

**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 March 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

**Residents present were:**

Al Fiore      John Wharton      Jeff Cutler      Denise Dorado      Other residents

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Willis called the meeting to order at 1:05 p.m. Supervisors Grillo, Kove, DiTommaso, and Vanderhyden were present. Supervisor Kempf was not present.

Mr. Willis recalled a statement he made at the last meeting. When asked if unused construction funds returned to the CDD would affect assessments, he had stated it would not affect Operation & Maintenance (O&M) assessments. Mr. Adams clarified that construction funds that are returned are returned to the Trustee who keeps the funds in the Prepayment Account for application toward reducing principal with the next scheduled payment, effectively reducing annual payments going forward.

**SECOND ORDER OF BUSINESS**

**Chairman's Opening Comments**

Mr. Kove advised attendees that the three-minute speaker time limit for comments will be enforced. The following topics were discussed:

➤ **Blue Reflectors:** Mr. Willis stated that the original project did not include road reflectors. He distributed a photograph depicting arrow striping and reflectors; reflectors would be installed on the road in line with the existing arrows directly in front of the speed table.

Mr. Kove stated several people expressed concern about the main speed hump on Bonita National Boulevard at Wicklow Court and Longford Court. Pedestrians on the sidewalk have tripped because they cannot see the elevation of the speed hump. In his opinion, it needs more visibility, especially at night.

Mr. Willis will ask Collier Paving about the additional arrow and reflectors in those locations and ensure the permitted project, which includes Americans with Disabilities Act (ADA) mats, is in compliance with the ADA requirements for the visually impaired.

➤ Regarding the orange signs that frequently fall when it is windy. Mr. Willis will have sandbags placed on them; the orange signs will remain in place until reflectors are installed.

➤ Mr. Willis stated Collier Paving will make the reflectors project a top priority. He will schedule the project and advise the Board accordingly.

➤ Mr. Kove stated he received numerous requests for additional speed humps. The initial study showed that an additional speed hump is needed from Hole #1 to Hole #2 on Bonita National Boulevard. He asked if an Engineer is needed. Mr. Adams stated the design was already approved by the City; a new location map will be needed when applying for permits.

Discussion ensued regarding identifying additional speed hump locations, estimated cost of \$20,000 per speed hump, previous study indicating the need for a speed hump between Hole #1 and Hole #2 on both sides of Cavan Court and requests for speed humps on Monaghan Run and Cherrywood Court.

Mr. Kove noted that the study only pertained to Bonita National; he will speak with the HOA to determine the best way to proceed, validate the importance of safety and ensure that additional speed humps are installed in the correct locations.

➤ **Aeration Project:** LandCare installed plants around some but not all compressor boxes. Mr. Willis will discuss the initial proposal with LandCare.

Mr. Kove noted that the Clusia were installed around the front gate area. Mr. Willis stated the proposal was for one 21-gallon Clusia, which Mr. Willis wasn't sure was an actual size

but, given the cost and the upcoming rainy season, he requested a new proposal for seven-gallon Clusia.

Mr. Willis will request competitive proposals from GulfScapes for enhancements.

- The aeration project is complete. One GFCI that was off on Hole #5 will be addressed.

Mr. Kove and Mr. Willis stated that no aerator project noise-related complaints were received. Some complaints about diffuser pressure were addressed. Mr. Kove stated parts were ordered to improve sound quality of two compressor boxes on Galway Run.

- Pedestrian Gate Project: Mr. Kove stated Mr. Steve Smith, who now works for the Bonita Springs Group as an Engineer, thought the CDD's contractors did not provide the proper information; however, he read the emails himself and found them to be complete.

Mr. Urbancic will contact the City Attorney to determine next steps.

Mr. Kove discussed numerous complaints from residents at a building near Hole #2 about unsightly aeration tubes below the water line. Mr. Willis stated he and Mr. Nott are researching it. It seems to be old disconnected equipment, which will be removed by Superior as soon as possible.

Mr. Kove stated his opinion that there is a lot of dead growth in the lakes and Mr. Nott needs to address it. Hole #13 was sprayed and the next steps should be determined. In his opinion, the Cookstown and Cherrywood lakes have excessive growth and dead areas need to be cleaned before additional littorals are planted.

Mr. Willis stated this is Superior's first week maintaining the lakes. and noted that browning littorals is typical during winter. Some are not dead and will turn green when the rain increases. Mr. Nott will perform a written, lake-by-lake assessment in conjunction with taking over the contract and, per the contract, monthly written Reports will be provided for lake maintenance and aeration.

Discussion ensued regarding the Littoral Project.

Mr. Willis stated EarthBalance will begin harvesting this week and planting along the lake banks. Superior is aware of the lake plantings. The littoral shelf is generally maintained at approximately 15' from the high-water mark to preserve the lake bank, filter water and provide fish habitats. In treated areas, dead plants cannot be removed for 14 days to prevent new growth. Mr. Willis noted that the work discussed is part of the lake maintenance project.

➤ Construction debris was noted on the back side of Longford, facing Valencia. Mr. Willis will have Valencia and GL address it. Debris is an ongoing issue on the Wicklow side facing Seasons.

➤ The ADA mats are being ordered.

Resident Al Fiore voiced his belief that Hole #13 is supposed to be the signature golf course hole, per his contract with Lennar. But, in his opinion, it looks horrible and is overgrown. Mr. Grillo disagreed and stated that is not noted in the Declarations or Bylaws; the CDD manages 26 lakes and five flowways and none are more important than another.

Discussion ensued regarding overgrowth in the lakes.

Mr. Kove discussed the ongoing treatments and noted that a very experienced company was just hired; other lakes are in similar condition and the company is aware of the issues.

Mr. Fiore did not know that the documents do not address Hole #13. The consensus was that Hole #13 cannot be treated differently than the other 25 lakes and the flowways.

Mr. Adams stated the South Florida Water Management District (SFWMD) would not permit a well for aesthetics in the area in question. He reminded the Board that a flowway bisects the CDD and the lake between Cookstown and Cherrywood is part of a man-made wetland that is permitted by the SFWMD and the Army Corps of Engineers (ACOE). The vegetation can be cleaned up to make it more aesthetically pleasing but it cannot be removed, as it is intended to be a man-made wetland. He discussed the extended shelf towards the lake to the south, across the road into Carlow and into the wetlands.

Resident Denise Dorado expressed concern about a resident stocking the pond behind Cherrywood for fishing purposes. She asked if fishing and stocking ponds can be prohibited in the wetlands. Mr. Adams stated the CDD is not able to enforce prohibitions against fishing; if the Association prohibits fishing in its Covenants, Conditions and Restrictions (CC&Rs) they can enforce it. The CDD can only enforce a "No Trespassing" policy but an authorized individual must be on site to meet with officers to enforce the policy. As the lakes are chemically treated, fishing should be catch and release. Fishing licenses are required but the CDD is not the licensing entity and has no authority to check licenses. He discussed potential issues with stocking and dumping of aquariums in lakes and suggested advising residents accordingly.

Ms. Dorado asked the Board to make a position statement about what can be stocked, trespassing on private property and the presence of alligators. Mr. Adams suggested checking the CC&Rs for a statement warning about alligators.

Mr. Adams stated other communities successfully created fishing clubs with fishing areas in designated common areas.

Resident John Wharton voiced his opinion that there is no correlation between reducing speeding and streetlighting.

**THIRD ORDER OF BUSINESS**

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

Public comments were heard during the Second Order of Business.

**FOURTH ORDER OF BUSINESS**

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

Mr. Adams stated removal of existing equipment and the value adjustment for the equipment is \$130,311.84. The initial Agreement will transition to what the CDD implements going forward. No billing was received under the initial Agreement and no funds are requested on the monthly Agreement. The total is the total amount due to start over. The necessary language will be included on the invoice. Approval was received to proceed with the sidewalk lights and a catalog was provided and emailed to the Board for review. He suggested the Board review the options so that a consensus can be reached at the next meeting, after which, he would like to meet with representatives from Florida Power & Light (FPL), the lighting Engineer and the four community representatives. Mr. Kove believes that is the correct approach, as the Board wants to ensure that each community is involved in the final plans and decisions.

Mr. Adams stated, once funds are received, FPL will issue a work order to remove the existing equipment. Mr. Adams will work with the District Engineer to remove the expenditure from the Construction Fund. Poles and aerial lines will be removed, electrical equipment such as conduit and transformers will remain and can be used to power the sidewalk lights.

Mr. Adams stated the lighting Engineer can provide additional design criteria details.

Lighting options, lighting at The Seasons and Palmyra, limiting lighting to the sidewalk side of the street and median lighting were discussed.

Mr. Adams stated FPL does not install median lights but landscape lighting might be an option. The Board will consider the sidewalk lighting options and determine the desired scope of the project. Mr. Adams will discuss with Eric whether to terminate the existing Agreement or change the scope so that the \$130,000 does not change.

Regarding a resident question about when the light poles will be removed, Mr. Adams stated when the invoice is paid, removal will be scheduled; scheduling has been a problem.

Mr. Wharton suggested color temperature of the lighting be considered when the lighting criteria is considered. Mr. Kove agreed and noted that FPL sets limitations.

A resident noted a fixture hanging on the north side since the hurricane. Mr. Adams stated the entire arm is hanging but FPL has not responded. Mr. Kove stated pictures were sent.

This item will be included on the next meeting agenda.

**FIFTH ORDER OF BUSINESS**

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

**A. Consideration of Proposals to Install French Drains and Anchoring Pipes**

Mr. Willis distributed the Anchor Marine Services proposal to resolve the drainage issues. Several drains can be reused and some will be replaced to correct improperly installed drains on the east side of Foxrock. A French drain is highly recommended. Installation of the drainage pipe to connect to the downspout is the homeowner’s responsibility. Mr. Kove noted drains on both sides of Foxrock to be corrected. Mr. Willis will request an updated proposal.

This item will be included on the next agenda.

**SIXTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of January 31, 2023**

The financials were accepted.

**SEVENTH ORDER OF BUSINESS**

**Approval of February 20, 2023 Regular Meeting Minutes**

**On MOTION by Mr. Kove and seconded by Mr. DiTommaso, with all in favor, the February 20, 2023 Regular Meeting Minutes, as presented, were approved.**

**EIGHTH 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: April 17, 2023 at 1:00 PM**

- **QUORUM CHECK**

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

The Field Operations Report was included for informational purposes.

Mr. Kove asked if the existing signs that were installed with the original speed humps are too far back now. Mr. Willis thinks they are in the proper location and noted the Florida Department of Transportation (FDOT) approved everything.

Mr. Kove stated that a resident complained about the height of vegetation on Galway Run. Mr. Willis stated that is an HOA issue.

**NINTH ORDER OF BUSINESS**

**Audience  
Requests**

**Comments/Supervisors'**

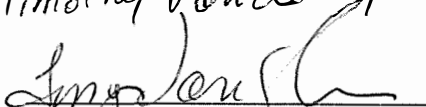
Mr. Grillo stated residents received an email indicating that irrigation pumps in the lakes are being serviced due to low lake water levels. He asked if any related issues will affect the CDD or Superior. Mr. Willis stated that will not interfere with Superior’s project; irrigation is not a CDD issue. Mr. Adams stated that water levels are very low and the pumps could have run dry. Asked if additional bubblers and stirring up mud could be an issue, Mr. Willis stated that is why new aerators run sporadically; despite some localized sediment disruption around the diffusers, it did not affect the pumps.


Mr. Vanderhyden asked about the lighting project timeline. Mr. Adams stated, within the next 30 days, Staff will attempt to schedule a roundtable meeting with representatives of other communities, FPL and the Electrical Engineer to address questions, specifications and options.

Resident Jeff Cutler recalled that revenues were at 63% in January and asked if the collection percentage is known for 2022. Mr. Adams discussed revenue collections and noted that, while revenue collection is generally strong by the end of December, it is slower this year because the Governor extended the collection period 30 days in counties affected by Hurricane Ian. On-roll revenues are now 77% collected. Mr. Willis stated as of December 2021, revenue collections were at 70%.

On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the meeting adjourned at 2:28 p.m.



Timothy Vondakhyda  
  
Secretary/Assistant Secretary

  
Chair/Vice Chair