

**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 Public Hearing and Regular Meeting on August 21, 2023 at 1:00 p.m., at the Bonita National Golf and Country Club, 2nd Floor of the Clubhouse, 17671 Bonita National Blvd., Bonita Springs, Florida 34135 and via Zoom at <https://zoom.us/j/94341134325> and telephonically at 1-305-224-1968, 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 (via phone/Zoom)	Assistant Secretary
Denise Kempf	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via phone/Zoom)	District Counsel
Dave Underhill (via phone/Zoom)	District Engineer
Andy Nott	Superior Waterway Services, Inc. (SWS)
Stu Fuhrmann	Resident/Valencia Liaison
Nancy Dagher	Bonita National Membership & Lifestyle DIR
Kristi Wadhams	HOA President/Resident

Residents and/or members of the public present in person or via phone/Zoom were:

Jeff Cutler Barry Safranek Bill McCormick Jonathan Ehret Jim Werbeck
Other residents

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Willis called the meeting to order at 1:00 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Chairman's Opening Comments

Mr. Kove thanked Mr. Notts, of Superior Waterway Services (SWS) for his attendance, welcomed everyone and reported that the water levels in the lakes has risen due to recent rainfall. He and Staff provided the following updates:

- All speed hump signage has been installed. One of the two signs with varied speed limits, close to Hole #10, is causing confusion and will be removed. All signage complies with the permit code.
- Mr. Willis addressed Mr. Kove's aeration maintenance questions related to Lakes #20 and #21 prior to the meeting.
- Ground Fault Interrupter (GFI): Mr. Nott advised that all the aeration systems' GFI's were reset. As they are sensitive to moisture, he should be notified if they trip, and, if it appears it is not an equipment issue, the covers might need to be replaced.

Regarding technicians treating the weeds on Cherrywood Court behind the Coach Homes, Mr. Nott stated another assessment is planned, before proceeding to other lakes.

- About 3,000 of 15,000 littorals were planted. EarthBalance and the Aquatics Manager will decide when the water levels are sufficient for successful planting; it will most likely be within the next couple of weeks.

Mr. Willis and Mr. Nott discussed the protocols for addressing weeds, torpedo grass, littoral plantings based on State permit and City LDOs and the purpose being to prevent lake bank erosion, which is significantly more costly to repair.

Mr. DiTommaso voiced his opinion that the lakes look good and that LandCare is doing a great job of cutting in the area.

Regarding notification of an issue on Foxrock, Mr. Willis stated he will inspect after the meeting; it could be an irrigation break, which is an HOA matter. It was noted that repair drains are on schedule and Mr. Kove discussed aquatics operations with Mr. Nott; 90% of the plants survive warranty.

- Regarding drainage repairs, Anchor Marine was called away on an emergency project but is expected back in a couple of weeks.
- Repainting crosswalks should be completed prior to season.

Mr. Grillo reported drainage issues and bent signs at Village Walk. Mr. Adams read language in the Agreement, which he interprets to mean that the CDD is responsible for certain areas and, once the water bubbles up over the roadside ditch, it belongs to others. Mr. Willis will have MRI inspect and he will obtain proposals for signage.

Ms. Kempf reported flooding at the two basins on Bonita Beach Road and a resident observed the landscaper throwing shrubs down the shoreline. MRI is on site working all week cleaning out the pipes.

A Board Member reported that there is sand in the culvert at the entrance of Seasons. Mr. Adams stated that Seasons sold all its lots; the CDD will inspect to make sure the roadside drainage is cleaned.

Mr. Kove wants to discuss replacing Banks Engineering during the Sixth Order of Business. Mr. Adams stated this will require a Request for Qualifications (RFQ) for Engineering Services.

THIRD ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

Mr. Willis stated that there are about 14 participants on Zoom.

No members of the public spoke.

FOURTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2023/2024 Budget

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Kempf asked if the Engineer of Record needs to be changed on Page 2. Mr. Adams stated the budget will be amended when a new Engineer is engaged next year.

Mr. Adams recalled that the strategy for the Fiscal Year 2024 budget was to keep the assessment levels as close as possible to the Fiscal Year 2023 assessment levels. This resulted in using \$23,094 of surplus unassigned fund balance to offset the increase.

Regarding the Panther Mitigation Project monitoring budget, Mr. Adams stated those funds can be reallocated if the CDD decides to sell the property.

On MOTION by Mr. Vanderhyden and seconded by Mr. Grillo, with all in favor, the Public Hearing was opened.

Resident Jeff Cutler asked why the actual expenses are through February 28, 2023 and asked about closing out the construction account this year. Mr. Adams explained the process of preparing a proposed budget for approval by mid-June and for final adoption at the August Public Hearing. Once lingering projects are completed, like additional speed humps, the construction account will be closed and any remaining funds will be applied to the Principal prepayment account to reduce debt.

On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Vanderhyden and seconded by Mr. DiTommaso, with all in favor, Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

There were no comments from members of the public.

On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Johnson Engineering, Inc., Professional Services Agreement for Sidewalk Design Services

Mr. Adams presented the Johnson Engineering, Inc., Professional Services Agreement for Sidewalk Design Services. He pointed out the following:

- Mr. Wayne Johnson, of Johnson Engineering, participated in the roundtable meeting with all four communities.
- It is prudent to proceed with the Sidewalk Lighting Design, which will take four to six weeks to complete, and present it at the October meeting, as the steps for the streetlighting project are finalized, Florida Power & Light (FPL) received payment from the Construction Fund to remove the existing street lights; removal will be scheduled in the next few weeks and will occur within the next month or two.
- The sidewalk design services include preparing a photometric plan and assisting with the associated Limited Review Development Order (LDO).
- The current spacing for the street lighting plan was doubled for the sidewalk lighting plan. About 80 sidewalk lights will be installed on the south side, from the fire station to the front door step of Bonita National.

Mr. Adams described the attributes of the Cooper-Arbor Model 3000K and installation process.

Mr. Kove voiced his opinion that it turned out nice and is exactly as hoped for to move forward.

Mr. Urbanic pointed out the terms of the Limited Liability clause, on Page 7, and the need to include the E-Verify requirements to the Exhibit. Mr. Adams advised that only Exhibit A to the Agreement is being approved, as Management's standard Agreement will be executed.

Discussion ensued regarding liability, the amount of involvement in the permit process, whether the model was vetted and if it will change once the photometric study is completed.

Mr. DiTommaso voiced concern that the light casting on the roadway may not be sufficient. Mr. Adams stated that was discussed at the roundtable meeting and, if there is not sufficient glow on the north lanes, landscape lighting will be installed. There is no standard design criteria for sidewalk lighting other than providing a convenience lighting package versus a Florida Department of Transportation (FDOT) standard. Mr. Kove stated the roundtable chose this model over the Mesa model based on how it would affect the road and casting down to light the road. The group did not approve proceeding with the northside; this might be a Season's issue.

Asked when the lights will be shut off and the poles removed, Mr. Adams stated within the next 60 days.

Mr. Kove asked Staff to provide an update on the permits at the next meeting. Mr. Adams expects the permits to be obtained by the end of the year.

SEVENTH ORDER OF BUSINESS

Discussion/Consideration: Landscape Maintenance Proposals

Mr. Willis stated that the existing contract ended and converted to month-to-month. He presented the following proposals:

- A. Gulfscapes Landscapes Management Services**
- B. LandCare**

Discussion ensued regarding vendor performance and experience, pricing, ability to negotiate the contract, discrepancies between the proposals received, current issues with LandCare and contract renewal terms.

Mr. Kove asked the Board to take notes about LandCare’s performance over the year to utilize when determining if next year’s contract should be renewed. He discussed a LandCare employee’s demeanor with CDD Board Members and residents and the 30-day termination clause. He offered to attend the next HOA meeting to address landscaping concerns.

Ms. Kempf voiced her opinion that they should bring up the subject doing too many side jobs in their conversation with LandCare and negotiate this into the contract. Adjusting the tree trimming criteria in the contract was suggested.

Ms. Kempf asked Staff to include this as a quarterly agenda item.

On MOTION by Mr. Kove and seconded by Mr. Grillo, with Mr. Kove, Mr. Grillo, Ms. Kempf and Mr. Vanderhyden in favor and Mr. DiTommaso dissenting, the LandCare Landscape Maintenance Proposal, in the not-to-exceed amount of \$34,692, was approved. [Motion passed 4-1]

EIGHTH ORDER OF BUSINESS

Continued Discussion/Update: Beach Road/Sidewalk Lighting Projects

- Consideration of Proposals to Install Temporary Lighting**

Mr. Adams distributed a memorandum summarizing the use of construction funds to pay FPL for the Landcare’s street lighting project, which was requested at the last meeting.

Mr. Adams stated that the City issued a Notice of Code Violation on the CDD’s existing street lighting project and Mr. Culling, of FPL, advised that the equipment will be removed within 60 days, prior to the October 31, 2023 deadline. Ms. Kempf asked if the notice was issued because of complaints to the City. Mr. Adams believed so.

NINTH ORDER OF BUSINESS

Continued Discussion: Additional Speed Hump Locations

- **Consideration of Proposals to Install Temporary Speed Humps**

Mr. Willis stated that he is having difficulty obtaining proposals. The two additional speed humps will be located north of the pedestrian crosswalk and just after the golf cart crossing. Mr. DiTommaso recalled providing input about the locations at the last meeting. Mr. Willis stated it will be decided based on the District Engineer, the original installer Collier Paving and the City’s LDO code ordinance. Mr. Vanderhyden asked if other locations are being considered. Mr. Kove replied no. The bullet points included in the Eighth and Ninth Orders of Business were placed in the agenda in error.

Resident Barry Safranek voiced concern about traffic safety due to a blind curve and landscaping exiting the Terraces Building #8 turning onto Bonita National Boulevard.

Discussion ensued regarding similar issues at Cherrywood Court, Wicklow Court, the hedges approaching the maintenance area on Wicklow and the circle.

Adding these as discussion items with LandCare was suggested.

Mr. Willis showed a video of a solar light pedestrian crosswalk system. Mr. Kove stated this is being considered in lieu of speed humps. He asked Mr. Willis to obtain proposals for a motion detection system, which might address the issues since the decision to install a stop sign at Wicklow Court and Cherrywood Court has not been made and a gate in front of the maintenance area might no longer be needed.

- **Continuation of the Sixth Order of Business: Consideration of Johnson Engineering, Inc., Professional Services Agreement for Sidewalk Design Services**

On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, the Johnson Engineering, Inc., Professional Services Agreement Exhibit A for Sidewalk Design Services, in a not-to-exceed amount of \$13,150, was approved.

In response to a question, Mr. Adams stated the Board will need to authorize Staff to prepare an RFQ for Engineering Services.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2023

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2023. Several invoices were processed since the date of the Statements, which leaves about \$450,000 remaining in the Capital Projects Fund. Regarding how much the lighting project might cost, Mr. Adams stated that, other than Engineering costs for permitting, installation will be part of the leasing program. He is unsure if funds will be needed for construction or handholds, as FPL plans to utilize the existing infrastructure and the additional transformer that was installed on the south side, which was part of the original streetlighting project. Costs were about \$60,000 and shared across the four communities. He anticipates having over \$200,000 in the Construction Account to apply towards the principal prepayment account.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of July 17, 2023 Regular Meeting Minutes

Mr. Grillo will submit his edits after the meeting.

The following changes were made:

Line 28: Insert "(via telephone)" after "Campbell"

Line 115: Insert "for the proposed sidewalk lighting project" after "lease"

Line 125: Change "he" to "Eric Culling of FPL"

Line 145: Change "is" to "are"

Line 154: Change "bond" to "fund"

Line 206: Change "behind" to "around"

Line 209: Change "if" to "of"

Line 216: Change "Vanderhyden" to "DiTommaso"

On MOTION by Mr. Grillo and seconded by Mr. DiTommaso, with all in favor, the July 17, 2023 Regular Meeting Minutes, as amended to include the changes made during the meeting and other changes submitted, were approved.

Ms. Kempf stated the April and June meeting minutes are not posted on the website.

TWELFTH 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

Mr. Adams stated he emailed an executed Supplemental Engineers Report to the Board.

- **NEXT MEETING DATE: September 18, 2023 at 1:00 PM**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the September 18, 2023 meeting.

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

The Field Operations Report was included for informational purposes.

THIRTEENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

Mr. Willis stated there are 13 participants on Zoom.

Resident Bill McCormick asked when the lights will be removed. Mr. Adams stated in the next 60 days.

There were no Supervisors' requests.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the meeting adjourned at 2:48 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair