

**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 December 16, 2024 at 1:00 p.m., at the Bonita National Golf and Country Club, 2nd Floor of the Clubhouse, 17501 Bonita National Blvd., Bonita Springs, Florida 34135 and via Zoom at <https://zoom.us/j/95544868880>, and telephonically at 1-305-224-1968, Meeting ID: 955 4486 8880, Passcode: 5522, for both.

Present were:

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

Also present:

Shane Willis	Operations Manager
Greg Urbancic (via phone/Zoom)	District Counsel
Mark Zordan (via phone/Zoom)	District Engineer
Andy Nott	Superior Waterway Services, Inc. (SWS)
Ralph Tayman	Valencia Resident

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

Dave Straub Candy Moot Jeff Cutler Jeff Karasyk Other Residents

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Willis called the meeting to order at 1:02 p.m. Supervisors DiTommaso, Kemp and Vanderhyden, and carry-over Supervisors Grillo and Kove were present.

SECOND ORDER OF BUSINESS

Chairman's Opening Comments

Mr. DiTommaso welcomed all attendees. He asked for updates on outstanding items. Updates were provided, as follows:

➤ Regarding obtaining written confirmation from Florida Power & Light (FPL) that the Sidewalk Lighting Project on Bonita Beach Road year-end target completion date is still on schedule, Mr. Willis stated that Mr. Adams has not heard from FPL, despite several requests for confirmation. Upon discussing FPL's lack of action, Mr. Urbancic was directed to send a forceful letter to FPL by next week asking for a response to the CDD's requests on the status of the project, instead of waiting until January, 2025.

Mr. DiTommaso voiced his opinion that, given discussions in the last three or four meetings for District Staff to do whatever is needed to complete the project and avoid any and all surprises, that this is an unwelcomed surprise.

➤ Regarding changing the lights to 4,000 lumens, Mr. Willis stated it was completed one week after the last meeting.

➤ Regarding the landscape lighting project on Bonita Beach Road, Mr. Willis stated Mr. Bentley is waiting for FPL to deliver the meter for installation.

Mr. Kove asked if the Valencia Facilities & Grounds Committee is clear that the last four or five lights are part of this project and not the HOA. Mr. Karasyk replied affirmatively.

Mr. Kove requested updates on the following:

➤ Regarding aeration repairs at Lake 9, Mr. Nott stated they decided to install the new compressor slated for Lake 12 to Lake 9 and relocate the one at Lake 9 to Lake 12, as the plug was wired in a way that made it too sensitive to water. He will continue monitoring the compressor at Lake 12 and will not replace it until it is no longer functioning.

Mr. Willis stated he asked the resident to notify Staff when the system goes down so ongoing issues can be tracked. Mr. Kove asked Mr. Nott to review the breaker locations with Ms. Wendy Weber-Brunson.

➤ Regarding engaging Paramount to build a slightly varied version of the existing stop signs and cancelling the order with Lykins-SignTek (Lykins), Mr. Willis stated Lykins' Operations Manager indicated that he has the signs and he confirmed that they will be installed by Friday, December 20, 2024. Despite this, Rick, of Paramount, suggested placing the order to start the

process, as we could cancel the order if the signs are installed as promised, since Paramount could use them elsewhere.

Mr. Kove stated he received several emails about missing street signs and directed residents to contact the HOA. Ms. Kempf stated she suggested Ms. Weber-Brunson consider relocating certain signage onto Cherrywood and Bonita National Boulevard, as she thinks it would help direct traffic.

➤ Regarding Mr. Zordan’s Development Plan depicting the lakes and drainage systems, Mr. Kove stated he will ask Ms. Weber-Brunson to re-distribute it to residents.

THIRD ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

Mr. Willis stated that about eight people are attending in person and ten participants are attending via phone/Zoom.

Valencia Bonita resident Candy Moot distributed and presented information outlining the meeting residents had with Mr. Don Scott, Executive Director of the Lee County Municipal Planning Office (MPO) and Council Member Jim Fitzpatrick, to discuss rumors of renewed plans to extend Collier Boulevard (CR 951) north into Lee County and possibility through to Valencia Bonita. As a veteran lobbyist, she and Mr. Fitzpatrick believe getting affected property owners involved in this matter sends the message to them to think twice about it.

Ms. Moot asked the Board to consider participating in the next meeting, in March. Mr. Urbancic agreed with Mr. Willis’ suggestion to designate a CDD Board liaison to attend the meeting, to avoid violating the Sunshine Law. He noted that the CDD owns the preserves; as to eminent domain, he cannot guarantee another governmental entity will not prevail, as transportation is a significant matter.

Mr. Vanderhyden discussed his experience and background and offered to be the designated liaison. He thinks the CDD should hear the pros and cons before deciding against this.

Mr. Willis identified the preserve and other areas and ownership on the map.

On MOTION by Ms. Kempf and seconded by Mr. Grillo, with all in favor, designating Mr. Vanderhyden as the CDD representative for the Collier Boulevard Extension community action, was approved.

FOURTH ORDER OF BUSINESS

Update: Superior Waterway Services, Inc. Treatment Report

Mr. Nott stated that all the lakes look good; crews are on site two to three times a month maintaining the littorals, as needed. The sprinkler system needs to be adjusted to prevent the Lake 18 aerator from tripping.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2025-01, Declaring Vacancies in Seat 1 and Seat 2 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability Conflicts and an Effective Date

Mr. Willis presented Resolution 2025-01, declaring Seats 1 and 2 vacant. Mr. Urbancic stated that Mr. Kove and Mr. Grillo did not file their applications during the candidate qualifying period for the November 2024 General Election. No others qualified as candidates to run for those seats; therefore, Mr. Kove and Mr. Grillo are holdover Board Members. The Board has 90 days from November 19, 2024 to appoint Qualified Electors to fill the vacant seats.

On MOTION by Mr. Vanderhyden and seconded by Mr. DiTommaso, with all in favor, Resolution 2025-01, Declaring Vacancies in Seat 1 and Seat 2 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability Conflicts and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Seat 1; Term Expires November 2028

Mr. DiTommaso voiced his opinion that, because of the extenuating circumstances that created these vacancies, incumbent Board Members Kove and Grillo should be nominated to fill the vacant seats, if they express interest in doing so.

Mr. DiTommaso nominated Mr. Joseph Grillo to fill Seat 1.

Mr. Urbancic suggested Mr. Grillo abstain from voting on this matter.

Mr. Willis opened Public Comments.

No members of the public spoke.

Mr. Willis closed Public Comments.

No other nominations were made.

- **Consideration of Resolution 2025-02, Appointing a Qualified Elector to Fill the Vacancy in Seat 1 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability, Conflicts and an Effective Date**

This item, previously Item 6B, was presented out of order.

On MOTION by Mr. DiTommaso and seconded by Mr. Vanderhyden, with Mr. DiTommaso, Mr. Vanderhyden and Ms. Kempf in favor and Mr. Grillo and Mr. Kove abstaining, Resolution 2025-02, Appointing Mr. Joseph Grillo, a Qualified Elector to Fill the Vacancy in Seat 1 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability, Conflicts and an Effective Date, was adopted.

- A. **Administration of Oath of Office to Appointed Supervisor (the following will be provided in a separate package)**

Mr. Willis, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Joseph Grillo.

- I. **Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- II. **Membership, Obligations and Responsibilities**
- III. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employee**
- IV. **Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

These items were discussed following the Eighth Order of Business.

- B. Consideration of Resolution 2025-02, Appointing a Qualified Elector to Fill the Vacancy in Seat 1 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability, Conflicts and an Effective Date**

This item was presented above.

SEVENTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Seat 2; Term Expires November 2028

Mr. DiTommaso nominated Mr. Barry Kove to fill Seat 2.

Mr. Kove will abstain from voting on this matter.

Mr. Willis opened Public Comments.

No members of the public spoke.

Mr. Willis closed Public Comments.

No other nominations were made.

- **Consideration of Resolution 2025-03, Appointing a Qualified Elector to Fill the Vacancy in Seat 2 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability, Conflicts and an Effective Date**

This item, previously Item 7B, was presented out of order.

On MOTION by Mr. Grillo and seconded by Mr. DiTommaso, with Mr. Grillo, Mr. DiTommaso, Ms. Kempf and Mr. Vanderhyden in favor and Mr. Kove abstaining, Resolution 2025-03, Appointing Mr. Barry Kove, a Qualified Elector to Fill the Vacancy in Seat 2 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability, Conflicts and an Effective Date, was adopted.

- A. Administration of Oath of Office to Appointed Supervisor**

Mr. Willis, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Barry Kove.

- B. Consideration of Resolution 2025-03, Appointing a Qualified Elector to Fill the Vacancy in Seat 2 on the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes; Providing for Severability, Conflicts and an Effective Date**

This item was presented above.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2025-04, Electing and Removing Officers of the District, and Providing for an Effective Date

Mr. Willis presented Resolution 2025-04. The following slate was nominated:

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

No other nominations were made.

The following prior appointments by the Board remain unaffected by this Resolution:

Chuck Adams	Secretary
Craig Wrathell	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

Mr. Willis opened Public Comments.

No members of the public spoke.

Mr. Willis closed Public Comments.

On MOTION by Mr. Grillo and seconded by Mr. DiTommaso, with all in favor, Resolution 2025-04, Electing, as nominated, and Removing Officers of the District, and Providing for an Effective Date, was adopted.

Mr. Willis and Mr. Urbanic referred to the items listed in Item 6A and gave an overview of the Sunshine Law and public records and ethics laws, which have civil and criminal penalties for violating these laws. Board Members should not discuss CDD business in person, via text or emails outside of a publicly noticed meeting, Board Members must complete the required four hours of ethics training by December 31, 2024.

NINTH ORDER OF BUSINESS

**Consideration of Proposals for
Conduit and Landscape Lighting
Options**

Mr. Willis presented Bentley Electric Co of Naples Fl (Bentley) Proposal 2024-974, with a breakdown of the original landscape lighting, and Proposal 24-502, to extend the conduit and installing bollard lights to address the dark areas between Valencia and Seasons on either side of the median. Mr. Vanderhyden suggested deferring Proposal 24-502 until they can evaluate the sidewalk lighting project.

Discussion ensued regarding deferring the proposal while requisitioning the proposal from the Construction Fund.

Mr. Kove asked about the number of lumens. Due to his professional background, Mr. Vanderhyden suggested Staff write a letter to the Florida Public Service Commission, which regulates the utilities, to discuss FPL’s lack of service. Mr. Willis stated he will research this with Mr. Urbancic.

Resident Jeff Cutler recalled Mr. Adams’ cut-off date to close out the Construction Fund and FPL causing delays. Mr. Willis stated that only the \$40,000 proposal is an addition to the project.

On MOTION by Mr. Vanderhyden and seconded by Mr. Kove, with all in favor, Bentley Electric Co of Naples Fl Inc Proposal 24-502 for Conduit and Landscape Lighting Options, in a not-to-exceed amount of \$40,000, subject to Staff obtaining Board approval before executing a contract, was approved.

TENTH ORDER OF BUSINESS

**Consideration of Proposal for Lake
12 Compressor Replacement**

This item was deterred.

ELEVENTH ORDER OF BUSINESS

**Consideration of Paramount
Proposal for Stop Signs**

This item was discussed during the Second Order of Business.

Ms. Kempf asked Mr. Willis to keep Ms. Weber-Brunson updated.

TWELFTH ORDER OF BUSINESS

Consideration of Proposal for Ditch Pavement/Sodding

Mr. Zordan presented the project scope on which he conferred with Mr. DeMarco, of Collier Paving. Construction is in accordance with the Florida Department of Transportation (FDOT) roadside ditch detail. He asked if the Board wants to keep the riprap or have the contractor remove it.

Discussion ensued regarding protocol to donate the riprap to the Golf Board, sell it and a suggestion to relocate it to CDD property at Wicklow Court and Galway to enhance the CDD border and Seasons.

Mr. Zordan asked if a Limited Development Order (LDO) was obtained for the riprap. Mr. Willis replied no. Mr. Zordan stated that a LDO is not required since this project is a maintenance activity. Mr. Willis stated LDOs are required for improvements and replacement.

Mr. Willis was asked to research alternatives to riprap while Mr. Zordan prepares the project book to obtain bids.

Ms. Kempf asked Mr. Willis to inspect the area for debris.

THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2024

- **Construction Fund Sources and Uses Reconciliation**

Mr. Willis noted the latest updates in the Report. Ms. Kempf asked about the “bad debt” line item. Mr. Willis stated that this will not show in the New Fiscal Year unless it occurs again.

The financials were accepted.

FOURTEENTH ORDER OF BUSINESS

Approval of November 18, 2024 Regular Meeting Minutes

The following changes were made:

Line 24: Delete “Valencia Facilities & Grounds Committee”

Lines 81 and 85: Change “DiTomasso” to “DiTommaso”

Line 91: Delete “a Valencia Facilities & Grounds Committee Member”

Line 131: Change “the schematics” to “options”

On MOTION by Mr. Vanderhyden and seconded by Mr. Kove, with all in favor, the November 18, 2024 Regular Meeting Minutes, as amended, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

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

B. District Engineer: Johnson Engineering, Inc.

District Counsel and the District Engineer had nothing further to report.

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

- **NEXT MEETING DATE: January 13, 2025 at 1:00 PM**
 - **QUORUM CHECK**

All Supervisors confirmed their attendance at the January 13, 2025 meeting.

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

Mr. Willis noted the latest updates in the Project Tracker, which was dated incorrectly.

SIXTEENTH ORDER OF BUSINESS

Audience Comments/Supervisors’ Requests

Resident Jeff Karasyk asked about the protocol to repair the cracked/chipped sidewalks in front of Valencia and Bonita Beach Road. Mr. Willis stated he will assess the area and report his findings; residents can report issues on the CDD website. Regarding CDD responsibilities and maintenance of Bonita Beach Road, Mr. Willis identified areas on the map outlining CDD property and shared-cost community areas.

Mr. Karasyk asked if Bonita Beach Road can be conveyed to the City. Mr. Willis stated the City would typically not accept such a conveyance unless it benefits them.

Ms. Kempf asked if the buttons on the solar lighting pedestrian crosswalk are functioning. Mr. Willis stated he will check with AV-Tech. Ms. Kempf asked for them to be switched to buttons if they have not been installed yet.

A resident asked who is responsible for roadway and sidewalk repairs inside the Bonita National gate. Mr. Willis stated the HOA.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. DiTommaso and seconded by Mr. Kove, with all in favor, the meeting adjourned at 3:12 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair