

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on April 26, 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
Brent Burford	Johnson Engineering Inc., (JEI)
Joseph DeBono	Johnson Engineering Inc., (JEI)
Jeff Nixon	Golf Pro
Brian McFall	Juniper Landscaping (Juniper)
Paul McFarland	Resident
Santo Listro	Resident
Other Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:00 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

No members of the public spoke.

THIRD ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

I. Status of Proposals to Replace Putting Green to Spec

This item was presented following the Eleventh Order of Business.

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

This item was not addressed.

B. Golf Pro**• Status of Permitting for Shed**

Mr. Nixon reported the following:

- As of today, golf course revenues are \$20,000 ahead of budget. With five days remaining, April revenues would likely be \$60,000 to \$80,000.
- April has been busy, including range activity and play.
- Putting green play have been low; the putting green project would likely be beneficial.

Ms. Huff stated she discussed the Blaze Golf bid with Mr. Vuknic; the bid does not include the grass bridge on the 13th hole sand trap. This bid and the tee boxes would be discussed with Mr. Vuknic.

- The ball machine is still on order. New rental clubs were received and are almost ready, pending completion of embroidering the bags.

Mr. Nixon stated the ball machine might initially need to be put out without a cover, as staff needs to determine the best way to cover it.

Discussion ensued regarding protecting the machine and finding a permanent, aesthetically pleasing solution. Staff would make sure the ball machine is protected.

- An expanded calendar will be distributed and published on the website. Fundraising Golf Tournament Events include a Middle School event on May 12th, an ESPN event on May 13th, a Fire Protection Company Services event on May 14th and a Softball League event on May 15th.

Mr. Nixon stated that more fundraising events could be hosted. He tries to schedule events on Fridays and Sundays to accommodate the existing Saturday men's league. He predicted that every Saturday in May, June, late September and October could probably be booked. Asked about the potential revenue increase, Mr. Nixon stated greens fees would likely be flat but concessions would likely increase 60% to 70%. Saturday concessions normally generate \$300, whereas, during events, they might total \$900.

Mr. Nixon expressed his support and respect for the men's league, given that many residents play; however, he sometimes questions keeping Saturdays for just the league, given how quickly events sell out. Ms. Huff asked Mr. Nixon to review the number of players on Saturdays, during those months.

Discussion ensued about accommodating the men's league, adjusting hours, sold out events, men's league participation in fundraiser events and reciprocity with other golf courses.

Ms. Huff stated she and Mr. Nixon worked with the HOA to purchase a defibrillator for the Pro Shop. Several more were ordered for the community center; the local first aid squad would provide training.

Mr. Nixon asked if any determination was made regarding obtaining a liquor license. Mr. Pires stated he is researching whether it is allowed, based on various factors, including the type of license needed.

Resident Paul McFarland stated he did not see the Fiscal Year 2022 budget on the website. Ms. Huff stated it should be posted; Staff would ensure it is posted on the CDD website. Mr. McFarland asked if golf course funds are deposited into the Sun Trust account. Ms. Huff replied affirmatively. Mr. McFarland stated his belief that the golf course loses money and asked what the golf course cash account year-end balance is projected to be based on the golf trends. Mr. Nixon believed the prior year ended over \$300,000 and a COVID loan from the water fund was repaid; he estimated the fiscal year ending balance was \$300,000 to \$400,000.

Mr. McFarland asked how bond payments are made. Ms. Huff stated principal and interest payments are made each year, on May 1; and a payment of just interest is made in November. Next May, a principal and interest payment would be made and the payments would be done. Mr. McFarland asked what happens to the funds left in the golf account at the end of the fiscal year. Mr. Nixon stated they are rolled into the next fiscal year. He noted that the putting green project was not budgeted so that and other unbudgeted projects would reduce the balance. Ms. Huff stated the CDD has a reserve for hurricanes, listed under the General Fund.

Mr. DeBrino recalled discussions about the \$400 fee incurred by the CDD when false alarms occur and asked who is called in such instances. Mr. Nixon stated he receives those calls.

Discussion ensued regarding directing those calls to gatehouse staff.

Ms. Huff stated she would speak with Tammy and Mr. Reynolds and noted some false alarms might be due to pulling on the door. She suggested installing a motion detector.

Discussion ensued regarding alarm calls and false alarms.

Mr. Nixon stated animals sometimes tripped the alarm. He asked how the Sheriff determines that an alarm is not an actual intruder after the fact. He noted that some false alarms have occurred due to window rattling. Mr. Nixon would contact the alarm company for recommendations. Ms. Huff would contact Tammy Kern and see if a Sheriff can visit and advise.

FOURTH ORDER OF BUSINESS

Update: Community Landscape Committee

Ms. Huff stated the Landscape Committee met yesterday with Mr. Vuknic, Theresa and Elizabeth and Mr. Brian McFall, of Juniper.

FIFTH ORDER OF BUSINESS

**Presentation by Juniper Landscaping
Regarding Plans for the Community**

Ms. Huff introduced Mr. McFall. She stated the center median is the concern and the plan is to keep the three Medjool palms. Mr. McFall responded to questions and discussed landscaping options, including palm trees varieties, ground cover and annuals. Tree removal, installation of sod and annuals and line-of-sight were discussed.

Ms. Huff stated Mr. McFall would evaluate the main entrance and entrance corners and prepare a rendering of proposed improvements at the main entrance and cul-de-sacs. The goal is to install landscaping that will be as low-maintenance as possible. Mr. McFall stated he would work on the renderings and meet with the Committee before the May 31st CDD meeting.

An attendee asked for the estimated cost of the renovations. Ms. Huff stated that \$1 million was budgeted but final numbers would not be known until decisions are made and the bids are received. Asked about the difference between maintenance and renovations, Mr. Adams stated that the budget provides for "Landscape Maintenance" and the Engineer's Report includes the capital replacement program.

Discussion ensued regarding the benefits of having work done in-house and the need to remove landscaping before obtaining bids. Maintenance would not be funded by bond proceeds but renovations will be funded by the bonds.

Ms. Huff stated the Village is currently pursuing replacing the walkway in front of the community and, at the appropriate time, it will be necessary to work with the Village and the County to replace landscaping that is removed in conjunction with that project.

SIXTH ORDER OF BUSINESS

**Continued Discussion: Corkscrew Pines
Drainage Infrastructure**

Mr. Adams stated the District Engineer reviewed the infrastructure and found it was appropriately designed. Replacement of inlet filters. in accordance with the manufacturers' recommendations, was suggested.

Mr. Pires stated the South Florida Water Management District (SFWMD) website showed that revised plans, signed in April 2022, seemed to indicate that improvements in the Right-of-Way (ROW) were proposed and required approval by the CDD. These were sent to Mr. Burford for review. Mr. Pires discussed potential conditions for signing the ROW and suggested tabling this discussion to the next meeting so that the Board can authorize execution of any necessary documentation if the District Engineer is comfortable with the plans.

Mr. Burford described the proposed ROW, in relation to two commercial parcels. Ms. Huff expressed concern of whether the road in question could handle the type of commercial traffic involved and recalled previous efforts to convey the road to the Board of Education for school traffic. The consensus was that the CDD owns the road. Mr. Pires stated it might be necessary to discuss this with the Village of Estero. He believed there might be applications pending with the Village and with SFWMD.

Easements and the road's suitability for traffic were discussed. Ms. Huff felt that use of the road would negatively impact the community. Mr. Burford stated he would review the SFWMD's plans and the County's plans. A Board Member noted that the road is impassable at times. This item was deferred. Mr. Burford would request all pertinent correspondence.

SEVENTH ORDER OF BUSINESS

Consideration of Bond Related Items

A. Presentation of Supplemental Engineer's Report

Mr. Adams stated an updated version of the Supplemental Engineer's Report was distributed; the version in the agenda was substantially similar.

Mr. DeBono presented the draft version of the Supplemental Engineer's Report dated April 2022. He noted the following:

- Improvements to be made include landscaping, roadway improvements and infrastructure and land acquisition.
- The opinion of probable costs for the Series 2022 Project is estimated at \$11,000,000, which includes a Contingency of \$1,000,000.

Mr. Brady expressed his opinion that reserve funds can be utilized for landscaping projects. The consensus was that a large contingency is needed for unknowns related to the costs and leftover funds can be used to pay down principal. Mr. Brady stated he was not proposing changes to the Engineer's Report; rather, it is a factor to consider.

Resident Santo Listro asked about the Extension Fee discussed at the Special Meeting. Mr. Adams discussed the bond validation and the advantage of paying an Extension Fee versus taking a bridge loan.

B. Presentation of Supplemental Special Assessment Methodology Report *(to be provided under separate cover)*

Mr. Adams stated an updated version of the Supplemental Assessment Methodology Report was distributed electronically; the version in the agenda was substantially similar.

Mr. Adams presented the updated Supplemental Special Assessment Methodology Report for the Series 2022 Project dated April 26, 2022 and discussed the history of the CDD, the Series 2022 Project, the financing plan, Assessment Methodology, benefited properties, non-benefited properties, lienability tests and the Appendix tables.

Discussion ensued regarding the transaction, property values, criteria utilized by the property appraiser and confidential information related to the transaction.

Mr. Pires stated information disclosed to the CDD, in conjunction with the transaction, is considered "trade secrets" under Florida Law. He discussed the associated constraints listed in the sales contract. Ms. Huff noted this was discussed at the previous meeting.

C. Resolution 2022-03, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to Be Paid by Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the

Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date

Mr. Adams presented Resolution 2022-03.

On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, Resolution 2022-03, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to Be Paid by Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings for May 31, 2022 at 6:00 p.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.

D. FMSbonds Agreement for Underwriter Services and Rule G-17 Disclosure

Mr. Adams presented the Agreement with FMSbonds for Underwriter Services and Rule G-17 Disclosure. The Underwriter’s fee would be 2% of the par amount of the bonds issued.

The following change was made to the Agreement:

Paragraph 1: Change “Two Rivers North Development District” to “Stoneybrook Community Development District”

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, the Agreement with FMSbonds for Underwriter Services and Rule G-17 Disclosure, as amended, with an Underwriter’s fee in a not-to-exceed amount of 2% of the par amount of the bonds issued, was approved.

E. Nabors, Giblin & Nickerson, P.A., Bond Counsel and Disclosure Counsel Agreement

Mr. Adams presented the Nabors, Giblin & Nickerson, P.A., Bond Counsel and Disclosure Counsel Agreement.

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, the Giblin & Nickerson, P.A., Bond Counsel and Disclosure Counsel Agreement, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2022

Ms. Huff presented the Unaudited Financial Statements as of March 31, 2022.

Page 2: Legal and Engineer fees were significantly over budget due to fees paid in conjunction with the bond issuance; these would be corrected when the fees are reimbursed from bond proceeds.

Ms. Huff observed that the group insurance expenses were still being allocated to the Concession line item. The Pro Shop and the maintenance group insurance is under budget and the Concession reflects \$45,000 in insurance but no employees have health insurance.

Discussion ensued regarding the Pro Shop and Maintenance insurance line items, which seemed incorrectly allocated. Ms. Huff would address these issues with Mr. Vuknic.

Mr. Brady asked if it would benefit residents for the CDD to utilize reserves to pay off the 2014 bonds. Mr. Adams stated he would inquire into the matter.

On MOTION by Mr. Simonsen and seconded by Mr. DeBrino, with all in favor, the Unaudited Financial Statements as of March 31, 2022, were accepted.

NINTH ORDER OF BUSINESS

Approval of Minutes

Ms. Huff presented the following minutes:

A. March 22, 2022 Regular Meeting

Line 87: Change “mediating” to “remediating”

Line 175: Change “Weymouth” to “Waymouth”

Line 184: Insert “attempt to provide” after “would”

Line 184: Change “for” to “with”

Line 138: Change “survey” to “title work”

Line 139: Change “surveyor” to “survey”

Line 150: Change “obtained” to “conveyed”

Line 235: Change “McFall” to “Burford”

Line 280: Change “save” to “make”

Line 297: Change “Olive” to “Simonsen”

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

B. March 31, 2022 Continued Meeting

On MOTION by Mr. DeBrino and seconded by Mr. Simonsen, with all in favor, the March 31, 2022 Continued Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Tony Pires, Esquire*

- **Status of Village of Estero Sidewalk Easement Requisition**

Mr. Pires stated the Village of Estero easement requisition is in progress; when the transaction is complete, the mortgage holder’s consent would be obtained and the easement would be recorded.

Ms. Huff stated when that is all completed, she would follow up to ensure that the County participates in completing the landscaping. She recalled that Florida Power & Light (FP&L) is also waiting on the easement for utility work.

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. 1,770 Registered Voters in District as of April 15, 2022

III. NEXT MEETING DATE: May 24, 2022 at 6:00 P.M.

○ **QUORUM CHECK**

The meeting scheduled for May 24, 2022 would be moved to May 31, 2022.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Brady stated a complaint was received about the color of the new mulch.

Mr. Brady expressed concern about issuing a 30-year bond, given that the homes will be 50 years old when the bond is paid off. Mr. Adams stated the CDD would only be dissolved if another governmental entity, such as the Village of Estero, accepts the CDD's assets.

Discussion ensued regarding Special Taxing Districts, renovations, teardowns and rebuilds and possibly paying down the bonds early.

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

This item, previously Item 3AI, was presented out of order.

Mr. Nixon stated he was in contact with Mr. Vuknic regarding the putting green, which would take as long as fourteen weeks to complete; the work would need to begin around June 1, 2022. He stated that Mr. Vuknic expressed support for the Clarke proposal, even though it was more expensive, and discussed the reasons. Ms. Huff stated she had a similar conversation with Mr. Vuknic.

Discussion ensued about the proposals and the plan to add approximately 3,000 additional square feet and a land bridge.

On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, the Clarke Construction Group, Inc., proposal for replacing the putting green to specifications, including the land bridge, in a not-to-exceed amount of \$144,475, was approved.

A resident asked if a decision was made regarding tees on Par 3 holes. Mr. Nixon stated it was discussed but no decision has been made. He believed that a resolution might be worked out by the end of May.

Discussion ensued regarding a complaint about fast growing weeds overtaking the roughs on the golf course.

Ms. Huff stated Mr. Vuknic is aware of the issue and is working on it; it would be brought to his attention and added to the agenda for the next meeting.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. DeBrino and seconded by Mr. Simonsen, with all in favor, the meeting adjourned at 11:10 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/~~Assistant Secretary~~

Eric L. Huff

Chair/~~Vice Chair~~