

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on October 26, 2021 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 Simonson	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
Ken Huff	Resident
Bill Reynolds	Resident

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)

Resident Ken Huff suggested dividing the bunker in front of the green in two and adding a staircase or steps in the center to speed up play and make the bunker safer and more attractive. Asked if Mr. Huff's request was feasible, Mr. Vuknic replied affirmatively and stated he would obtain pricing.

THIRD ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- Irrigation and trimming of the common grounds were almost completed.
- Staff would soon commence removing shrubs on the berms; particularly the berm on Brixton Run, followed by the one on Lancaster.
- Flowers and pine straw were installed.
- Trimming on Hole #13 was currently underway.
- Oak and palm tree trimming was scheduled for November 15th.
- Spraying of the entire golf course commenced and remains underway.
- Shipping and inventory issues were ongoing, making it difficult to obtain a certain common fungicide.
- Pump House Bids: Wesco Turf inquired about and recently visited the pump house.
- The CDD vehicle needs a new motor and transmission, which would cost \$5,000.

Mr. Vuknic stated that he recently visited a dealership and researched purchasing a new truck. Discussion ensued regarding Mr. Vuknic's visit to the dealership, purchasing or leasing a new vehicle, municipal discount and not utilizing employee vehicles under any circumstances. Ms. Huff asked Mr. Vuknic to check prices at other dealerships and provide an update at the next meeting.

B. Golf Pro

Mr. Nixon reported the following:

- By the end of October, golf revenues are expected to be at \$15,000 to \$25,000.
- Staff accepted delivery of a new fleet of golf carts and new pieces. The bed-liner for the beverage cart is pending due to shipping issues.
- An accident recently occurred involving a golf cart and a vehicle on Brixton. The Sheriff reported that both the motorist and the individual operating the golf cart blamed the CDD because, in their opinion, a hedge in the common area was blocking their view.

Mr. Nixon asked if the golf course or CDD insurance would be involved. Asked if the CDD's insurance carrier was contacted, Mr. Adams stated not yet. The Board and Staff discussed the cause of the accident, the police report, line-of-sight (LOS) requirements, the Village of Estero's compliance codes, Manual of Uniform Traffic Control Devices, age of the

individual operating the golf cart and which entity's insurance would be involved. Mr. Nixon would review the documents to determine if additional language must be added for golf cart operators under 18 years of age. Mr. Nixon would forward the accident-related documents to Mr. Pires and Mr. Adams.

➤ Staffing: Mr. Nixon's golf assistant was recently hired by the City of Fort Myers and would be resigning, effective November 11th. Mr. Nixon reported that someone recently applied and would be hired.

Discussion ensued regarding the status of the Christmas Golf Cart parade, the tent and the HOA. Ms. Huff stated, as the HOA would be utilizing the CDD's tent, she would like the HOA to urge residents to purchase beverages from the concession stand instead of from Duffy's, unless purchasing hard liquor. Mr. Nixon would make sure the concession stand is staffed.

▪ **Update: Pro Shop Remediation**

This item, previously the Sixth Order of Business, was presented out of order.

Mr. Nixon reported the following:

- The Pro Shop remediation was complete.
- There was a leak in one of the walls a few Sundays ago that has since cleared up.
- The snack bar is up to standard.

Ms. Huff stated the landlord informed her that a forensic plumber was recently engaged to investigate the leak, at Duffy's expense. The District would not be billed for that portion of the remediation and Peyton has done an excellent job of redesigning the Pro Shop.

FOURTH ORDER OF BUSINESS

Continued Discussion: Common Area Landscape Maintenance

• **Outsourcing**

Ms. Huff stated the common areas are currently being maintained five days per week and Crosby reported that the number of negative resident calls and complaints about the landscaping decreased a lot. Mr. Vuknic recapped current landscaping issues, discussed the irrigation system and confirmed that the CDD needs to engage an Irrigation Technician.

Regarding outsourcing, Ms. Huff asked if the Board wanted to consider bids.

The Board and Staff discussed how the CDD assumed responsibility for the landscaping from the HOA, whether to outsource the landscaping or keep it in-house, the necessity of five-days per week maintenance, spraying and Mr. Vuknic prioritizing irrigation and maintenance of the common areas instead of overseeing the golf course.

- **Service Level Specifications**

Ms. Huff stated it is necessary to decide how many days a landscaper must be on site, what is expected of them and then publicize a request for proposals (RFP). She asked each Board Member to email their specifications to Mr. Adams by the end of next week. Mr. Adams stated he would like Mr. Vuknic to make sure the specifications from six years ago match up with what is currently being provided. The service specifications would then be revised and forwarded to the Board for review and feedback and then the RFP would be publicized.

The current landscaping costs and the Irrigation Tech position were discussed.

FIFTH ORDER OF BUSINESS

Update: Community Landscape Committee

Ms. Huff reported the following:

- Yesterday she met with Mr. Vuknic, Elizabeth and Scott, who provided a breakdown of vegetation removal in the intersections.
- Scott was informed that an Engineering firm was engaged to address the LOS issues.
- Scott stated that the berms must come down and that he would contact Johnson Engineering (JE), obtain information and make any necessary adjustments.
- The group discussed making changes and upgrades to the front entrance as well as two oak trees behind Duffy's. Scott would like the trees removed and replaced by a large flower bed but would hold off as the trees are a part of the golf course and not common grounds.
- There would be no new plantings until the intersections have been cleared.
- Ms. Huff would forward information to Scott and provide another update in January.

SIXTH ORDER OF BUSINESS

Update: Pro Shop Remediation

This item was presented following Item 3B.

SEVENTH ORDER OF BUSINESS**Update: Potential Sale of TAQ Building**

Mr. Pires stated he conferred with the TAQ representative. He referenced a handout, and reviewed the following conditions under which TAQ would consider selling the property to the CDD:

- Sales price of \$6,783,077, non-negotiable.
- Receipt of an executed Letter of Intent (LOI) no later than November 15, 2021.
- Receipt of an executed contract no later than December 15, 2021.
- Due diligence to April 15, 2022.
- Termination by the CDD anytime during the due diligence period for any reason or no reason.
- A closing date no later than April 29, 2022.
- A refundable deposit of 1% of the sales price.
- Delivery of documents by the seller to an appraiser of the CDD's choosing, with the materials designated and marked by TAQ as confidential trade secrets/trade secret information under Florida Statutes, confidential and exempt from public disclosure.
- Review of the designated and marked confidential trade secrets/trade secret information and materials, only by an appraiser, the Board Chair, the District Counsel and District Manager and they are to maintain the confidential and exempt status.

Mr. Pires noted that, under Florida Statutes, the release of information designated as trade secrets is a crime. He discussed language in Section 3 of the Fourth Lease of Addendum for the Pro Shop and voiced his opinion that Section 3 cannot be implicated, has not been activated and the CDD would still be viable and to include a line in the contract that it is still viable. He recapped that TAQ has not decided to sell the entire property, including the Pro Shop, the property is not for sale and the CDD has asked TAQ to consider selling the property to the CDD. TAQ has agreed to consider a sale of the property to the CDD even though it is not listed or being marketed for sale.

Mr. Pires stated the discretion point would be whether CDD Staff would be authorized to coordinate with TAQ before the next Board meeting and report back with a LOI to be executed and approved no later than November 15th and proceed with the remaining terms of

the transaction. Ms. Huff voiced her opinion that the CDD should not pass up the opportunity to purchase the TAQ building and a LOI should be drafted and considered at the next meeting.

Discussion ensued regarding the conditions of the sale, the golf course remaining public, the County, the bond, zoning documents, the LOI, the next meeting and the terms of the Pro Shop lease. Mr. Pires would check the County zoning records regarding how the golf course should be utilized and provide an update at the next meeting.

On MOTION by Mr. Olive and seconded by Mr. DeBrino, with all in favor, authorizing District Counsel to prepare a Letter of Intent by the next meeting and authorizing the Chair and CDD Staff to coordinate with TAQ Representatives regarding the purchase the TAQ Building, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2021

Ms. Huff presented the Unaudited Financial Statements as of September 30, 2021.

Discussion ensued regarding the Debt Service and Irrigation Funds, the concession stand, tent use by the HOA, annual membership passes and the increase in range costs.

On MOTION by Mr. DeBrino and seconded by Mr. Simonsen, with all in favor, the Unaudited Financial Statements as of September 30, 2021, were accepted.

NINTH ORDER OF BUSINESS

Approval of September 28, 2021 Regular Meeting Minutes

Ms. Huff presented the September 28, 2021 Regular Meeting Minutes.

On MOTION by Mr. DeBrino and seconded by Mr. Brady, with all in favor, the September 28, 2021 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Tony Pires, Esquire*

Ms. Huff stated she and Mr. Vuknic conferred with Mr. Willems about the easements for the sidewalk and the section that is owned by the CDD. She approved the sidewalk project and stipulated that the Village would be responsible for maintenance and its insurance would cover any slip and fall incidents. She reiterated that she met with the landscaper yesterday and the plan was to hold off on commencing any projects until the Village discloses its improvement plan for the area.

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

There was no report.

Ms. Huff responded to questions about constructing a wall along Corkscrew, working with the landscaper to install shrubbery, re-doing the walking path and berms and the HOA and the County. She confirmed that the holiday bonus was budgeted, inquired about the holiday luncheon and stated she would email Mr. Pinder for the October and November financials.

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: November 9, 2021 at 9:00 A.M.

- QUORUM CHECK**

The next meeting will be held on November 9, 2021 at 9:00 a.m.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

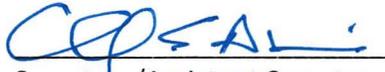
Discussion ensued regarding liens placed on properties with delinquent water bills, the recent accident involving the golf cart, the LOI and the Veterans Day golf event.

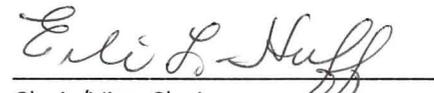
TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Olive and seconded by Mr. Brady, with all in favor, the meeting adjourned at 10:33 a.m.


Secretary/~~Assistant Secretary~~


Chair/~~Vice Chair~~