

**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 June 17, 2024 at 1:00 p.m., at the Bonita National Golf and Country Club, 2<sup>nd</sup> Floor of the Clubhouse, 17501 Bonita National Blvd., Bonita Springs, Florida 34135 and via Zoom at <https://zoom.us/j/94315901673> and telephonically at 1-305-224-1968, Meeting ID: 943 1590 1673 and Passcode: 555333, for both.

**Present at the meeting were:**

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

**Also present:**

Chuck Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via phone/Zoom)	District Counsel
Jared Brown (via phone/Zoom)	District Engineer
Andy Nott	Superior Waterway Services, Inc. (SWS)
Steve Bentley	Bently Electric Co.
Wendy Weber-Brunson	Bonita Nat'l Community Assoc. Manager

**Residents present (in person/via phone/Zoom):**

John Irwing	Mike Ciberey	Kimberly Stoll	Bill McCormick
Pete Natarie	Tamara Jorstad	John Wharton	Ralph Tayman
Ted Kasill	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.

Mr. Willis stated that about six participants are attending via phone/Zoom and 10 attending in person.

**SECOND ORDER OF BUSINESS**

**Chairman's Opening Comments**

Mr. Kove welcomed all meeting attendees. He expressed his opinion that heavy rainfall over the last few days proves the remediation projects passed the test.

Mr. Kove stated he heard that some homeowners complained of flooding and asked Ms. Weber-Brunson and Mr. DiTommaso to notify the CDD if there is something that needs to be addressed. He asked if the CDD can prepare its stormwater systems to prevent flooding during a heavy rain or a hurricane. Mr. Adams replied no; the CDD stormwater system is not adjustable.

Mr. Kove asked Staff to monitor the drainage pipes during the rainy season, including the Clubhouse. Mr. Adams stated the HOA would have to engage MRI to monitor private areas, such as the Clubhouse and Fitness Center parking lots.

Discussion ensued regarding the stormwater system, it is expected for roadways to flood during a heavy rain until the water flows to the stormwater system and reports of flooding damaging property during the recent storm. It was noted that MRI installed rip-rap and cleaned the drains last year, along Bonita Beach Road.

Board Members reported drainage issues on Bonita Beach Road and one asked to install another drain and one noted an area that holds water. Mr. Adams stated that these structures were designed and installed based upon an Engineering plan that was permitted over 20-years ago. Due to the recent rain event, he suggested Staff monitor Bonita Beach Road during the rainy season to determine if the area needs to be re-addressed.

Mr. Kove asked for questions from the attendees. No members of the public spoke.

Regarding installation of the solar panel on Wicklow, Mr. Willis expects it to occur soon, He noted that AV-Tech engaged a new supplier and is incurring additional costs, as the prior supplier increased its rates at the last minute. Mr. Willis will update the Reciliation Report to include the second location, which will increase the Planned Uses amount from approximately \$195,150 to \$205,000.

Regarding the stop signs for Antrim and Wicklow, Mr. Willis stated that he placed the order with Lykins-SignTek, which is backlogged. He will provide an update at the next meeting. Mr. Kove asked Ms. Weber-Brunson to have maintenance inspect and tighten loose stop signs.

Regarding the status of LandCare replacing the plants around the transformers, Mr. Willis stated that he will be on site this Wednesday to address this and an issue he observed along Bonita Beach Road. He will convey Mr. Kove's comment that LandCare's reaction time is unacceptable.

Regarding the landscape lighting contract, Mr. Steve Bentley, of Bentley Electric, reviewed the project scope and cost to install low lights in the center median, from the beginning of Bonita National to the Fire Station. He thinks it will take six weeks from start to finish.

Discussion ensued regarding ancillary electrical costs, obtaining feedback from the other communities, the sidewalk lighting project, the Board’s decision to proceed with the initial scope of work, whether areas of Seasons and Valencia should be added to the project and the need to increase the wiring size to be able to expand lighting in the future.

Mr. Kove asked for questions from the attendees regarding this project.

Resident Ted Kasill stated that he did not understand why lights are being installed in the median when residents were originally told that it could not be done. Mr. Adams explained that Florida Power & Light (FPL) does not install center street lights under the Lease Maintenance Agreement, which is different than landscape lighting.

Ms. Kempf suggested touring the community to get an idea of what it will look like, which is similar to what she has in front of her home.

**On MOTION by Mr. Grillo and seconded by Mr. Vanderhyden, with all in favor, authorizing Staff to proceed with the landscape lighting project that involves placing two adjustable lights on each tree, in a not-to-exceed amount of \$150,000, subject to Staff obtaining positive feedback from the other communities, was approved.**

**THIRD ORDER OF BUSINESS**

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

No members of the public spoke during public comments.

▪ **Update: Superior Waterway Services, Inc. Treatment Report**

**This item, previously the Eighth Order of Business, was presented out of order.**

The Treatment Report for April 2024 was included for informational purposes.

Mr. Kove stated that he is still receiving resident emails about spraying weeds, despite the information provided, and asked if there are photographs available that will better educate residents about what is a weed versus a littoral plant. Mr. Willis and Mr. Nott will email additional information to Ms. Weber-Burnson to send an e-blast.

Discussion ensued regarding the frequency of treatments and advising residents that the lakes are treated with an all-natural, non-toxic blue dye product that is approved by several governmental authorities.

Mr. Nott stated that the technician is treating the torpedo grass in the lakes that was identified in the Audit Report and is monitoring what is causing the ground fault circuit interrupters (GFCI) to trip and how often it occurs. He noted the test case of installing an EPT breaker at Lake 7 seems to be working.

Asked if he monitors lake bank erosion, Mr. Nott stated the technician will report anything unusual; otherwise, it is identified in the annual Lake Audit. Mr. Willis stated that this is part of the Lake Audit, which was discussed at the last meeting.

In response to emails and texts he received about installing pickleball or bocci ball courts, Mr. Kove stated that the CDD has no opinion or decision-making authority on those matters; residents should be aware that the CDD and HOA are separate entities before submitting comments.

**FOURTH ORDER OF BUSINESS**

**Continued Discussion: FY2025 Proposed Budget**

This item was presented following the Eighth Order of Business.

**FIFTH ORDER OF BUSINESS**

**Operations Update: Landscape**

This item was discussed during the Second Order of Business.

**SIXTH ORDER OF BUSINESS**

**Continued Discussion/Update: Panther Property Salability**

Mr. Adams stated that the rancher rejected the CDD's counter offer and stands firm with the lease offer of \$8,000 per year and added ancillary costs associated with the annual burn, insurance, the \$14,532 tax bill, etc. The rancher is requesting a 10 to 30-year, long-term lease but, ultimately, he would like to purchase the land in the future if the South Florida Water Management District (SFWMD) changes its opinion.

Discussion ensued regarding differing opinions on finalizing lease terms before obtaining approval from the SFWMD for certain property use, accepting new terms subject to advising

the rancher of the CDD tax-exempt status, needing consent from the other four communities before transiting the CDD obligations to the lessee, splitting rent proceeds amongst the shared communities based upon the percentage of shared costs in the Interlocal Agreement, including a consumer price index (CPI) escalator in the lease terms and defining responsibilities.

Mr. Vanderhyden researched and found that the annual rent amount proposed is within the range of the US Southern Region for pasture land rentals.

Mr. Adams outlined the CDD’s new counter offer for annual rent of \$22,532, with full disclosure about the CDD tax-exempt status, defining each entities’ responsibilities, adding a CPI escalator, having a 10-year term with five year automatic renewals unless terminated by either party and a termination clause of six months or a length of time that is reasonable to transition livestock.

The Board authorized Staff to accept the terms of the new lease, if the rancher agrees to it. Approval from the SFWMD is required before the lease agreement can be signed.

**SEVENTH ORDER OF BUSINESS**

**Consideration of FPL LED Lighting Plan/Agreement [Sidewalk Project]**

Mr. Adams presented the FPL Lighting Plan and FPL LED Lighting Agreement for sidewalk lighting on Bonita Beach Road. Staff responded to questions regarding the budget, cost-share Agreement, using construction funds to fund the project, the increase to electricity costs, the design, materials, pricing, expectation for construction to be completed by year end once the contract is executed.

**On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the FPL LED Lighting Plan, FPL LED Lighting Agreement and sidewalk lighting project, were approved.**

**EIGHTH ORDER OF BUSINESS**

**Update: Superior Waterway Services, Inc. Treatment Report**

This item was presented following the Third Order of Business.

- **Continued Discussion: FY2025 Proposed Budget**

**This item, previously the Fourth Order of Business, was presented out of order.**

Mr. Adams stated that unassigned fund balance was used to keep the Fiscal Year 2025 assessment levels the same as in Fiscal Year 2024, which caused a negative balance in the “Unassigned” Fund balance line item that will, therefore, be offset with the “Assigned-Lake bank erosion repair Fund balance” line item. He explained the purpose of designating surplus funds to “Assigned” and “Unassigned” Fund balance line items.

Regarding the amount needed for the “Assigned-Lake bank erosion repair Fund balance”, Mr. Willis referred to the prior meeting minutes, which outlines what lakes will need lake bank remediation and when. Mr. Adams suggested assigning \$75,000 or \$100,000, instead of the \$150,000. He recommended increasing annual assessments and building unassigned fund balance, as the other budget items are not inflated and expenses are increasing each year. The Board authorized Mr. Adams to adjust the proposed Fiscal Year 2025 budget to increase fund balance by \$14,000, which will result in assessments increasing \$10.01 per unit. He will begin the Mail Notice process within the next few weeks.

Mr. Kove expressed belief that the construction fund has been a blessing to the CDD, as the funds were used on major projects that might have been delayed or might have necessitated increasing assessments significantly.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of April 30, 2024**

• **Construction Fund Sources and Uses Reconciliation**

Mr. Willis stated that he will email a revised Reconciliation Report once he adds the second solar lighting project and the Restriping project, along with an Operations Report. He noted that AV-Tech just texted to confirm that they will hold costs and that they expect the additional material two weeks from now; he will send the schedule to the HOA.

The financials were accepted.

**TENTH ORDER OF BUSINESS**

**Approval of May 20, 2024 Regular Meeting Minutes**

The following change was made:

Line 69: Change “Kovan” to “Cavan”

On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, the May 20, 2024 Regular Meeting Minutes, as amended, were approved.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

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

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

There were no District Counsel or District Engineer reports.

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

- **NEXT MEETING DATE: July 15, 2024 at 1:00 PM**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the July 15, 2024 meeting, with Supervisors Vanderhyden and DiTommaso attending via phone/Zoom.

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

This item was discussed during the Ninth Order of Business.

**TWELFTH ORDER OF BUSINESS**

**Audience  
Requests**

**Comments/Supervisors'**

Asked where the conservation area is located, Mr. Adams stated that it is the preserve area along the southwest corner boundary line; it consists of about 150 acres.

Resident Tamara Jorstad asked who is responsible for removing the fallen debris from the conservation area onto private property. Mr. Willis stated the HOA is responsible; he will report this to LandCare.

Mr. Willis reported five participants attending via phone/Zoom.

No members of the public spoke.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the meeting adjourned at 2:55 p.m.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair