEAL:  
Secretary/Assistant Secretary

Amy Lee  
Chair/Vice Chair