

**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 February 20, 2023 at 1:00 p.m., at the Bonita National Golf and Country Club, 2<sup>nd</sup> Floor of the Clubhouse, 17671 Bonita National Blvd., Bonita Springs, Florida 34135 and via Zoom at <https://zoom.us/j/94341134325> and telephonically at 1-305-224-1068, Meeting ID 943 4113 4325, for both.

**Present at the meeting were:**

Barry Kove	Chair
Daniel DiTommaso	Vice Chair
Joseph Grillo	Assistant Secretary
Timothy Vanderhyden	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via phone/Zoom)	District Counsel
Richard Slattery	HOA
Peter Serena	Troon General Manager
Andy Nott	Superior Waterway Services, Inc.
Alex Kurth	Premier Lakes

**Residents present were:**

Greg Best    Mike Ciberey    Jeff Cutler    Bill McCormick    Al Hanson

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Willis called the meeting to order at 1:02 p.m. Supervisors Grillo, Kove, DiTommaso, and Vanderhyden were present. Supervisor Kempf was not present.

**SECOND ORDER OF BUSINESS**

**Chairman's Opening Comments**

Mr. Kove greeted everyone and advised Zoom attendees that they might be disconnected at 1:55 p.m. The following topics were discussed:

➤ Aeration: Mr. Kove thanked Mr. Notts, of Superior Waterway Services (SWS), for his efforts over the last four weeks. He advised residents that Mr. Notts is repairing the aeration systems and not in his boat fishing or photographing residents.

Mr. Nott reported the following:

- ✓ All units are operational and the project is 100% completed.
- ✓ Technicians replaced the cracked valve box and diffuser at Lakes 5 and 24, respectively, which were under warranty.
- ✓ Four extra compressors were purchased with the remaining funds; two are being used and the other two might be used at Lakes 16 and 12, as they are sounding loud.
- ✓ The new compressors purchased prior to this order were relocated to Lakes 1, 4, 6 and 11. Old compressors worth salvaging will be used for parts.
- ✓ Technicians will continue monthly monitoring and quarterly maintenance.

Mr. Kove asked Mr. Nott to inspect the units on Galway, as, in his opinion, they are loud.

Resident Greg Best asked who to contact if there are issues with the diffusers. Mr. Kove will provide the CDD email address after the meeting.

Foxrock Court resident Mike Ciberey noted algae buildup in the lake behind his home and asked if there will be less algae buildup now that the diffusers are installed. Mr. Nott stated the lakes can only be treated every 14 days and it takes five days to observe any results.

A Board Member suggested sampling the oxygen levels in the lakes.

- Clusia plants are being added around the aeration boxes, as a noise barrier and for security purposes. Mr. Willis will check the status of the project.
- The Speed Hump Project was completed. The HOA asked for two more to be installed; one between Holes #1 and #2 and one in Bridgetown.
- Blue Reflectors: Mr. Willis stated that Lennar will install them during the final lift of asphalt. He will check on the timing. Permanent street signage is on order and in production.

Mr. Best asked why a stop sign exiting the community was not installed. Mr. Kove stated the HOA originally did not want them. The new Board can be asked to reconsider this.

Resident Jeff Cutler recalled a former resident and Board Member's comment that it was the County, not the HOA, that would not approve the stop sign. Mr. Adams recalled discussions in which the District Engineer did not think the City would approve the Limited Development Order (LDO), as it was not part of the original design. Mr. Ciberey asked if speeding is an issue in that area. Mr. Kove replied affirmatively, to the point the CDD conducted a speeding evaluation.

Resident Bill McCormick asked if speeding on Bonita Beach Road was discussed. Mr. Kove stated not yet, but the Board is aware of it. The CDD engaged the Sherriff's Department for traffic enforcement during routine patrols and has the option to engage off-duty officers.

➤ Pedestrian Gate Project: Mr. Kove will ask Mr. Smith about the status of the permit next week. Mr. Willis stated he will ask Carter Fence to contact the City.

A Board Member discussed a recent incident with bicyclists exiting the community. Mr. Kove stated the security gate, once installed, will eliminate the issue. He asked Mr. Willis to work with Mr. Urbancic on a letter to the City, if the permit is not received in the next two weeks.

➤ Pipe Inspection: MRI is on site inspecting all pipes. Proposals will be presented at the next meeting.

A Board Member asked if it will include the area outside the gate. Mr. Adams replied affirmatively and stated that costs will be shared between all four communities.

Mr. Best asked if the cause of the crushed pipe is known. Mr. Adams replied no, he guessed it was a construction issue.

➤ Mr. Willis will check on the status of the Americans with Disabilities Act (ADA) mat in the Bridgetown area. Mr. Kove stated the CDD is working to have all the mats to be a uniform color.

➤ The blue reflectors were installed in areas where the final lift of asphalt was completed.

➤ Littorals: Mr. Kove asked Mr. Willis to inspect the littorals after the meeting.

Mr. Willis stated that EarthBalance will commence the project in about a week. He will email the schedule to send to the HOA so they can distribute it. The vendor will work with the Golf Course Superintendent directly on scheduling.

Resident Al Hanson stated that his request to address the overgrown littorals at the pond on Hole #13 has not been addressed. In his opinion, that area does not need any more littorals. Mr. Willis agreed it exceeds the 15'/20' standard; it will be addressed once the new contract is awarded.

- Regarding painting the crosswalks, Mr. Adams will schedule it for after the season.

**THIRD ORDER OF BUSINESS**

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

Public comments were heard during the Second Order of Business.

**FOURTH ORDER OF BUSINESS**

**Consider Award of Contract – Lake and Wetland Maintenance**

Mr. Willis stated that three of the four vendors invited to bid, submitted bids. All three respondents are qualified. SOLitude Lake Management (SOLitude) is the current provider and SWS is the current aeration provider.

- A. Premier Lakes, Inc.**
- B. SOLitude Lake Management, LLC**
- C. Superior Waterway Services, Inc.**

Representatives of Premier Lakes (Premier) and SWS responded to questions. A SOLitude representative was not present.

Mr. Kove voiced his displeasure with SOLitude’s service and commended Mr. Willis’ efforts managing them. In his opinion, SWS is doing a “great job” with the aeration project.

Board Members selected SWS and indicated that Premier will be the alternate, should any issues with SWS’s service arise.

**On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, ranking Superior Waterway Services, Inc., as the #1 ranked respondent to the Request for Proposals for Lake and Wetland Maintenance, and awarding the contract to Superior Waterway Services, Inc., was approved.**

**FIFTH ORDER OF BUSINESS**

**Continued Discussion/Update: Beach Road Lighting Project**

Mr. Adams stated that Florida Power & Light (FPL) Representative Mr. Cohen confirmed that the project was assigned to FPL’s Construction Analytics Department. The Board can expect a Report by the end of the month, evaluating the revisions to the agreement and determining costs to the CDD to go with a “sidewalk lighting” plan, which will involve modifying the existing lease contract instead of exercising the lease buyout clause.

Mr. Kove asked Staff to schedule a meeting with the other communities once a plan is developed.

Mr. Best asked what caused the project delay. Mr. Kove stated the lighting plan was put in place before some of the communities were built and the lights are not providing the proper level of brightness.

Discussion ensued regarding residents commenting about the intense brightness of the lights, the limited options FPL provided, FPL determining the value and cost to remove the equipment and Bonita Landing CDD threatening this CDD with a lawsuit.

The decision to use some construction funds to absorb the costs related to stopping the project, paying down bonds and the cost to residents, were discussed.

Mr. Cutler expressed concerns about delaying the project and safety, such as speeding and dimly lit roads. He asked if the Board considered solar options.

Regarding resident suggestions, the Board conveyed that the CDD already took them into consideration. Mr. Adams did not recommend providing residents with a cost figure that is not based on factual information. The CDD has not paid one monthly bill to FPL.

**SIXTH ORDER OF BUSINESS**

**Discussion: Builder, Homeowner & CDD Erosion Responsibilities**

Mr. Willis, on behalf of a Foxrock resident, asked the Board to consider repairing the erosion on his property, since the builder advised the resident that the warranty just expired. He explained that the erosion is due to run off from the homeowner’s property causing damage

to the CDD’s lake banks. This is one of the homes identified at previous meetings as having significant erosion.

Mr. Kove stated that the Board is aware of the issues along both sides of Foxrock caused by poor installation and the Board must now decide how to address it.

Mr. Willis stated, in other CDDs our firm manages, the CDDs typically incur the cost to install a French drain but installation of the drainage pipe to connect to the downspout is the homeowner’s responsibility.

Mr. Kove recalled that residents were sent a letter with recommendations but they took no action. Proposals to install French drains on the CDD’s portion of the lake bank will be presented at the next meeting.

Mr. Vanderhyden asked how to resolve the issue of 3” of protruding discharge pipes in his and his neighbors’ yards that were installed when water levels were high. Mr. Willis stated the proposals will include anchoring the pipes, which should have been done originally.

**SEVENTH ORDER OF BUSINESS**

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

Mr. Willis presented the Unaudited Financial Statements as of December 31, 2022. Accounting processed four requisitions totaling about \$250,000 from the construction fund and another \$150,000 is earmarked for other projects.

The financials were accepted.

**EIGHTH ORDER OF BUSINESS**

**Approval of January 9, 2023 Regular Meeting Minutes**

Mr. Willis presented the January 9, 2023 Regular Meeting Minutes.

**On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the January 9, 2023 Regular Meeting Minutes, as presented, were approved.**

**NINTH ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Urbancic stated he is monitoring the State legislative sessions for bills that might affect CDDs.

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

There was no report.

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

- **NEXT MEETING DATE: March 20, 2023 at 1:00 PM**
  - **QUORUM CHECK**

Supervisors Grillo, Kove, DiTommaso and Vanderhyden confirmed their attendance at the March 20, 2023 meeting.

**D. Field Operations: *Wrathell, Hunt and Associates, LLC***

The Field Operations Report was included for informational purposes.

**TENTH ORDER OF BUSINESS**

**Audience Requests**

**Comments/Supervisors'**

Mr. Grillo asked for the exposed pipes on the golf course side to be cut, now that water levels receded. Mr. Willis stated the project was completed. He will confirm if it included the dry area at the edge of the preserve, behind the #12 fairway.

A Board Member stated that the Foxrock street sign, at Foxrock and Galway, is missing. Mr. Kove stated that is an HOA matter.

There were no audience comments or requests.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the meeting adjourned at 2:45 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair