

**BEACH ROAD
GOLF ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

March 15, 2021

**BOARD OF SUPERVISORS
REGULAR MEETING
AGENDA**

Beach Road Golf Estates Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

March 8, 2021

DUE TO COVID-19 RESTRICTIONS BEING IMPLEMENTED AT THE CLUB, ONLY BOARD MEMBERS/STAFF MAY PARTICIPATE AT THE MEETING'S PHYSICAL LOCATION. MEMBERS OF THE PUBLIC MAY JOIN BY VIDEO OR TELECONFERENCE ONLY.

Board of Supervisors
Beach Road Golf Estates Community Development District

Dear Board Members:

ATTENDEES:
Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

The Board of Supervisors of the Beach Road Golf Estates Community Development District will hold a Regular Meeting on March 15, 2021, at 1:00 p.m., at the Bonita National Golf and Country Club, 2nd Floor of the Clubhouse, 17671 Bonita National Boulevard, Bonita Springs, Florida 34135, and remotely via Zoom at <https://us02web.zoom.us/j/88302348598>, Meeting ID: **883 0234 8598** or via conference call at **1-929-205-6099**, Meeting ID: **883 0234 8598**. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Update: Lake Bank Erosion Repair Project
4. Update: Streetlight Installation Project on Bonita Beach Road
5. Acceptance of Unaudited Financial Statements as of January 31, 2021
6. Approval of Minutes
 - A. January 11, 2021 Workshop
 - B. January 11, 2021 Regular Meeting
7. Staff Reports
 - A. District Counsel: *Coleman, Yovanovich & Koester, P.A.*
 - B. District Engineer: *Banks Engineering, Inc.*
 - C. District Manager: *Wrathell, Hunt & Associates, LLC*

- NEXT MEETING DATE: April 19, 2021 at 1:00 P.M.

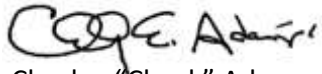
○ QUORUM CHECK

Joseph Grillo	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Barry Kove	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Daniel DiTommaso	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Steve Gabor	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Peter Leyon	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

8. Audience Comments/Supervisors' Requests
9. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,

A handwritten signature in black ink that reads "Chesley Adams". The signature is written in a cursive, somewhat stylized font.

Chesley "Chuck" Adams
District Manager

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

5

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JANUARY 31, 2021**

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
BALANCE SHEET
JANUARY 31, 2021**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 402,721	\$ -	\$ -	\$ 402,721
Investments				
Revenue	-	1,751,502	-	1,751,502
Reserve	-	1,048,733	-	1,048,733
Sinking	-	27	-	27
Prepayment	-	14	-	14
Construction	-	-	2,556,707	2,556,707
Due from general fund	-	210,018	-	210,018
Due from other governments	49,490	-	-	49,490
Utility deposit	282	-	-	282
Total assets	<u>\$ 452,493</u>	<u>\$ 3,010,294</u>	<u>\$ 2,556,707</u>	<u>\$ 6,019,494</u>
LIABILITIES				
Liabilities				
Developer advance	\$ 1,983	\$ -	\$ -	\$ 1,983
Accrued taxes payable	153	-	-	153
Due to debt service	210,018	-	-	210,018
Total liabilities	<u>212,154</u>	<u>-</u>	<u>-</u>	<u>212,154</u>
DEFERRED INFLOWS OF RESOURCES				
Deferred receipts	49,490	-	-	49,490
Total deferred inflows of resources	<u>49,490</u>	<u>-</u>	<u>-</u>	<u>49,490</u>
FUND BALANCES				
Restricted for:				
Debt service	-	3,010,294	-	3,010,294
Capital projects	-	-	2,556,707	2,556,707
Unassigned	190,849	-	-	190,849
Total fund balances	<u>190,849</u>	<u>3,010,294</u>	<u>2,556,707</u>	<u>5,757,850</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 452,493</u>	<u>\$ 3,010,294</u>	<u>\$ 2,556,707</u>	<u>\$ 6,019,494</u>

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JANUARY 31, 2021**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
On-roll assessments	\$ 6,766	\$ 182,460	\$ 161,123	113%
Off-roll assessments	-	-	34,289	0%
Intergovernmental mitigation and monitoring	24,788	24,788	114,480	22%
Interest	8	19	-	N/A
Total revenues	<u>31,562</u>	<u>207,267</u>	<u>309,892</u>	67%
EXPENDITURES				
Supervisors	1,077	1,077	-	N/A
Management/recording	3,333	13,333	40,000	33%
Financial accounting services	1,292	5,167	15,500	33%
Audit	-	-	4,500	0%
Dissemination agent	417	1,667	5,000	33%
Trustee fees	-	-	10,850	0%
Legal	1,297	1,297	10,000	13%
Engineering	-	-	5,000	0%
Postage	35	139	300	46%
Printing & reproduction	83	333	1,000	33%
Legal advertising	-	423	1,000	42%
Annual district filing fee	-	175	175	100%
Insurance	-	6,098	6,200	98%
Other current charges	67	266	650	41%
ADA website maintenance	-	210	210	100%
Website	-	705	615	115%
Total professional & admin	<u>7,601</u>	<u>30,890</u>	<u>101,000</u>	31%
Operations				
Mitigation maintenance and monitoring	5,064	100,407	212,000	47%
On-site preserve monitoring and replacement	1,804	4,179	-	N/A
Total operations	<u>6,868</u>	<u>104,586</u>	<u>212,000</u>	49%
Other fees and charges				
Property appraiser	-	1,459	1,199	122%
Tax collector	-	189	1,799	11%
Total other fees and charges	<u>-</u>	<u>1,648</u>	<u>2,998</u>	55%
Total expenditures	<u>14,469</u>	<u>137,124</u>	<u>315,998</u>	43%
Excess/(deficiency) of revenues over/(under) expenditures	17,093	70,143	(6,106)	
Fund balance - beginning	173,756	120,706	271,115	
Assigned				
Lake bank erosion repair ¹	150,000	150,000	150,000	
Unassigned	40,849	40,849	115,009	
Fund balance - ending	<u>\$ 190,849</u>	<u>\$ 190,849</u>	<u>\$ 265,009</u>	

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2015
FOR THE PERIOD ENDED JANUARY 31, 2021**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy: on-roll - net	\$ 68,833	\$ 1,856,203	\$ 1,625,460	114%
Assessment levy: off-roll	-	-	371,308	0%
Interest	16	64	-	N/A
Total revenues	<u>68,849</u>	<u>1,856,267</u>	<u>1,996,768</u>	N/A
EXPENDITURES				
Principal	-	570,000	570,000	100%
Interest	-	708,943	1,407,910	50%
Total expenditures	<u>-</u>	<u>1,278,943</u>	<u>1,977,910</u>	150%
Other fees and charges				
Tax collector	-	1,925	-	N/A
Total other fees and charges	<u>-</u>	<u>1,925</u>	<u>-</u>	N/A
Total expenditures	<u>-</u>	<u>1,280,868</u>	<u>1,977,910</u>	65%
Excess/(deficiency) of revenues over/(under) expenditures	68,849	575,399	18,858	
Fund balance - beginning	<u>2,941,445</u>	<u>2,434,895</u>	<u>2,425,403</u>	
Fund balance - ending	<u>\$ 3,010,294</u>	<u>\$ 3,010,294</u>	<u>\$ 2,444,261</u>	

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2015
FOR THE PERIOD ENDED JANUARY 31, 2021**

	Current Month	Year to Date
REVENUES		
Interest	\$ 32	\$ 102
Total revenues	<u>32</u>	<u>102</u>
EXPENDITURES		
Capital outlay	-	29,690
Total expenditures	<u>-</u>	<u>29,690</u>
Net increase/(decrease), fund balance	32	(29,588)
Beginning fund balance	2,556,675	2,586,295
Ending fund balance	<u>\$ 2,556,707</u>	<u>\$ 2,556,707</u>

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

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DRAFT

**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 Workshop on January 11, 2021, at 11:00 a.m., at the Bonita National Golf and Country Club, 2nd Floor of the Clubhouse, 17671 Bonita National Boulevard, Bonita Springs, Florida 34135 and remotely via Zoom at <https://us02web.zoom.us/j/84750146538> and conference call at 1-929-205-6099, Meeting ID 847 5014 6538, for both.

Present at the meeting were:

Barry Kove	Supervisor-Elect
Joe Grillo	Supervisor-Elect

Also present were:

Chuck Adams	District Manager
Greg Urbancic (via telephone)	District Counsel
Peter Leyon	Resident
Daniel DiTommaso	Resident
Other Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 11:04 a.m.

SECOND ORDER OF BUSINESS

CDD 101 and the Sunshine Law

Mr. Adams gave a PowerPoint presentation about CDDs, comprised of general information about CDDs and pertaining, specifically, to Bonita National, which is known as the Beach Road Golf Estates Community Development District. The presentation was also shared with those attending via Zoom. He highlighted the following:

Organizational, Role, Function and Responsibilities of CDDs

37 ➤ Under Florida Statute, CDDs may finance, fund, plan, establish, acquire, construct or re-
38 construct in large or extend, equip, operate and maintain certain infrastructure and, may
39 include additional infrastructure once they obtain approval from the establishing government.

40 ➤ CDDs may not exercise any policing, planning, zoning and development approval
41 powers. Those remain in the sole discretion of the general purpose Government within the
42 boundaries, in which the District is located, such as the City or County.

43 In response to a question, Mr. Adams stated the District is responsible for the buffers
44 along the outer perimeter and within the boundaries of the Bonita National Community. The
45 CDD intentionally did not include the large preserves to the south of the District in the
46 Agreement with the HOA.

47 ➤ Basic Requirements of CDDs

48 ▪ As a governmental entity, a CDD must comply with all the same laws and
49 regulations as other public entities, such as Cities or Counties.

50 ▪ All meetings must be held following the Sunshine Laws, meaning meetings must
51 be available to the public. All the records, such as disclosures, financial and budgetary
52 regulations, the independent audit of financial transactions and records of the District are open
53 to public inspection.

54 ➤ As a governmental entity, District assets can only be transferred to other governmental
55 entities, such as to a City, County or State.

56 ➤ CDDs are tax exempt, have the ability to provide tax exempt, low cost financing and can
57 issue tax-exempt bonds or private placement loans, which results in lower financing costs than
58 conventional financing mechanisms.

59 Governance of CDDs

60 ➤ CDDs are governed by an elected Board of Supervisors, composed of five members.
61 Initially, Supervisors are elected by the Landowner(s) and appointed to various positions.
62 Supervisors may appoint a candidate to fill a vacant seat.

63 ➤ CDDs must maintain a permanent record, comprised of materials related to any
64 corporate act.

65 ➤ The Board engages and sets the compensation of the District Manager. Mr. Adams, of
66 Wrathell, Hunt and Associates, LLC (WHA) is the District Manager.

67 ➤ The District Manager is charged with the supervision of the works of the District and is
68 responsible for preserving and maintaining any improvement or facility constructed,
69 maintaining and operating the equipment owned by the District and for performing such other
70 duties as directed by the Board.

71 ➤ The District Manager, under the direction of the Board, may employ and terminate the
72 employment of other persons, including professionals, supervisory and clerical persons.

73 ➤ The Board appoints the Treasurer, who is in charge of the funds of the District. Mr. Craig
74 Wrathell, of WHA, was appointed Treasurer and Mr. Jeff Pinder, WHA Controller, was
75 appointed Assistant Treasurer. Mr. Adams was appointed Secretary of the District.

76 ➤ Annual Audit: Financial Records must be audited by an Independent Certified Public
77 Accountant, annually.

78 ➤ The Board is authorized to select any Qualified Public Depository (QPD), as designated
79 by the Florida Chief Financial Officer, as the depository for its funds. SunTrust/Truist Bank was
80 the District's selected QPD.

81 Interaction of CDDs with other Governmental, Public and Private Groups

82 ➤ CDDs must provide proposed budgets to their establishing government before adopting
83 the budget.

84 ➤ CDDs can enter into Mutual Aid Agreements with other governments to aid each other
85 in emergencies, such as a hurricane. A Statewide Mutual Aid Agreement was executed at the
86 organizational meeting, enabling the CDD to receive aid and resources from other entities.

87 ➤ CDDs can enter into Interlocal Agreements with other governmental entities. Interlocal
88 Agreements were entered into pertaining to East Bonita Beach Road and the Panther Property.
89 A cost-sharing Agreement was executed with Valencia, Seasons and Bonita Landing for
90 expenses incurred for maintain landscaping, street lighting, etc., on Bonita Beach Road.

91 Discussion ensued regarding why only certain documents, not all, are posted on the
92 District's website.

93 ➤ CDDs work with other groups, such as HOAs. An Agreement with the Bonita National
94 HOA to maintain the facilities within the boundaries of Bonita National was executed; however,
95 the preserve on the south end was not included, as it is maintained by the District.

96 Discussion ensued regarding the CDD possibly assuming maintenance of the stormwater
97 system and lake maintenance responsibilities, due to the District's sovereign immunity status.

98 Introduction to the Beach Road Golf Estates Community Development District

99 ➤ The CDD was established on February 20, 2008, by the City of Bonita Springs Ordinance
100 No. 08-03 and encompasses approximately 657.59+/- acres. Tax-exempt revenue bonds, to
101 construct infrastructure improvements, were issued in 2015 and mature November 1, 2046.
102 Once the 10-year call period expires, the Board may consider refinancing, if interest rates are
103 low. Property owners may contact Management's office regarding pre-paying the capital/ debt
104 service portion of their assessment.

105 ➤ CDDs may use third party contractors to provide administrative, financial, legal,
106 engineering, permit regulatory compliance and offsite operating services. An Agreement with
107 the Bonita National Master Association, to operate the District owned facilities, was executed.

108 ➤ Planned or Currently Underway Projects: Bids for the lake bank erosion repair project, in
109 coordination with Lennar, would be presented today, at the regular meeting. The project was
110 expected to commence at the end of the first quarter of 2021. The street lighting installation
111 project, along the District-owned portion of Bonita Beach Road was expected to commence in
112 early 2021.

113 ➤ The CDD website is www.beachroadgolfestatescdd.net.

114 Discussion ensued regarding reserve studies, Lennar designating up to 50% of the
115 construction fund to apply the second lift of asphalt and the CDD using the remaining funds for
116 the lake bank erosion repair project.

117 Government in the Sunshine Law

118 Mr. Moran stated that Mr. Leyon and Mr. DiTommaso would be appointed to the Board
119 at the regular meeting, as Mr. Moran and Mr. Rollins were resigning.

120 ➤ Board Members should direct questions about any CDD-related activity to District
121 Counsel and, in addition, Supervisors can contact the Florida League of Cities, which offers free

122 legal consultation services. The CDD acquired an insurance policy for general liability policy
123 coverage for the Board Members, Directors and Officers of the District.

124 Mr. Urbancic stated that Board Members violating the Sunshine Law may be required to
125 pay Attorney's fees; however, if they seek and follow advice from Counsel, there is a provision
126 in which they would not be held personally liable.

127 ➤ Public Record/Sunshine Law: Board Members must not discuss District business with
128 each other outside of a publicly advertised meeting. They can communicate with their
129 constituents but those communications should be forwarded to Mr. Adams so they can become
130 part of the public record. Emails, informational in nature, may be sent to the District Manager
131 to distribute to the Board.

132 Discussion ensued regarding Board Members addressing resident emails. Mr. Adams
133 noted that items that the District needs to convey to the community would be sent to Kimberly
134 or Ana to e-blast to residents.

135 ➤ Board Meeting: Florida Statute 286.011 requires being open to the public, proper notice
136 and minutes recorded. The Sunshine Law applies when two or more Board Members from the
137 same Board convene or discuss a matter that may or will come before the Board for action.

138 Board Members should be conscious only one CDD Board Member should be present in
139 the HOA meeting when CDD business is brought up for discussion; if more than one CDD Board
140 Member is present, others should leave, so it cannot be construed as violating Sunshine Law.

141 Mr. Urbancic discussed a current situation and stressed that Board Members should
142 contact him regarding whether they should attend a meeting. He stated that a fine is attached
143 for an "unknowing" violation; however, a "knowing" violation is a second-degree misdemeanor.

144 ➤ Types of Boards: Florida Statute 286.011 (2019). CDD Board Members are elected and
145 Committees are appointed. All are subject to the Sunshine Law.

146 Mr. Adams strongly urged Board Members to contact Mr. Urbancic with any questions
147 about serving on other Committees or Boards.

148 ➤ Outside the Scope – Relates to Fact Finding Committees, Staff Committees and Private
149 Organizations: It was recommended that Board Members contact District Counsel before

150 meeting with another CDD/Committee, as it was not recommended, unless both entities
151 advertise it as a public meeting.

152 ➤ Officials, Supervisors, Supervisors-elect and incumbent candidates are subject to the
153 Sunshine Law.

154 ➤ Different Boards: Sunshine Law does not apply if the officials are members of different
155 entities, unless they were delegated power to act on behalf of that entity.

156 ➤ Meeting with Staff: Sunshine Law does not apply, unless Staff is being used as a liaison
157 between Board Members.

158 ➤ Delegation does not avoid the Sunshine law.

159 ➤ Shade Meetings: Are set aside for settlement discussions and strategy sessions related
160 to litigation expenditures.

161 ➤ Workshops/Investigative Meetings and Attorney/Board Meetings: Must be open to the
162 public and are subject to the Sunshine Law.

163 ➤ Closed-Door Attorney/Board Shade Meetings: The District's Attorney must request a
164 Shade Meeting during a public meeting and the notice must include the specific date and time
165 of the meeting and the attendee names; the District Manager and a Court Reporter are usually
166 in attendance, as well.

167 Mr. Adams gave an overview of the process involved in moving into a Shade Session,
168 and upon returning to the public meeting, the Board as public record must discuss, in general
169 any action, if any, the Board may need to take. Sealed transcripts would become available as a
170 public record request, once the litigation settled.

171 ➤ Notice and Procedure/Notice Agenda: Florida Statute 189.015 describes the parameters
172 for Districts posting meeting agendas on the District's website.

173 ➤ Notice and Procedure/Location Facilities: The District must hold meetings at facilities
174 that can provide public access to everyone and must relocate if the District anticipates larger
175 than normal attendance.

176 ➤ Board Members may appear telephonically. Attorney General Opinion 2003-41 allows,
177 through a motion, for a Board Member to participate telephonically, when absence is due to

178 extraordinary circumstances. A physical quorum of at least three Board Members is required in
179 order to proceed with a meeting.

180 ➤ Meeting Minutes: Minutes must be transcribed verbatim or in summary format and
181 available for public inspection; failure to comply could result in penalties. Management
182 provides detailed summary minutes.

183 The presentation would be emailed to the Board Members.

184 In response to a request, Mr. Urbancic stated he would email his contact information to
185 the Board and the new Board Members that would be appointed at the Regular Meeting.

186 Mr. Adams stated that members of the public may use the same conference call
187 telephone number to attend the Regular Meeting commencing at 1:00 p.m.

188

189 **THIRD ORDER OF BUSINESS**

Adjournment

190

191 There being nothing further to discuss, the workshop adjourned at 12:42 p.m.

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

6B

1 **MINUTES OF MEETING**
2 **BEACH ROAD GOLF ESTATES**
3 **COMMUNITY DEVELOPMENT DISTRICT**
4

5 The Board of Supervisors of the Beach Road Golf Estates Community Development
6 District held a Regular Meeting on January 11, 2021, at 1:00 p.m., at the Bonita National Golf
7 and Country Club, 2nd Floor of the Clubhouse, 17671 Bonita National Boulevard, Bonita Springs,
8 Florida 34135, and remotely via Zoom at <https://us02web.zoom.us/j/81420021813> and via
9 conference call at 1-929-205-6099, Meeting ID 814 2002 1813, for both.

10 **Present at the meeting were:**

11 John Moran	Vice Chair
12 Mike Rollins	Assistant Secretary
13 Barry Kove	Supervisor-Elect
14 Joseph Grillo	Supervisor-Elect

15
16
17 **Also present were:**

18 Chuck Adams	District Manager
19 Greg Urbancic (via telephone)	District Counsel
20 Dave Underhill	District Engineer
21 Peter Leyon	Resident
22 Daniel DiTommaso	Resident
23 Other Resident(s)	

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25
26
27 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

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29 Mr. Adams called the meeting to order at 1:03 p.m. Supervisors Rollins and Moran and
30 Supervisors-Elect Kove and Grillo were present. Supervisor Gabor was not present.

31 Mr. Adams stated that Management received notarized Oath of Office forms from Mr.
32 Grillo and Mr. Kove prior to today.

33
34 **SECOND ORDER OF BUSINESS**

Public Comments

35
36 There being no public comments, the next item followed.

37
38 **THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Newly
Elected Supervisors, Joseph Grillo [SEAT 1]
and Barry Kove [SEAT 2] (the following to
be provided in a separate package)**

42 Mr. Adams reiterated that the Oath of Office was previously administered to Mr. Grillo
43 and Mr. Kove . The following items were presented during the Ninth Order of Business.

44 **A. Guide to Sunshine Amendment and Code of Ethics for Pubic Officers and Employees**

45 **B. Membership, Obligations and Responsibilities**

46 **C. Financial Disclosure Forms**

47 **I. Form 1: Statement of Financial Interests**

48 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

49 **III. Form 1F: Final Statement of Financial Interests**

50 **D. Form 8B – Memorandum of Voting Conflict**

51

52 **FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-01,
Designating a Chair, a Vice Chair, a
Secretary, Assistant Secretaries, a
Treasurer and an Assistant Treasurer of the
Beach Road Golf Estates Community
Development District, and Providing for an
Effective Date**

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60 This item was presented following the Ninth Order of Business.

61

62 **FIFTH ORDER OF BUSINESS**

**Consideration of Award of Contract for
Lake Bank Erosion Repair Project
(materials to be provided under separate
cover)**

63
64
65
66
67 Mr. Adams distributed the Request for Proposals (RFP) package and discussed the
68 sealed bid process and items in the RFP. Although the RFP package was sent to five
69 contractors, only two attended the mandatory pre-bid meeting and one responded to the
70 advertisement. M.R.I. Construction (MRI) was the only respondent to the RFP.

71 Mr. Adams discussed MRI’s prior work with the District and stated that the modified
72 specifications were included in the bid. The bids were based on a cost per location basis. He
73 reported the following:

- 74 ➤ Pricing: The RFP was for about 275 locations that were not part of the initial emergency
75 repair but costs were included for the 39 locations that received emergency repairs last
76 summer so they would align with the new specifications.

77 ➤ Linear Lake Bank Repairs: This was for import or recovery of soil to fill holes and to
78 install drains pipes going into the lake and the catch box with receiver. As a courtesy, MRI
79 provided the expenses that the homeowner would incur to connect the downspout behind
80 their home from the gutter into the receiver; homeowners may choose to engage another
81 contractor or decide to do nothing.

82 ➤ Mr. Adams read from the list in the Note section, featuring the scope of work.

83 Mr. Underhill and Mr. Adams clarified what the different colored markings represented
84 on the Exhibit Map and noted that there was no evidence of riprap failing or of it warranting
85 changing the size of drain; however, the drains must be maintained regularly in order to
86 perform as planned. Mr. Adams stated that, upon completion of the first five installations,
87 LandCare would service those areas for testing purposes. The project would commence at the
88 end of January, as the goal was to complete the project before the rainy season.

89 Discussion ensued regarding requisitions, certification of the project, use of construction
90 funds, etc. In response to a question, Mr. Adams stated he would work with Lennar to ensure
91 its extension pipe repair project into the lakes was lowered, according to each ones needs. He
92 recalled that, at the prior meeting, he discussed that the Developer would utilize about half of
93 the construction funds to complete eligible projects and the CDD would use the remaining
94 amount to complete this project. His recommendation was to award the contract to MRI.

95 Mr. Underhill stated that the beginning phase was bringing the original test sites up to
96 the specifications. Mr. Adams stated that, once MRI provides him with a schedule of where
97 they plan to start the project, MRI would be required to submit weekly updates so the HOA can
98 e-blast weekly updates to residents.

99

**On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor,
awarding the Lake Bank Erosion Repair Project to M.R.I. Construction, the sole
respondent to the RFP, was approved.**

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SIXTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of November 30, 2020**

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Mr. Adams presented the Unaudited Financial Statements as of November 30, 2020.

109

The financials were accepted.

110

111 SEVENTH ORDER OF BUSINESS

Approval of November 16, 2020 Regular Meeting Minutes

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Mr. Adams presented the November 16, 2020 Regular Meeting Minutes. The following changes were made:

Line 75: Change "Representatives" to "Representative"

Line 94: Insert "All Board Members nodded yes, to installing the speed table." before "Mr. Adams"

120 **On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the**
121 **November 16, 2020 Regular Meeting Minutes, as amended, were approved.**

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123

124 EIGHTH ORDER OF BUSINESS

Staff Reports

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126

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

Mr. Urbancic discussed new legislation that went into effect January 1, 2021, in which the District must register and begin using the E-Verify system to verify eligibility of employment and ensure that the contractors engaged by the District are using it as well.

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

A Board Member asked Mr. Underhill to start thinking of areas to store equipment within Bonita National and around the Golf Course, upon receiving approval. Mr. Adams anticipated the Golf Course would be the last phase and that it would start in spring when most of their activities settle down.

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

- NEXT MEETING DATE: February 15, 2021 at 1:00 P.M.

- QUORUM CHECK

The next meeting will be held February 15, 2021 at 1:00 p.m., unless cancelled.

139

140 NINTH ORDER OF BUSINESS

Audience Requests

Comments/Supervisors'

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142

A resident, asked if the lake bank erosion project was being completed in phases. Mr. Adams replied no, as the Contractor wanted to finish prior to the rainy season.

145 A Board Member asked Mr. Underhill if the Contractor would start on the stormwater
146 systems at the beginning of Bonita National and onward. Mr. Underhill stated he had not
147 discussed that yet but he did not think they would meander around.

148 A Board Member asked if there would be more discussion about the speed table. Mr.
149 Adams stated the Workshop attendees noted good results but there were still concerns about
150 eastbound traffic not slowing down. Mr. Underhill suggested installing a speed table instead of
151 a 4-way stop. Discussion ensued regarding more signage and landscapers removing vegetation
152 to correct line of sight issues. Mr. Underhill was asked to prepare a map of where the speed
153 table should be placed, for presentation to the HOA Board and the Safety Committee.

154 In response to a question about the status of street lighting on Bonita Beach Road, Mr.
155 Adams stated that it was in the design phase with Florida Power & Light (FPL).

156 Mr. Kove asked how the remaining curb issues would be addressed before the second
157 topcoat is applied. Mr. Adams stated that he would check a few areas on the list he received,
158 after the meeting. He explained that only cracks wider than a credit card would need to be
159 replaced or repaired.

160 ▪ **Resignations of Supervisor Rollins [Seat 5] and Supervisor Moran [Seat 3],**
161 **Consideration of Candidates to Fill the Vacated Seats and Administration of Oath of**
162 **Office to the Newly Appointed Supervisors**

163 **This item was an addition to the agenda.**

164 Mr. Rollins distributed his letter of resignation and verbally agreed to Mr. Adams
165 adjusting the date to today. He stated he was moving away and would miss everyone.

166

167 **On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the**
168 **resignation of Mr. Mike Rollins, effective immediately, was accepted.**

169

170

171 Mr. Kove nominated Mr. Peter Leyon to fill Seat 5; term expires November 2022. No
172 other nominations were made.

173

174 **On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, the**
175 **appointment of Mr. Peter Leyon to Seat 5; term expires November 2022, was**
176 **approved.**

177

178

179 Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath
180 of Office to Mr. Leyon.

181 Mr. Moran verbally resigned from the Board, effective today.

182

183 **On MOTION by Mr. Grillo and seconded by Mr. Kove with all in favor, the**
184 **resignation of Mr. John Moran, effective immediately, was accepted.**

185

186

187 Mr. Kove nominated Mr. Daniel DiTommaso to fill Seat 3; term expires November 2022.

188 No other nominations were made.

189

190 **On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor, the**
191 **appointment of Mr. Daniel DiTommaso to Seat 3; term expires November**
192 **2022, was approved.**

193

194

195 Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath
196 of Office to Mr. Daniel DiTommaso.

197 The Supervisor stipend was accepted by the new Board Members. They were instructed
198 to submit a W-4 to Mr. Adams and voided check if they wished to receive direct deposit.

199 **The following items, previously Items 3A through 3D, were presented out of order:**

200 **A. Guide to Sunshine Amendment and Code of Ethics for Pubic Officers and Employees**

201 **B. Membership, Obligations and Responsibilities**

202 **C. Financial Disclosure Forms**

203 **I. Form 1: Statement of Financial Interests**

204 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

205 **III. Form 1F: Final Statement of Financial Interests**

206 **D. Form 8B – Memorandum of Voting Conflict**

207 Mr. Adams briefly explained the above items. He instructed the newly resigned
208 Supervisors to complete and submit Form 1F to the Supervisor of Elections office.

209 **▪ Consideration of Resolution 2021-01, Designating a Chair, a Vice Chair, a Secretary,**
210 **Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Beach Road Golf**
211 **Estates Community Development District, and Providing for an Effective Date**

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

213 Mr. Adams presented Resolution 2021-01.

214 Mr. Grillo nominated Mr. Kove for Chair. Mr. Kove nominated Mr. Grillo for Vice Chair.

215 No other nominations were made. The remaining Board Members would be Assistant
216 Secretaries. The slate of officers was as follows:

217	Chair	Barry Kove
218	Vice Chair	Joseph Grillo
219	Secretary	Chesley (Chuck) E. Adams, Jr.
220	Assistant Secretary	Peter Leyon
221	Assistant Secretary	Daniel DiTommaso
222	Assistant Secretary	Steve Gabor
223	Assistant Secretary	Craig Wrathell
224	Treasurer	Craig Wrathell
225	Assistant Treasurer	Jeff Pinder

226

227 **On MOTION by Mr. Grillo and seconded by Mr. Kove with all in favor,**
 228 **Resolution 2021-01, Designating a Chair, a Vice Chair, a Secretary, Assistant**
 229 **Secretaries, a Treasurer and an Assistant Treasurer of the Beach Road Golf**
 230 **Estates Community Development District, as nominated, and Providing for an**
 231 **Effective Date, was adopted.**

232

233

234 A Board Member reiterated the need to prepare a formal plan to assist with IKon's
 235 transition and for the District's website to be updated regularly, so residents know of upcoming
 236 projects. Mr. Adams would provide the HOA Representative with weekly updates to share with
 237 residents, as most residents do not regularly use the District's website to obtain information.

238

239 **TENTH ORDER OF BUSINESS**

Adjournment

240

241 There being no further business to discuss, the meeting adjourned.

242

243 **On MOTION by Mr. Grillo and seconded by Mr. Leyon, with all in favor, the**
 244 **meeting adjourned at 1:55 p.m.**

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Secretary/Assistant Secretary

Chair/Vice Chair

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

7C

BEACH ROAD GOLF ESTATES COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE

LOCATION

*Bonita National Golf and Country Club, 2nd Floor of the Clubhouse, 17671 Bonita National Blvd.,
Bonita Springs, Florida 34135*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 19, 2020 CANCELED	Regular Meeting	1:00 PM
November 16, 2020	Regular Meeting	1:00 PM
December 14, 2020* CANCELED	Regular Meeting	1:00 PM
January 11, 2021	Workshop	11:00 AM
January 11, 2021*	Regular Meeting	1:00 PM
February 15, 2021 CANCELED	Regular Meeting	1:00 PM
March 15, 2021	Regular Meeting	1:00 PM
April 19, 2021	Regular Meeting	1:00 PM
May 17, 2021	Regular Meeting	1:00 PM
June 21, 2021	Regular Meeting	1:00 PM
July 19, 2021	Regular Meeting	1:00 PM
August 16, 2021	Public Hearing & Regular Meeting	1:00 PM
September 20, 2021	Regular Meeting	1:00 PM

***Exceptions**

December meeting date is one week earlier to accommodate the Christmas Holiday

January meeting date is one week earlier to accommodate Martin Luther King Jr. Holiday