

**BEACH ROAD
GOLF ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

December 19, 2022

**BOARD OF SUPERVISORS
REGULAR MEETING
AGENDA**

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA
LETTER**

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

December 12, 2022

Board of Supervisors
Beach Road Golf Estates Community Development District

ATTENDEES:

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

Dear Board Members:

The Board of Supervisors of the Beach Road Golf Estates Community Development District will hold a Regular Meeting on December 19, 2022 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://us02web.zoom.us/j/82952595001>, Meeting ID: **829 5259 5001** or telephonically at **1-929-205-6099**, Meeting ID: **829 5259 5001**. The agenda is as follows:

1. Call to Order/Roll Call
2. Chairman's Opening Comments
3. Public Comments (*3 minutes per speaker*)
4. Administration of Oath of Office to Newly Elected Supervisors, Daniel DiTommaso [**SEAT 3**] and Denise Kempf [**SEAT 4**] (*the following to be provided in a separate package*)
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
 - D. Form 8B – Memorandum of Voting Conflict
5. Consider Appointment of Qualified Elector to Fill Seat 5 Vacancy; *Term Expires November 2026*
 - Administration of Oath of Office to Newly Appointed Supervisor

- 6. Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date
- 7. Continued Discussion/Update: Beach Road Lighting Project
- 8. Acceptance of Unaudited Financial Statements as of October 31, 2022
- 9. Approval of November 14, 2022 Regular Meeting Minutes
- 10. 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: January 9, 2023 at 1:00 P.M.

- QUORUM CHECK

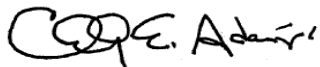
Seat 1	Joseph Grillo	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 2	Barry Kove	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 3	Daniel DiTommaso	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 4	Denise Kempf	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 5		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- D. Field Operations: *Wrathell, Hunt & Associates, LLC*

- 11. Audience Comments/Supervisors' Requests
- 12. Adjournment

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

Sincerely,



Chesley "Chuck" Adams
 District Manager

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

6

RESOLUTION 2023-02

A RESOLUTION OF THE BEACH ROAD GOLF ESTATES COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Beach Road Golf Estates Community Development District (“District”) is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated in Lee County, Florida; and

WHEREAS, the Board of Supervisors of the District desires to appoint the below-recited persons to the offices specified.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BEACH ROAD GOLF ESTATES COMMUNITY DEVELOPMENT DISTRICT:

1. **DISTRICT OFFICERS.** The District officers are as follows:

_____ is appointed Chair

_____ is appointed Vice Chair

Chuck Adams _____ is appointed Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

Craig Wrathell _____ is appointed Assistant Secretary

2. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.
3. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 19TH DAY OF DECEMBER, 2022.

ATTEST:

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
OCTOBER 31, 2022**

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
BALANCE SHEET
OCTOBER 31, 2022**

	General Fund	Debt Service Fund Series 2015	Capital Projects Fund Series 2015	Total Governmental Funds
ASSETS				
Cash	\$ 32,169	\$ -	\$ -	\$ 32,169
Undeposited funds	-	-	693	693
Investments	-	-	-	-
Revenue	-	151,454	-	151,454
Reserve	-	999,356	-	999,356
Sinking	-	620,000	-	620,000
Interest	-	687,068	-	687,068
Prepayment	-	14	-	14
Construction	-	-	1,003,044	1,003,044
Due from general fund	-	163	-	163
Due from capital projects fund	63,423	-	-	63,423
Due from other governments	8,007	-	-	8,007
Utility deposit	282	-	-	282
Total assets	<u>\$ 103,881</u>	<u>\$ 2,458,055</u>	<u>\$ 1,003,737</u>	<u>\$ 3,565,673</u>
LIABILITIES				
Liabilities				
Accounts payable	\$ 4,299	\$ -	\$ -	\$ 4,299
Developer advance	1,983	-	-	1,983
Accrued taxes payable	122	-	-	122
Due to debt service	163	-	-	163
Due to general fund	-	-	63,423	63,423
Total liabilities	<u>6,567</u>	<u>-</u>	<u>63,423</u>	<u>69,990</u>
DEFERRED INFLOWS OF RESOURCES				
Deferred receipts	4,893	-	-	4,893
Total deferred inflows of resources	<u>4,893</u>	<u>-</u>	<u>-</u>	<u>4,893</u>
FUND BALANCES				
Restricted for:				
Debt service	-	2,458,055	-	2,458,055
Capital projects	-	-	940,314	940,314
Assigned				
Lake bank erosion repair	150,000	-	-	150,000
Unassigned	(57,579)	-	-	(57,579)
Total fund balances	<u>92,421</u>	<u>2,458,055</u>	<u>940,314</u>	<u>3,490,790</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 103,881</u>	<u>\$ 2,458,055</u>	<u>\$ 1,003,737</u>	<u>\$ 3,565,673</u>

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED OCTOBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
On-roll assessments	\$ -	\$ -	267,803	0%
Intergovernmental: shared costs revenue	-	-	68,040	0%
Interest	1	1	-	N/A
Total revenues	<u>1</u>	<u>1</u>	<u>335,843</u>	0%
EXPENDITURES				
Supervisors	861	861	10,334	8%
Management/recording	3,333	3,333	40,000	8%
Financial accounting services	1,292	1,292	15,500	8%
Audit	-	-	4,500	0%
Dissemination agent	417	417	5,000	8%
Arbitrage rebate	-	-	500	0%
Trustee fees	-	-	10,850	0%
Legal	-	-	10,000	0%
Engineering	-	-	5,000	0%
Postage	111	111	750	15%
Printing & reproduction	83	83	1,000	8%
Legal advertising	-	-	1,000	0%
Annual district filing fee	175	175	175	100%
Insurance	6,784	6,784	7,100	96%
Other current charges	27	27	650	4%
ADA website maintenance	210	210	210	100%
Website	705	705	705	100%
Total professional & admin	<u>13,998</u>	<u>13,998</u>	<u>113,274</u>	12%
Operations				
Shared costs maintenance/monitoring	-	-	126,000	0%
On-site other contractual services	-	-	92,908	0%
Total operations	<u>-</u>	<u>-</u>	<u>218,908</u>	0%
Other fees and charges				
Property appraiser	-	-	1,459	0%
Tax collector	-	-	2,189	0%
Total other fees and charges	<u>-</u>	<u>-</u>	<u>3,648</u>	0%
Total expenditures	<u>13,998</u>	<u>13,998</u>	<u>335,830</u>	4%
Excess/(deficiency) of revenues over/(under) expenditures	(13,997)	(13,997)	13	
Fund balance - beginning	106,418	106,418	164,644	
Assigned				
Lake bank erosion repair ¹	150,000	150,000	150,000	
Unassigned	(57,579)	(57,579)	14,657	
Fund balance - ending	<u>\$ 92,421</u>	<u>\$ 92,421</u>	<u>\$ 164,657</u>	

¹Intended to fund long term lake bank erosion repairs in District owned ponds.

**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 OCTOBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ -	\$ -	\$ 1,995,030	0%
Interest	4,553	4,553	-	N/A
Total revenues	<u>4,553</u>	<u>4,553</u>	<u>1,995,030</u>	0%
EXPENDITURES				
Principal	-	-	620,000	0%
Principal prepayment	-	-	25,000	N/A
Interest	-	-	1,361,118	0%
Total expenditures	<u>-</u>	<u>-</u>	<u>2,006,118</u>	0%
Excess/(deficiency) of revenues over/(under) expenditures	4,553	4,553	(11,088)	
OTHER FINANCING SOURCES/(USES)				
Transfers out	<u>(4,274)</u>	<u>(4,274)</u>	-	N/A
Total other financing sources/(uses)	<u>(4,274)</u>	<u>(4,274)</u>	<u>-</u>	N/A
Net change in fund balances	279	279	(11,088)	
Fund balance - beginning	2,457,776	2,457,776	2,496,315	
Fund balance - ending	<u>\$ 2,458,055</u>	<u>\$ 2,458,055</u>	<u>\$ 2,485,227</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 OCTOBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>
REVENUES		
Interest	\$ 2,315	\$ 2,315
Total revenues	<u>2,315</u>	<u>2,315</u>
EXPENDITURES		
Total expenditures	<u>-</u>	<u>-</u>
OTHER FINANCING SOURCES/(USES)		
Transfers in	<u>4,274</u>	<u>4,274</u>
Total other financing sources/(uses)	<u>4,274</u>	<u>4,274</u>
Net increase/(decrease), fund balance	6,589	6,589
Beginning fund balance	<u>933,725</u>	<u>933,725</u>
Ending fund balance	<u>\$ 940,314</u>	<u>\$ 940,314</u>

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES

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 Regular Meeting on November 14, 2022, 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://us02web.zoom.us/j/85618785926> and telephonically at 1-929-205-6099, Meeting ID 856 1878 5926, for both.

Present at the meeting were:

Barry Kove	Chair
Joseph Grillo	Assistant Secretary
Denise Kempf	Assistant Secretary
Daniel DiTommaso	Assistant Secretary

Also present were:

Chuck Adams (via telephone)	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via telephone)	District Counsel
Bill McCormick	Resident
Jonathan Ehret	Resident
Al Hanson	Resident
Ralph Tang	Resident
Jim Werbeck	HOA President/Resident
Wendy _____	HOA
Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:00 p.m. Supervisors Kove, Grillo, DiTommaso and Kempf were present. Supervisor Leyon was not present.

SECOND ORDER OF BUSINESS

Chairman's Opening Comments

AUDIO COMMENCED DURING THE CHAIRMAN'S OPENING COMMENTS

Mr. Kove stated, after Board discussion, he will motion and ask the Board to vote on whether to continue the Bonita Beach Road streetlight project, as it exists, or to stop it immediately. He expressed his opinion, as follows:

42 ➤ Each Board Member has a responsibility to represent this community and it is important
43 that they be vigilant in making decisions and considering how decisions affect neighboring
44 communities.

45 ➤ In the last two years, the CDD inherited the lighting project from a Lennar-led Board.

46 ➤ The Lighting Agreement was signed by a Lennar CDD Board Member in September 2020.

47 ➤ When the initial plan was analyzed and put into place, the neighboring communities
48 were not considered and the go-forward concept was not available; it was more of a design
49 plan, reaching City guidelines and photometric studies.

50 ➤ As many new homes in this development have been built over the last two years,
51 especially on Bonita Beach Road, it has impacted many residents in a negative way.

52 ➤ It would be best to stop the current lighting project and move forward with a new
53 sidewalk project and design that would meet the community’s safety needs and concerns.

54 Mr. Kove stated he will ask Mr. Adams some of the questions others raised before
55 opening the discussion to the rest of the Board.

56 Mr. Kove asked how the Construction Fund would be affected with regard to canceling
57 the Agreement with Florida Power & Light (FPL), if the Board decides to stop the lighting
58 project, given the monthly dues owed, installation charges and starting a new project.

59 Mr. Adams stated the Construction Fund should have approximately \$750,000
60 remaining when the three or four projects on the table are completed. Those funds should be
61 available to make the additional improvements along Bonita Beach Road. The CDD could pay
62 for and own the lighting system, if so desired, or lights could be leased as proposed in the
63 streetlighting project. It might be possible for FPL to convert the Agreement and change the
64 scope, given that the installation was not done and the CDD was not billed for the project and,
65 in the process, potentially forego the Agreement’s penalty buyout provisions. Another option
66 would be to utilize the Construction Fund to dismantle and remove existing improvements and
67 install a new improvement, such as a sidewalk lighting system, which the CDD would own
68 outright, in which case the monthly power bill would be paid to FPL and the CDD would be
69 responsible for engaging an electrical contractor for any repairs and maintenance.

70 Asked who would be responsible for negotiating with FPL, Mr. Adams stated he would
71 assist a Board liaison in that regard. Mr. Kove stated he would like to serve in that capacity and
72 asked if District Counsel would be involved. Mr. Adams replied affirmatively.

73 Mr. Kove voiced his opinion that an aggressive stand must be taken and the Board
74 should know exactly how to proceed and know the cost and how to mitigate it, going forward.

75 Discussion ensued regarding officially declaring a vacancy for the vacant seat and how
76 this would affect any vote taken on this project today. Mr. Urbancic stated the first step is to
77 declare the seat vacant. This item will be included on the next agenda.

78 Mr. Grillo stated he supported the lighting project in 2015, when the community was
79 largely undeveloped and the streets were very dark and unmarked at night, but, since that
80 time, the amount of construction has brightened the road tremendously. He noted the
81 reflectors and the roadway markings on the side of the road improve visibility. He sympathized
82 with affected residents and expressed support for ending the project.

83 Mr. Kove stated he and Staff met with FPL several times over the past two years in the
84 hopes of attaining changes that would make the project work but without success.

85 Mr. DiTommaso felt that, while further delays might not be well-received, the priority is
86 doing what is right for the community. He expressed support for stopping the current project
87 and exploring other options for improving road safety and sidewalk lighting. He believes the use
88 of the Construction Fund is critical.

89 The consensus was that sidewalk lighting improves street visibility tremendously.

90 Ms. Kempf expressed support for discontinuing the project.

91 Resident Bill McCormick expressed his agreement and thanked the Board.

92 **Mr. Adams left the meeting at 1:15 p.m.**

93 Mr. Willis stated a plan, managed by Staff from inception to completion, will help
94 alleviate some of the concerns; he stated additional funds might be recovered by selling some
95 materials back to FPL.

96 Regarding the question of the costs associated with canceling the Agreement, Mr. Kove
97 stated, while only estimated figures are known, a motion is needed to stop the project and
98 continue discussions with FPL. Further analysis will be done and the intent is to utilize the
99 Construction Fund, which might not be available if the decision is delayed.

100

101

102

103

104

105

On MOTION by Ms. Kempf and seconded by Mr. Grillo, with all in favor, immediately stopping the Bonita Beach Road streetlight project and authorizing Staff to research a sidewalk lighting project for Bonita Beach Road, was approved.

106 Mr. Kove noted the process was time-consuming and all avenues were researched to
107 gather the necessary information. He thanked the Board and stated he will work with Staff and
108 report on the ramifications, when possible.

109 Asked if FPL could be held responsible for some of the installation costs, given that the
110 lights were installed without permitting from the City, Mr. Kove stated District Counsel is aware
111 of that and it is one of the subjects to be addressed.

112

113 **THIRD ORDER OF BUSINESS**

Public Comments (3 minutes per speaker)

114

115 Resident Jonathan Ehret stated the majority of his questions were addressed at the
116 Bonita Landings CDD (BLCDD) meeting and asked if any of his contributions are allocated
117 toward capital improvements inside the Bonita National gates. Mr. Kove stated they do not.

118 Mr. Ehret stated that the majority of the BLCDD Board is still controlled by Lennar but
119 one resident is on the Board and another will join shortly. He felt that, while it made sense to
120 give Beach Road Golf Estates CDD (BRGECDD) control when the other communities were being
121 developed, it might be time to reconsider that Agreement with regard to the BRGECDD making
122 decisions for non-roadway related matters.

123 Mr. Ehret asked if the Developers can be charged fees for advertising. Resident and
124 HOA President Jim Werbeck stated it is likely written into the Developers' language. Mr. Willis
125 stated that Developers in most CDDs have similar stipulations.

126 Mr. Kove asked Mr. Urbancic whether the Agreement should be rewritten, in light of the
127 upcoming negotiations with FPL.

128 Mr. Urbancic discussed the Cost Sharing Agreement, which was intended to handle
129 those public aspects of projects that need to be handled and that began as an Interlocal
130 Agreement between governmental entities and one HOA; he saw no reason to reinvent that
131 document and stated it was heavily-negotiated.

132 Regarding signage, Mr. Urbancic stated he will review the Declarations to determine the
133 Developer's rights in this regard.

134 The Developer's rights to install signage and to increase the number of units developed
135 within the community were discussed.

136 Resident Al Hanson expressed his opinion that weeds are taking over the pond on Hole
137 13. Mr. Willis stated he will inspect the pond and advise, accordingly. Littorals were installed
138 on the littoral shelf. Mr. Hanson stated he will attend the inspection.

139 Regarding road markings and fire hydrants, Mr. Kove recalled that Lennar was asked to
140 install additional reflectors. Mr. Willis stated he contacted Mr. Tommy Dean, of Lennar,
141 regarding reflectors and blue markers to be installed and fire hydrants to be painted; he will
142 request an update.

143 Regarding street signs, Mr. Kove recalled that the HOA expressed concern about poles
144 that were recently installed. Mr. Willis discussed issues related to the signs and poles that were
145 incorrectly installed and are the wrong colors. He stated that he reinstalled several signs and he
146 and Richard, from the HOA, removed old construction signs that were left on the side of the
147 road. While the sign at the speed hump is 3" smaller than the frame bracket, he installed it for
148 now for safety reasons and reordered the sign and will install it as soon as it is received. The
149 HOA also ordered some signs for the sign before Bridgetown Court; Lykins will install those
150 when the HOA signs are installed.

151 Regarding the speed humps and the front pedestrian gate, Mr. Willis stated that
152 issuance of City and County permits might take more than 90 days because permits for
153 hurricane cleanup projects are the top priority. The conduits were installed so, once the permit
154 is received, Carter Fence will install the structure and connect the gate; all materials are
155 ordered and on hand.

156 Mr. Willis stated, if not for Hurricane Ian, the gate would have been installed in October.
157 Mr. Kove stated Mr. Willis has been diligent in ensuring the project is prioritized. Mr. Willis
158 stated permit delays have been widespread in Southwest Florida.

159 Mr. Kove stated, while some residents complained because they believed there is an
160 algae bloom in the lake, that is not true; weeds in the lake were sprayed and are decomposing.
161 Mr. Willis stated, per Florida law, the lakes can only be treated every 14 days and it takes five
162 days following treatment for any results to be observed and, while the decomposing material
163 looks like algae, the yellowish material is dissolving into the water column as it is designed to
164 do. Mr. Kove stated, while it looks like a scum on the water, it is not algae. Staff is monitoring
165 the lakes and will inspect Lake 13.

166 Discussion ensued regarding the benefits of aerators and installation of aerators.

167 Mr. Willis stated aerators will be installed in the most problematic lakes first. Mr. Kove
168 stated the new aerators being installed by Superior Waterway are much quieter and smaller
169 but the Board expressed concern that residents bothered by the noise might unplug the units.
170 Mr. Serena was directed to ensure that residents understand the importance of aeration.

171 Mr. Werbeck stated he will speak with Management about sending an HOA
172 communication advising residents that aerators are being replaced and advising them not to
173 unplug units or place items on top of the units. Mr. Willis stated he will email the aerator
174 information sheet to Mr. Werbeck.

175 Mr. Kove stated LandCare was asked to remove the green wraps from trees that were
176 moved.

177 Resident Ralph Tang stated five lakes have no aeration. Mr. Willis stated all lakes will
178 have aeration added, in conjunction with the ongoing project. Aerators are being installed in
179 order of necessity. The lakes were measured for acreage and depth by a top aeration specialist.
180 Mr. Kove stated this project represents the CDD's biggest investment in aeration for the next
181 ten years. He voiced his opinion that the project should have been done from the beginning
182 and no corners were cut.

183 A resident reported that a street sign at Fox Rock Court and Galway needs to be
184 replaced. Mr. Willis stated that is an HOA matter; installation of new poles was done through
185 Construction Fund. Mr. Kove noted Richard is having hurricane-damage signs replaced.

186 A resident asked about the function of drains on Bonita Beach Road that are being
187 cleaned by LandCare. Mr. Willis stated those are outfall drains; landscaping cannot be installed
188 around those drains but decorative rock will be installed in the vicinity.

189 Discussion ensued regarding improving the safety and beautification of the drains and
190 the sewer inspection following Hurricane Ian to address debris.

191 Mr. Willis stated sewer inspections will be during the dry season, beginning in February;
192 he will review the documents and advise.

193

194 **FOURTH ORDER OF BUSINESS**

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

195

196

197

This item was discussed during the Second Order of Business.

198

199 FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-01, Declaring a Vacancy in Seat 5 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date

200
201
202
203
204
205

Mr. Willis presented Resolution 2023-01.

206

207 On MOTION by Mr. Kove and seconded by Mr. Grillo, with all in favor,
208 Resolution 2023-01, Declaring a Vacancy in Seat 5 of the Board of Supervisors
209 Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective
210 Date, was adopted.

211
212

213 SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2022

214
215
216

Mr. Willis presented the Unaudited Financial Statements as of September 30, 2022.

217

The financials were accepted.

218

219 SEVENTH ORDER OF BUSINESS

Approval of October 17, 2022 Regular Meeting Minutes

220
221
222

Mr. Willis presented the October 17, 2022 Regular Meeting Minutes.

223
224
225
226

Ms. Kempf asked if non-resident meeting attendees should be acknowledged as non-residents in the minutes. Mr. Willis stated the meetings are open to the public; those who speak are required to be noted in the minutes, if they identify themselves. Asked if attendees are required to state where they are from, Mr. Urbancic stated it is not required.

227

The following changes were made:

228

Line 54: Change "County" to "City"

229

Line 64: Delete "and is expected on site next week"

230

Line 66: Insert "once scheduled" after "complete"

231

232 On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the
233 October 17, 2022 Regular Meeting Minutes, as amended, were approved.

234
235

236 EIGHTH ORDER OF BUSINESS

Staff Reports

237

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

239 There was no report.

240 Mr. Kove thanked Mr. Urbancic for his assistance and direction in the lighting project
 241 and stated his involvement will be needed going forward. Mr. Urbancic suggested scheduling a
 242 call with Mr. Adams to develop a plan for approaching FPL.

243 Mr. Kove suggested those in attendance look at the lights at Palmyra at night to get a
 244 vision of what the project might look like on one side. He noted that there is no sidewalk from
 245 Seasons to Bonita National, on the north side, so it will be necessary to decide if the project will
 246 include both sides of the road.

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

248 There was no report.

249 Mr. Kove asked if a new Engineer would or should be used for the new project. Mr.
 250 Willis stated he did not want to speak on the District Manager’s behalf but he believed it would
 251 make sense to wait until a new District Engineer is engaged, if the Board wishes to do so.

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

- 253 • **NEXT MEETING DATE: December 19, 2022 at 1:00 P.M.**

- 254 ○ **QUORUM CHECK**

255 The next meeting will be held on December 19, 2022.

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

257 The Field Operations Report was distributed for informational purposes. Many items
 258 were discussed earlier in the meeting. Mr. Willis noted the following:

259 ➤ Hurricane replacement trees and sable palm replacements along Galway will be
 260 installed the week of November 18, 2022.

261 ➤ Regarding aeration installation, all materials were received a month ahead of schedule;
 262 the project might be completed in December. An update will be given, once completed.

263 Ms. Kempf asked if the fire hydrants will be tested or painted. Mr. Willis discussed fire
 264 hydrant testing and stated he will research this CDD’s requirements and advise. Fire hydrants
 265 and road markings will be repainted. Mr. Kove stated he asked for some sidewalks to be
 266 repainted before the Construction Fund is depleted.

267

268 **NINTH ORDER OF BUSINESS**

**Audience
 Requests**

Comments/Supervisors’

269

270 Mr. Kove thanked the residents in attendance for their participation and suggested they
271 each give their contact information to Mr. Willis.

272 A resident stated he does not see the difference between the CDD and the HOA, in that
273 the CDD is addressing signs, fire hydrants and road maintenance, which he thinks should be
274 under the purview of the HOA.

275 Mr. Willis stated the CDD generally addresses matters related to public property and the
276 HOA generally manages private property. As a public entity and a governmental organization,
277 the CDD has elections and is governed by Florida Statute 190. Both entities can own and
278 operate the same types of property and how the Developer designed and established the CDD
279 determines which entities own which assets.

280 Mr. Kove stated the HOA has a signed Agreement that delineates the HOA's and the
281 CDD's maintenance responsibilities.

282 Mr. Urbancic stated HOAs and CDDs perform similar functions; some communities are
283 established with a CDD to facilitate some aspects of the project.

284 Mr. Kove stated many people think there is no difference between the HOA and the
285 CDD. Mr. Willis stated if the HOA owns streets, it can restrict access while the CDD cannot,
286 generally speaking.

287 A resident asked if the existing tubing will be removed in conjunction with the aeration
288 project and noted that alligators were observed biting the aeration hoses. Mr. Kove stated Andy
289 believed the tubing to be thicker than what was originally utilized by Lennar.

290 Mr. Willis stated the alligators are attracted by the vibrations in the water; his
291 understanding is that the alligators move on once they realize the tubes are not food. Asked
292 how the tubes are weighted down, Mr. Willis stated it is his understanding that the tubes have
293 built-in weights to allow them to sink.

294 Resident and HOA member Richard Slattery introduced Wendy and stated she is
295 replacing John in the C.A.M. office.

296

297 **TENTH ORDER OF BUSINESS**

Adjournment

298

299

300

301

On MOTION by Mr. Grillo and seconded by Mr. Kove, with all in favor, the meeting adjourned at 2:15 p.m.

302
303
304
305
306

Secretary/Assistant Secretary

Chair/Vice Chair

**BEACH ROAD GOLF ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS**

BEACH ROAD GOLF ESTATES COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE		
LOCATION		
<i>Bonita National Golf and Country Club, 2nd Floor of the Clubhouse, 17671 Bonita National Blvd., Bonita Springs, Florida 34135</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 17, 2022	Regular Meeting	1:00 PM
November 14, 2022*	Regular Meeting	1:00 PM
December 19, 2022	Regular Meeting	1:00 PM
January 9, 2023*	Regular Meeting	1:00 PM
February 20, 2023	Regular Meeting	1:00 PM
March 20, 2023	Regular Meeting	1:00 PM
April 17, 2023	Regular Meeting	1:00 PM
May 15, 2023	Regular Meeting	1:00 PM
June 19, 2023	Regular Meeting	1:00 PM
July 17, 2023	Regular Meeting	1:00 PM
August 21, 2023	Public Hearing & Regular Meeting	1:00 PM
September 18, 2023	Regular Meeting	1:00 PM

Exceptions*

November meeting date is one week earlier.

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