

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on July 26, 2022 at 9:00 a.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.

Present were:

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

Also present, were:

Chuck Adams	District Manager
Tony Pires	District Counsel
John Vuknic	Golf Superintendent
Jeff Nixon	Golf Pro
Cynthia Wilhelm	Bond Counsel
Amanda Kumar	Trustee
Lisa Paul	AJS Realty Group
Gene Bates	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:02 a.m. Supervisors Olive, Brady and Simonsen were present in person. Supervisors Huff and DeBrino were attending via telephone.

On MOTION by Mr. Brady and seconded by Mr. Simonsen, with all in favor, authorizing Ms. Huff's and Mr. DeBrino's attendance and full participation, via telephone, due to exceptional circumstances, was approved.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

Resident Gene Bates asked if Staff was aware of a line of sight (LOS) issue at the intersection of Worcester Run and the furthest west entrance on Stratham Loop. Mr. Vuknic

stated Staff has been reviewing the height requirements of the bushes and will check that specific intersection.

THIRD ORDER OF BUSINESS

Presentation of Stoneybrook Community Development District’s Audited Financial Report for Fiscal Year Ended September 30, 2021, Prepared by Grau & Associates

Mr. Adams presented the Audited Financial Report for the Fiscal Year Ended September 30, 2021 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-10, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021

Mr. Adams presented Resolution 2022-10.

Mr. Brady felt that it was important to realize that this is the second consecutive audit wherein no corrective actions were recommended and recalled a time when the CDD was in a state of emergency. Mr. Adams stated the fact that the CDD will be issuing bonds that have a very high rating signifies that the CDD is in a great financial position.

On MOTION by Mr. Simonsen and seconded by Mr. Olive, with all in favor, Resolution 2022-10, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.

FIFTH ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- The tree trimming was completed and work on the ficus is underway.
- New annuals were planted and sprayed with a new product.
- Intersections are being examined for LOS issues.
- Staffing: The new hires are working out. Timewise, everything is getting done.

- There are no issues to report.
- The concrete spillway on Hole #16 went well.

B. Golf Pro

Mr. Nixon reported the following:

- As of today, the golf course is ahead of playing for July.
- Because of aerification, resident rates were lowered from \$30 to \$20 and from \$35 to \$25 for non-residents. Weekends have been busier since the rates were reduced.
- Staffing: The golf course is fully-staffed. He is pleased to have Kyle back, even if it is part time for 20 hours per week. Kyle was tasked with making the men's league more enjoyable. A point system is being developed where golfers would play for a few months and then receive quarterly prizes for the top point-getters followed by a luncheon in the pavilion.
- Staff is looking into implementing a futuristic online golf game at Stoneybrook and eventually utilizing it to provide a virtual preview of the golf course.
- There was an altercation on the golf course on Friday between three golfers and an employee. The golfers attacked the employee, threw his radio and a set of cart keys into a pond and left. They were angry after being told that they could not use the golf carts because they had several drinks at Duffy's before. The Sheriff was contacted and the employee will prosecute. The Sheriff requested and obtained video footage from Duffy's.

Discussion ensued regarding the CDD charging the perpetrators with petty theft or criminal mischief since trespassing is difficult to prove, the identity of the perpetrators and installing cameras around the building and on the bar cart.

Per Ms. Huff, Mr. Nixon to obtain estimates for outdoor surveillance cameras.

Referencing handouts, Mr. Nixon presented a proposal to add four fountains on the right side of the Pro Shop, at a cost of \$33,000. The total cost of the project would be \$50,000, with approximately \$20,000 for electricity, along with plans for Clubhouse improvements, including a starter shack, ball dispenser, pavilion and renovated restrooms. The improvements would match the TAQ building and be up to code with the Village's requirements.

- The Clubhouse upgrades are in the planning stages and prices have yet to be obtained.

Mr. Nixon reviewed a timeline and noted that Fowler Construction could commence construction by November 14, 2022.

➤ With the Board’s approval, Mr. Nixon would focus on the engineering aspect, followed by the permitting.

Discussion ensued about probable costs, the Competitive Consultant Negotiation Act, funding sources for the improvements, the HOA, a fire pit, Pro Shop and restroom renovations, subcontracting with Johnson Engineering, future revenue gains from the proposed upgrades, adopting policies and procedures or policies for utilization of the premises and coordinating with Duffy’s on various items, including a catering menu, amending the beverage license, modifying the lease and expanding outdoor dining by extending the outdoor seating.

Mr. Nixon asked if he can proceed with the engineering and continue with the renovation project. He would like to have preliminary work done by January 1, 2023 so that the bathrooms are completed by next summer and the entire project is completed by this time next year. Mr. Adams would contact Johnson Engineering regarding subcontracting with Architects and with Fowler Construction.

On MOTION by Mr. Brady and seconded by Mr. Simonsen, with all in favor, authorizing Mr. Nixon to continue securing the Engineer’s drawings necessary for permitting and for construction Requests for Proposals, and engaging MSA as a subconsultant to Johnson Engineering under Johnson Engineering’s District Engineering Services Agreement with the CDD, was approved.

Mr. Nixon stated the fountains would be separate and covered by the golf course.

Discussion ensued regarding a service warranty on the fountains, a 10% discount from the contractor, cost effectiveness of the fountains, the golf course being over budget, addition of a ball dispenser and the condition of the mats.

On MOTION by Mr. Brady and seconded by Mr. Olive, with all in favor, accepting the proposals and authorizing Mr. Nixon to proceed with obtaining fountains, based on a continued electric service warranty for one year, was approved.

Mr. Vuknic reported the following:

➤ The pump house is scheduled for September. Staff is cleaning it out.

- Staff will purchase paint later today and commence painting the walls.
- There are serious issues with the pump house overheating and the electrical bank that the door is in is cracked. Steps were taken to mediate the issues until September.
- The decking of the bridges must be addressed. This would be the third set of decking. It would cost approximately \$600,000 to replace all the bridges.
- Repairs would be made to the top portion of the bridges until they can be replaced.

In response to Mr. Vuknic’s question, Mr. Adams stated he would obtain a copy of the title of the Dodge vehicle from the Tax Collector.

SIXTH ORDER OF BUSINESS

Update: Community Landscape Committee

- **Juniper Landscaping**

Referencing the changes from Juniper, Ms. Huff stated that she did not have estimates yet and that she, Elizabeth and Mr. Vuknic will meet with Juniper next week and invite a representative to the August meeting. Mr. Vuknic stated he prefers the changes.

This item would be included on the next agenda.

SEVENTH ORDER OF BUSINESS

Update: Status of Liquor License

Mr. Pires stated, after listening to Mr. Nixon’s presentation, he felt that once the building is acquired, a workshop should be scheduled to consider long-range plans, an immediate plan, including the engineering and architectural components, coordinating with Duffy’s, complying with the Village and the liquor license. He stated that Ms. Lisa Paul, from AJS Realty, could assist the CDD with those matters, subject to Board approval of the management contract. Mr. Pires felt that this item could be deferred to a future meeting.

EIGHTH ORDER OF BUSINESS

Update: TAQ Building Purchase

- A. **Consideration of Adoption of Resolution 2022-09, Concerning the Closing of the Purchase of Certain Land and Improvements Described Herein as the Clubhouse and Improvements (“Clubhouse”); Determining that Closing on the Purchase of the Clubhouse is In the Best Interest of the Public and the District; Authorizing the**

Acceptance of the Conveyance of the Clubhouse; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver all Documents, Instruments and Certificates Necessary In Connection with the Closing and Conveyance of the Clubhouse; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman or the Secretary, as the Case May Be; Authorizing Certain Officers of the District to Take All Actions and Enter into All Agreements Required in Connection with the Conveyance of the Clubhouse; and Providing an Effective Date

Mr. Pires presented Resolution 2022-09. The Resolution accomplishes the following:

- Ratifies the purchase of the building.
- Authorizes the Chair and Vice Chair to execute various documents associated with the transaction.
- Authorizes execution of the necessary documents to achieve the closing scheduled for August 3, 2022.

Mr. Pires stated Resolution 2022-09 is in substantially final form but subject to revision.

On MOTION by Ms. Huff and seconded by Mr. DeBrino, with all in favor, Resolution 2022-09, Concerning the Closing of the Purchase of Certain Land and Improvements Described Herein as the Clubhouse and Improvements (“Clubhouse”); Determining that Closing on the Purchase of the Clubhouse is In the Best Interest of the Public and the District; Authorizing the Acceptance of the Conveyance of the Clubhouse; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver all Documents, Instruments and Certificates Necessary In Connection with the Closing and Conveyance of the Clubhouse; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman or the Secretary, as the Case May Be; Authorizing Certain Officers of the District to Take All Actions and Enter into All Agreements Required in Connection with the Conveyance of the Clubhouse; and Providing an Effective Date, in substantial form, was adopted.

B. Consideration of Building Operation and Management Agreement with AJS Realty

Mr. Pires presented a redlined version of the AJS Realty Group Management Agreement. He stated that the clean version was transmitted to the Board yesterday.

Mr. Pires, Ms. Paul and Mr. Adams responded to questions about Monthly and Annual Reporting, financial statements and Nature of Relationship. The following changes will be made:

Item 4a: Insert “or negligent” at end of the paragraph.

Item 6c: Change the annual reporting date to a date that works out at the Staff level.

On MOTION by Mr. Brady and seconded by Mr. Simonsen, with all in favor, entering into a Management Agreement with AJS Realty Group, effective August 4, 2022, subject to the changes in Items 4a and 6c, was approved.

NINTH ORDER OF BUSINESS

Update: Bond Closing

Mr. Adams stated the pre-closing will be this morning, after the meeting.

Mr. Adams and Ms. Wilhelm responded to questions about the bond validation, interest rates, 5.19% blended rate for all the bonds, tax-exempt rates, taxable bonds, bond terms, refinancing, whether the project budget can be amended and the bond issuance and closing.

TENTH ORDER OF BUSINESS

Continued Discussion: FY2023 Proposed Budget

Mr. Vuknic recalled previously mentioning that, year-over-year, there was a 15% increase in golf course payroll. The overall payroll budget is up 60% year-over-year, the majority of which occurred in February when raises went in effect. An additional 3% cost of living increase will go into effect on October 1, 2022. Referencing a handout, Mr. Vuknic reviewed the FY2023 Common Grounds Landscape Budget Proposal items and the golf course and common grounds payroll budgets.

Mr. Nixon stated General Fund revenue was flat and reviewed the General Fund budget.

Ms. Huff suggested changing the dates from October 2018 on the budgets. Regarding payroll, Mr. Vuknic asked the Board to consider 30 to 60-day work contracts for himself and Mr. Nixon, as a form of protection or insurance in the event of terminations.

Discussion ensued regarding Mr. Vuknic’s request, at-will employees and drawing up a separate agreement for managers. Ms. Huff would coordinate with Mr. Pires, draft an agreement and present it at the next meeting.

Mr. DeBrino left the call at 11:13 a.m.

In response to a question regarding irrigation, Mr. Adams stated the capital outlay amount was for the pump station that is going in next month. Asked about the expenses to date for acquiring the pumps, Mr. Adams stated it will be reflected in the costs of issuance; one of the first disbursements of bond funds will be to reimburse the CDD.

ELEVENTH ORDER OF BUSINESS

Continued Discussion: Corkscrew Pines Drainage Infrastructure Request

Mr. Adams stated he forwarded a letter to Mr. Hart at the Village of Estero on June 30, 2022 and listed several concerns, such as the gas station’s 24-hour per day operation, the automatic car wash, traffic volume and flow on and off Corkscrew Road at an intersection that already has deficiencies, Stoneybrook Golf Drive not being up to standard and the environmental concerns that were initially discussed. Mr. Adams stated copies of the letter will be emailed to the Board. Mr. Hart has not responded.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2022

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2022.

Discussion ensued regarding concessions, the CDD’s strong financial position, the bonds and pre-paying for the bunker.

On MOTION by Mr. Brady and seconded by Mr. Olive, with all in favor, the Unaudited Financial Statements as of June 30, 2022, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of June 28, 2022 Regular Meeting Minutes

Mr. Adams presented the June 28, 2022 Regular Meeting Minutes. The following change was made:

Line 58: Insert “Hoffman” after “Todd”

On MOTION by Mr. Simonsen and seconded by Mr. Olive, with all in favor, the June 28, 2022 Regular Meeting Minutes, as amended, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Tony Pires, Esquire*

Mr. Pires stated he worked on the bond issue items and the contract and closing documents. He will follow up with the insurance adjuster about a trip and fall incident.

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: August 23, 2022 at 6:00 P.M.

o QUORUM CHECK

The next meeting would be held on August 23, 2022.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Huff asked if the young man that is doing community service hours at the CDD is working out. Mr. Nixon stated he was assigned a few projects but options are limited because he is just 14-years old.

Mr. Brady stated he received an email from a resident asking if the silver boxes by the traffic light in front of the hydrant could be removed. Mr. Pires stated he could check the survey and notify the Board. Mr. Brady will forward the email to CDD Staff.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Olive and seconded by Ms. Huff, with all in favor, the meeting adjourned at 11:32 a.m.


Secretary/~~Assistant Secretary~~


Chair/~~Vice Chair~~