

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on March 26, 2024 at 9:00 a.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.

Present were:

Eileen Huff	Chair
Chris Brady (via telephone)	Vice Chair
Philip Simonsen	Assistant Secretary
Adam Dalton (via telephone)	Assistant Secretary
Phil Olive	Assistant Secretary

Also present:

Chuck Adams	District Manager
Tony Pires	District Counsel
Mark Zordan	District Engineer
John Vuknic	Golf Superintendent
Jeff Nixon	Golf Pro
Lisa Paul	Property Manager
Dennis Mulvaney	Resident
Other residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:00 a.m. Supervisors Huff, Simonsen and Olive were present in person. Supervisors Brady and Dalton attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

Resident Dennis Mulvaney complimented the recently completed roadwork, which, in his opinion, was very professionally done by a professional and courteous contractor. Ms. Huff stated other residents were also complimentary about how well the roadwork was managed.

THIRD ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- Sod needs to be replaced in certain areas and hedging needs to be cut.
- Staffing: The golf course is short one employee. Mr. Vuknic interviewed one person and discovered a new staffing agency that is golf course-specific for potential candidates.
- A recent pre-emergent application went smoothly; next year's application will be scheduled in the early morning hours.
- Clearing of an area on the right side of Hole #10, where the lake meets with the old preserve area, is underway.
- Berm: The Village of Estero would like a third row of edging in front of what is already planned in certain areas. After the plan is reviewed, it will be sent back to the design team, forwarded to the CDD for approval and then forwarded to the Trustee by the end of the week.

Discussion ensued regarding the Village subsidizing the project and an inventory of the trees that were removed.

- Bridge: The down payment for the bridge repairs was sent to the contractor; materials are in the manufacturing process. The work can commence after that.

Ms. Huff asked for the closure dates. Mr. Vuknic stated the bridge project is expected to take three weeks and occur the last week of May and the first two weeks in June.

Discussion ensued regarding Bridge #13, re-routing the cart path on the tee side, the Bridge Project timing, maintaining the spraying schedule, tuition reimbursement and irrigating an area near the golf course that is an eyesore.

- The flowers are coming up in May.

B. Golf Pro

Mr. Nixon reported the following:

- March has been a fairly good month except for the occasional rain day.
- To date, revenues are at \$600,000 ahead of last year, which is good, considering the golf course suffered an El Nino winter.
- The ongoing projects are coming to completion. The restrooms between #5 and #6 are completed. The shutter roll-down protection area for the ice and water machine is underway. The ice and water machine will be ready for use before the next meeting.

Ms. Huff asked if the shutters will be lowered at night. Mr. Nixon replied affirmatively.

Referencing a handout, Mr. Nixon presented the Gordon Lewis proposal to re-grass the golf course. He recommended commencing the project as soon as possible with Mr. Lewis, who is the original designer of the golf course. Mr. Pires asked about the exact cost and voiced his

concern that the Competitive Consultant Negotiation Act (CCNA) might trigger the need for competitive negotiation proposals. Mr. Nixon stated he does not have an estimate for the scope of work; the proposal is for preliminary work. The re-grassing project will commence in two years. Mr. Pires stated it would be appropriate to view this as a planning or study activity for a not to exceed amount of \$35,000 and the proposer can then outline an Opinion of Probable Cost so that the Board knows if it is necessary to undergo the Request for Proposals (RFP) process for professional landscape architecture.

Discussion ensued regarding the planning and surveying activity, threshold for competitive bids for golf course construction, guard rails and the color and finish of the bridges.

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, authorizing Mr. Nixon to proceed with the first two items in the Gordon Lewis proposal; Surveying and Preliminary Planning only, was approved.

Regarding an earlier question about the tuition reimbursement policy, Mr. Pires stated the policy requires the person to be employed by the golf course for at least six months and, in some cases, managers' discretion can be applied. Tuition must be applied to golf-related professional certifications; anything other than golf-related professional certification needs to be approved by the Board. The employee must successfully complete the applicable courses and provide satisfactory proof to manager. The funds can only be used for tuition and/or other fees charged by the educational institution. The maximum yearly reimbursement is \$2,000 per eligible employee and any amount over \$2,000 must be approved by the Board.

FOURTH ORDER OF BUSINESS

Continued Discussion/Update: Gutter Repairs/Road Resurfacing and Sidewalk Repair Project

Mr. Mark Zordan, with Johnson Engineering stated he will be taking over for Mr. Burford. He reported the following:

- On March 18, 2024, a punch list meeting for the substantial completion was held, at which Ms. Huff, Mr. Vuknic and Collier Paving were in attendance. The punch list is being finalized.
- Staff recently received a report from Mr. Dalton with drainage photos from the recent rain. Staff is incorporating the photographs to provide additional context.

➤ The certificate of substantial completion and punch list will be completed and emailed this week.

Mr. Simonsen asked if the visible cracks along the sidewalk on the east side of Stoneybrook Golf Drive are included in the punch list. Mr. Zordan will check the area and include the sidewalk cracks on the punch list if they are not listed.

Regarding the water retention in certain areas and the radius, Mr. Zordan stated Staff will prepare and present a scope and field proposal, as survey work will be needed, and provide the CDD with a few alternatives.

Mr. Brady noted a few areas on the path near his home, on the west side of Langone and Helmsdale, where the slope of the land coming into the path is 1' high, which is a ledge. He asked if that is natural and if the CDD is responsible for that or if it is the contractor's responsibility. Mr. Zordan will inspect the area and present his findings at the next meeting.

Regarding the gutter repairs, Ms. Huff stated they were inspected by the District Engineer and only those with structural damage will be repaired. Asked to elaborate on the structural damage and/or cracks, Mr. Zordan stated structural damage would be a broken gutter that is in disrepair and, although there are several cracks in the gutters, a determination was made as to how much was going to get replaced and at what cost. If the Board decides to further investigate the cracks, a quote can be obtained from a concrete repair company to address some of the repairs.

Mr. Simonsen voiced his understanding that any crack wider than a credit card is supposed to be repaired. Mr. Adams stated that is the typical criteria as there will eventually be water penetration. He suggested revisiting some of those gutters and prioritizing the ones that are structural that were not previously identified, secure a proposal and prepare a change order. Mr. Dalton stated, in addition to the structural component, Staff should make sure there are no trip hazards or OSHA issues. Mr. Adams stated that was part of the original review. Mr. Zordan and Mr. Vuknic will inspect the gutters.

FIFTH ORDER OF BUSINESS

Discussion: Re-Grassing the Golf Course

This item was addressed during Item 3B.

SIXTH ORDER OF BUSINESS

**Consideration of Johnson Engineering, Inc.
New Rate Schedule**

Mr. Adams presented the Johnson Engineering Professional Services Hourly Rate Schedule. The requested increases are standard. He recommended the Board’s approval.

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, the Johnson Engineering new rate schedule, was approved.

SEVENTH ORDER OF BUSINESS

Introduction to Heritage Golf Group

Referencing an email and brochure from Heritage Golf Group (HGG), Ms. Huff stated, although it sounds good, she does not want to give up the golf course, as it is finally generating revenue and is in a good place. In her opinion, this item should not be considered without resident feedback. Mr. Olive agreed that residents should be a party to this and stated HGG is essentially stating that property values would increase substantially, that resident access to the golf course would not be hampered and it would be a semi-private type of deal. Mr. Brady thinks that, before commencing a discussion, it would be best to obtain a legal opinion, in relation to the CDD’s Charter and the bonds. Mr. Pires stated the first step should be to contact Bond Counsel to determine if a sale, a lease or a concessionaire agreement is appropriate, where they operate the golf course but the CDD still owns it.

Mr. Nixon, as the CDD’s golf professional who has been involved in the golf business for close to 30 years, expressed his opinion this is not a great idea and, although he understands Mr. Olive’s position, the Board should be cautious as the lease offer would be for 30+ years.

Discussion ensued regarding the HGG handout, Bond Counsel’s review, the current outstanding bonds, residents/golfers having ample opportunity to play at a sizable discount and allowing HGG to make a presentation.

Mr. Adams and Mr. Pires will confer with Bond Counsel regarding this matter after the Easter Holiday and provide an update at the next meeting.

Mr. Brady left the call.

EIGHTH ORDER OF BUSINESS

Consideration of Synovus Bank Term Sheet to Finance Golf Course Bridges Replacement (to be provided under separate cover)

Mr. Adams presented the Synovus Bank Term Sheet to Finance the Golf Course Bridges Replacement. He discussed the pertinent data, including payment dates, current tax-exempt interest rate of 4.49%, prepayment penalty, loan commitment fees and how user-friendly Synovus is for governmental entities.

Discussion ensued regarding the loan amount, the 10% contingency, the amortization schedule, annual payment amount, the outstanding bond debt and the closing date.

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, the Synovus Bank Term Sheet to Finance Golf Course Bridge Replacement, was approved.

NINTH ORDER OF BUSINESS

Update: Development Order, Zoning and Permit Matters Relating to Commercial Parcel in Northeast Portion of Community [Corkscrew Pines]

Referencing a handout, Mr. Pires presented the proposed plat for Corkscrew Pines provided by the Village of Estero. Staff reviewed the plat and, as a result of the review, Mr. Pires emailed Ms. Mary Gibbs of the Village enumerating Staff’s concerns, as follow:

- This property is part of a plat called Stoneybrook Unit 8, which has a few dedications to the CDD for drainage, ingress and egress.
- When the plat gets recorded for Corkscrew Pines as drafted, it will wipe out those easements in favor of the District on the dedication.
- Page 2 of the plat shows that Newbridge Court is indicated as being a private road right-of-way (ROW) and reserves to the Developer Mid-guard Self Storage and also dedicated to the Corkscrew Pines POA, with responsibility for maintenance.
- The Self Storage Group would have private road ROW on Newbridge Court with no responsibility for maintenance and the Corkscrew Pines POA would have that tract dedicated as a private road ROW with responsibility for maintenance.
- The CDD needs ingress and egress over Newbridge Court with no responsibility for maintenance.
- There are drainage easements shown as the proposed Corkscrew Pines plat that are dedicated to the POA with responsibility for maintenance, and the owners of each tract will be responsible for all the service lines.

STONEBROOK CDD

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➤ Included in Staff’s email to the Village is a request for additional dedications to the CDD for all drainage easements with no responsibility for maintenance and a non-inclusive easement over and across TractS-1 Newbridge Court for the sole and limited purpose of permitting access to and from all drainage easements and the conservation area. The plat must also refer to the Declaration of Covenants, Conditions and Restrictions for Corkscrew Pines.

Mr. Pires asked the Board to withdraw and revoke the Affidavit of Authorization if the fully executed original Stoneybrook CDD Restrictions, as approved by the CDD, are not recorded by 5:00 p.m., this coming Friday.

Discussion ensued regarding the Affidavit of Authorization and the timing of the storage units.

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, withdrawing and revoking the Affidavit of Authorization if the Deed Restrictions are not recorded by Friday, March, 29, 2024, was approved.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 29, 2024

Ms. Huff presented the Unaudited Financial Statements as of February 29, 2024.

Discussion ensued regarding the Synovus loan, outstanding bond payment items, the berm, common ground landscape, revenue bond, General Fund, copy machine lease and the motor lease.

On MOTION by Mr. Simonsen and seconded by Mr. Olive, with all in favor, the Unaudited Financial Statements as of February 29, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of February 27, 2024 Regular Meeting Minutes

The following changes were made:

Line 20 and throughout: Change “Eric Howard” to “Erik Howard”

Line 49: Change “The streetlight” to “The parking lot light at Golf Club Drive shining into a unit on” and delete “near the pro shop”

Line 60: Change “installed” to “placed”

Line 86: Change “Mr.” to “Ms.”

Line 130: Change “Weymouth” to “Waymouth”

Lines 161 and 162: Delete “who advised that the Village is sending a professional Surveyor and mapper;”

Line 164: Change “Counsel” to “Council”

Line 169: Change “receive” to “received”

Line 227: Change “A resident” to “Mr. Olive”

On MOTION by Mr. Simonsen and seconded by Mr. Olive, with all in favor, the February 27, 2024 Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Tony Pires, Esquire

Mr. Pires reported the following:

- He was recently contacted by a law firm representing the Stoneybrook Master Association.
- Apparently, there are two law firms that represent the four Condominium Associations in Pinecrest; two are represented by DeBoest Law Firm and Pavese Law Firm.
- The Attorney representing the Stoneybrook Master Association is working on a resolution of the possibility of the CDD acquiring “internal paved areas” inside Pinecrest.
- Within the next few weeks, a Zoom meeting will be scheduled with Mr. Adams, Mr. Pires, Ms. Huff and a representative from the Master Association.

Mr. Adams suggested inviting the Association Manager and one or two Board Members from the Stoneybrook Master Association. He noted that the Pinecrest Condo Associations are not involved.

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 23, 2024 at 9:00 AM

○ QUORUM CHECK

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Huff reported the following:

- An email was received from Mr. John Deterback, who would like to install one speed hump between Brixham and Berwhich and another by the 10th Green. The Board cannot make the final decision; the EMS must do that.

Discussion ensued regarding speeding, why a Traffic Hawk will not be installed, the need for more than two speed humps, permission to install additional stop signs, criteria for installing traffic control devices, fining speeders, engaging traffic officers, cost to hire law enforcement and cost-sharing between the CDD and the HOA to hire police officers 24/7.

On MOTION by Mr. Olive and seconded by Mr. Simonsen, with Mr. Olive and Mr. Simonsen in favor and Ms. Huff dissenting, the proposal and application from the Master HOA, prepared by a traffic Engineer, to install traffic calming devises, was approved. (Motion passed 2-1).

- She received an email and a call from Florida Acquisition and Appraisal (FAA). FAA was contacted by the Village to provide ROW acquisition services as part of the shared use path-trail project on Corkscrew Road. FAA would like an easement of the CDD's property. Ms. Huff requested additional information regarding the easement request.

Discussion ensued regarding the easement request, walking path, preserve area and if a road by the back gate has been paved.

Ms. Paul stated she is having the parking lot pressure cleaned.

Ms. Huff noted that there are unruly customers at Duffy's. Mr. Adams stated the CDD need not get involved; it is a matter for Duffy's to manage.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, the meeting adjourned at 11:02 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair