

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on March 22, 2022 at 9:00 a.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.

Present were:

Eileen Huff	Chair
Chris Brady	Vice Chair
Phil Olive	Assistant Secretary
Philip Simonsen	Assistant Secretary
Mike DeBrino, Jr.	Assistant Secretary

Also present, were:

Chuck Adams	District Manager
Tony Pires	District Counsel
John Vuknic	Golf Superintendent
Jeff Nixon	Golf Pro
John Ptascek	Resident
Sharon Fenstermaker	Resident
Paul McFarland	Resident
and other Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:02 a.m. Supervisors Huff, Simonsen, Olive and DeBrino, were present. Supervisor Brady was not present as roll call.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

Mr. Vuknic stated resident John Ptascek had a water meter issue that resulted in an excessive water usage charge. Staff replaced the meter.

Resident John Ptascek stated that, ever since the meter was replaced, several thousand gallons of water has leaked and the water bill is 100 times higher than usual. Mr. Vuknic stated this has occurred in the past and asked the Board to remediate Mr. Ptascek's bill. Ms. Huff asked if there was any water seepage. Mr. Ptascek replied no and stated that he would

appreciate the Board's assistance in this matter. Ms. Huff stated Staff would investigate Mr. Ptascek's prior bills, take an average and adjust the recent bill accordingly.

Pine Crest III resident Sharon Fenstermaker voiced her opinion that there is an ongoing issue with bikes. She distributed an information packet containing background data that she believed the Board needs to approve or deny her proposal to have bike racks installed in the common area behind the dumpsters. If approved, all the bushes must be removed and then three walls would be constructed to store the bicycles. The project would involve demolishing the concrete, which would cause an issue with the irrigation lines and possibly create liability for the CDD if people coming off the walk slip and fall on CDD property. Ms. Huff stated it is highly unlikely that the Board would agree to demolishing common area landscaping and incurring possible liability for future damage. She polled the Board.

On MOTION by Mr. Brady and seconded by Mr. DeBrino, with all in favor, the request to install bike racks on CDD property, was not approved.

Resident George Pappas presented photographs and stated he was having major issues with tree roots behind his home and are encroaching into his pool structure, which is 15' to 20' from the water main. The roots are like stalks and difficult to maintain. Mr. Vuknic stated that he visited the property and noted that the home is in an odd spot on the lake, with a minimal amount of distance between the edge of the lake and the back of the home and there is nothing but cypress roots in that small distance. He recommended removing the tree roots, which would not harm the lake, and noted that, as long as the CDD maintains the 50 to 60 tree count on the lake, it will not affect the tree requirement. Mr. Adams stated the knees could be removed as long as it does not kill the trees and the property owner could go through the permitting process with the Village of Estero to have the trees removed; however, it was doubtful that a permit would be issued.

Discussion ensued regarding tree stumps, the pool structure, ditch digging machine that cuts tree roots and a cloth saturated with a chemical to deter regrowth of the roots for five to ten years. Ms. Huff stated the property owner can petition the Village of Estero to remove the trees.

A Stratham Loop resident presented photographs, voiced their opinion that the trees on the 18 Tee Box are unsightly, block the air, obstruct the sun, fall on his property and need to be

pruned. Ms. Huff asked if the trees are self-trimming, Mr. Vuknic stated they are technically self-trimming. Staff has trimmed some of the trees because there was availability at the time; however, as the busy season arrived, the trees would be trimmed by the professional tree trimmers. Mr. Vuknic and Ms. Huff stated trimming would occur in May.

THIRD ORDER OF BUSINESS**Golf Course Staff Reports****A. Golf Superintendent**

- **Status of Proposals to Replace Putting Green to Spec**

Referencing a handout, Mr. Vuknic presented a \$140,250 quote from Clarke Construction Group Inc., for installation of a putting green. The land bridge is a separate item, totaling \$4,225, and the anticipated cost related to emptying a hole near the approach area and filling it to ensure the proper construction of the new green is \$5,000 to \$7,000.

Discussion ensued regarding the scope of work, project timing and costs, remediating the current putting green instead of the proposed renovation, drainage issues, funding the work, May golf revenues and other bids. Ms. Huff stated the CDD is in sufficient financial shape to proceed with the project and voiced her opinion that a new putting green would benefit the pro course and should not be deferred. Mr. Vuknic was asked to obtain one or two additional bids and report his findings.

- **Continued Discussion: Use of Astro-Turf for Mats and Brick Pavers for Use as Warmups**

Mr. Vuknic reported the following:

- Pump house maintenance is scheduled for the week of September 12, 2022 and is expected to take one week. Irrigation would be impacted and residents would be alerted via e-blast and newsletter.
- The truck would be delivered next week.
- Minor vandalism occurred on Holes #14, #3 and #4.
- The golf course would be closed on April 5th for a pre-emergent application.
- Monday closures commence on May 2nd through the end of September, except for Memorial Day, 4th of July and Labor Day. Ms. Huff would include the closure dates in the newsletter.

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- Some flower beds were damaged by motorists. Mr. Vuknic would research installing new flower beds before May.
- Staffing: An Assistant Mechanic in the Golf Course Department is needed and an Irrigation Tech in the common grounds is needed.
- Mr. Vuknic researched using Astroturf for mats and brick pavers for warmups and stated that it is doable but players did not seem to like the idea. Photographs would be presented at the next meeting.

Mr. Nixon was directed to ask the Men’s and Women’s League players if they would rather hit off Astroturf or sand.

B. Golf Pro

Mr. Nixon reported the following:

- In March, the golf course is averaging \$19,000 per day, which is \$15,000 to \$17,000 over the budgeted revenues, equating to about \$300,000 thus far this year.
- In March, Sunday golf has declined slightly.
 Asked about the shortage of range golf balls, Mr. Nixon stated an order was placed and the machine is in the construction process and would be shipped once ready.
- A shed must be purchased at an anticipated cost of \$3,000. Permitting requirements would be researched.
- A quote for fountain installation would be obtained.
- An Alzheimer’s event is scheduled for April 23rd.
- The golf course is fully staffed and everyone is looking forward to a successful summer.

FOURTH ORDER OF BUSINESS

Update: Community Landscape Committee

Ms. Huff stated that, at the next meeting, Mr. Brian McFall, of Juniper, would give a presentation about the plans for the community and she would convene a meeting with the Landscape Committee and Mr. McFall before his presentation to the Board.

FIFTH ORDER OF BUSINESS

Update: Potential Purchase of TAQ Building

- **Consideration of Certain Financing Documents *(to be provided under separate cover)***

Mr. Pires provided the following update:

- March 1, 2022: Staff provided the objections to the title work.
- March 15, 2022: Staff provided various objections to the survey.
- The seller had a specified time within which to respond and, on March 17, 2022, the seller's attorney responded and provided a cure notice response to the various objections.
- The CDD has the ability to wait 30 days to respond to the notice.
- The seller elected not to cure a few significant items associated to the various objections, related to two primary areas; specifically, the deficiencies involving a Clubhouse tract and the legal description.
- Staff discussed the deficiencies with Mr. Stephen Falk, Attorney for the Association, who would resolve the issues.
- Various parcels were deeded to the CDD and there were lot splits under Lee County in 2003, 2006 and 2007. Lee County had an administrative lot split approval process where lots could be conveyed and not have to be re-platted through the County Commission.
- Mr. Pires prepared an application for a zoning verification letter to the Village of Estero and would file it after the meeting.
- Mr. Pires arranged a conference call with Ms. Mary Gibbs and Mr. Jim Hart, from the Village of Estero, and Ms. Huff to discuss the potential purchase of the TAQ building.
- If the CDD closes on the property, it would own the entire Clubhouse tract.
- Past conveyance records would be difficult to obtain from Lee County.
- The Development Order (DO) has a schedule setback table; Staff will need verification that the setbacks have been settled.
- The seller stated that they are not going to address any land use, lot split, zoning or setback issues.
- Mr. Pires presented a Property Condition Assessment Report.
Ms. Huff doubted that the CDD would encounter any problems, as Ms. Gibbs seemed happy that the CDD would soon own the facility.
Mr. Adams reported the following regarding the financing:
- Staff conferred with the Bond Financing Team about issuing a bond anticipation note.
- From a timing perspective, ten to 14 additional days would be needed.
- TAQ was amenable to the bond timing and a three-month extension, which would save the CDD \$150,000.
- The seller's attorney would like a positive response to the survey objection notice.

- Staff would like to set a closing date of July 29, 2022.
- The Board must take certain actions today to commence the bond financing process.

Mr. Adams, Mr. Pires and Ms. Huff responded to questions regarding the proposed dollar amount of the bonds, the dollar amount of the TAQ building, financing terms, the appraisal, trade secret information, an assessment increase, the Duffy's lease, the Pro Shop, landscaping, road work and the buffer along Weymouth.

Mr. Pires recommended a motion to continue the meeting, as he would not yet recommend proceeding due to the zoning matters and the setbacks. Discussion ensued regarding the deed restrictions, setbacks, zoning verification, records from Lee County, the validation process and the delegation resolution.

Ms. Huff asked if there would be any damage if the purchase is called off. Mr. Pires stated an argument could be made that the lot is an illegal lot, the Village could deny permitting and the facility would need to be brought into compliance. Asked when a decision must be made, beyond today, Mr. Adams stated a decision can be made at the continued meeting. Mr. Pires would attempt Ms. Gibbs with the Lee County zoning records in time for the continued meeting.

SIXTH ORDER OF BUSINESS**Consideration of Bids for Outsourcing
Common Area Landscape Maintenance**

Mr. Adams reported the following:

- Per the Board's request, Staff publicized a bid request for landscape maintenance services.
- Four contractors showed interest, three of which attended the mandatory pre-bid meeting. LandCare and GulfScapes submitted bids.

Mr. Adams reviewed the Bid Analysis and compared LandCare, GulfScapes and the current, in-house landscaping costs. He explained that the Board can choose to award the bid, go back out to bid or continue with in-house operations, as that is the most affordable option.

Discussion ensued regarding the bid results, going back out to bid, the economy and the future landscaping goals. The consensus was to stay with the in-house operations until the future landscape plans are more well-defined and then go out to bid again.

On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, continuing with the current in-house landscape maintenance program, was approved.

SEVENTH ORDER OF BUSINESS

Discussion/Consideration: Documents Related to SFWMD Submittal for Corkscrew Pines Drainage Infrastructure

- A. Village of Estero Building and Permitting Services Affidavit of Authorization**
- B. Quattrone & Associates, Inc., Letter of Authorization**
- C. SFWMD Signature Pages**
- D. Master Drainage Plans**

Referencing an email, Mr. Adams stated the Village of Estero asked the CDD to consent to its plans to discharge runoff into the preserve. The District Engineer reviewed the request and felt that it is standard in nature and suggested that the CDD require the owner to provide hyper carbon traps in the inlets in the parking lot of the gas station and request that they be replaced annually or at the manufacturer’s recommendation.

The Board and Staff discussed whether the CDD could withhold consent, zoning resolutions, land use, the South Florida Water Management District (SFWMD), the original permit, the gas station and assessment collections to operate the stormwater management system. Ms. Huff asked if the Board can require notification when the filters are changed. Mr. Adams replied affirmatively. Mr. Pires stated that, as the operating/permitting entity, the CDD might have the ability to disallow discharges into its systems. He suggested tabling this item so that he can research the permit and provide an update at the continued meeting.

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, tabling consideration of the Corkscrew Pines Drainage Infrastructure request to the continued meeting, was approved.

EIGHTH ORDER OF BUSINESS

Discussion: Lake Bank Erosion – Lake #75

Mr. Adams reported the following:

- Mr. Burford inspected a specific location and advised that the last time Lake #75 was examined was in 2010. At that time, the CDD had 14 areas that exceeded the SFWMD drop-off criteria of 9” and 39 other areas that needed future repairs.

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- The cause of the erosion at 21532 Windham appears to be wave action and concentrated runoff.
- Examining the entire lake bank and formulating a repair plan and a magnitude of costs was recommended.

Per Ms. Huff, Mr. Adams would engage a contractor to inspect the lake and provide an estimate.

NINTH ORDER OF BUSINESS

Update: Afternoon Officer Patrols at Entrances and Exits for Traffic Control

Ms. Huff provided the following update:

- Local law enforcement was asked to extend the timing on the traffic lights.
- There is no way to control motorists from entering the community to look around.
- Other than extending the length of the traffic light, nothing else can be done to alleviate the traffic issues in Stoneybrook.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2022.

Ms. Huff presented the Unaudited Financial Statements as of February 28, 2022.

On MOTION by Mr. Simonsen and seconded by Mr. Brady, with all in favor, the Unaudited Financial Statements as of February 28, 2022, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of February 22, 2022 Regular Meeting Minutes

Ms. Huff presented the February 22, 2022 Regular Meeting Minutes. The following changes were made:

- Lines 96 and 129: Change “Vuknic” to “Nixon”
- Line 125: Insert “McFall” after “Brian”

On MOTION by Mr. Brady and seconded by Mr. Simonsen, with all in favor, the February 22, 2022 Regular Meeting Minutes, as amended, were approved.

Staff Reports

A. District Counsel: *Tony Pires, Esquire*

• Status of Village of Estero Sidewalk Easement Requisition

Mr. Pires stated that the Village would like a sidewalk easement from the CDD and a similar easement from the Duffy's tract and to make any changes made to that proposed easement to make it comparable to the one that is on CDD property. Due to a discrepancy in the sidewalk size, the Village made a new sketch and survey to replace the original easement. The Village is awaiting completion of the TAQ building transaction to obtain the easement.

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

There was no report.

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

I. Irrigation Reports

- a. High Irrigation Users**
- b. Irrigation Disconnect**

These items were included for informational purposes.

II. NEXT MEETING DATE: April 26, 2022 at 9:00 A.M.

○ QUORUM CHECK

The next meeting will be held on April 26, 2022.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

In response to Mr. Simonsen question regarding tree pruning, Mr. Vuknic stated some of the trees could be trimmed but not all of them. Ms. Huff stated the tree trimmers would be on site in May to trim the trees. Discussion ensued regarding the height of the trees, tree trimming process, why property owners should not trim the trees and tree removal.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Huff and seconded by Mr. DeBrino, with all in favor, the meeting recessed and was continued to March 31, 2022 at 1:00 p.m.

COP SAL:
Secretary/Assistant Secretary

E. L. Huff
Chair/Vice Chair