

**MINUTES OF MEETING  
STONEBROOK  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on December 14, 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 (via telephone)	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
Santo Listro	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:00 a.m. Supervisors Huff, Olive, DeBrino and Simonson were present. Supervisor Brady was not present at roll call.

**SECOND ORDER OF BUSINESS**

**Public Comments (5 Minutes)**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Golf Course Staff Reports**

**A. Golf Superintendent**

Mr. Vuknic distributed a Master Calendar indicating course closure dates and golf activities and a draft of the Common Grounds Landscape Contract, in tracked change format. The Calendar would be posted in the Pro Shop and sent to Mr. Brady to post on the website.

Mr. Vuknic reported the following:

- Changes to the draft Common Ground Landscape contract should be submitted to him so the final version can be reviewed at the January meeting, before it is sent out to bid.
- The sod company would be on site today to determine the amount of sod needed for the project and then add pine straw to the beds next week.
- The palms and hardwoods were trimmed.
- The specifications were reviewed with PSI who took measurements at the pumphouse yesterday. The process would be five months out, so it would occur in spring.
- Hole #13 Bridge: Two proposals were requested. He suggested installing a land bridge instead of a foot bridge, for safety reasons, which would require less maintenance and cost less. It would require splitting the bunker.
- The lake bank project throughout the golf course would be completed tomorrow and spraying would commence tomorrow.
- Hole #13: The palmetto area was cleaned out and weed spraying continues.
- Ropes were put on the course due excessive early play; footprints were observed on the putting green.
- The employee luncheon would be this Thursday at 11:30 a.m.
- Staffing: An employee may have to leave to take care of a medical issue and the common grounds position has not been filled.
- He chaired the local Caloosa GSCA Tournament, which raised \$27,000. Staff would be delivering items for Christmas dinners tomorrow to the three Boys and Girls Homes.

**B. Golf Pro**

Mr. Nixon reported the following:

- Financially, November was a great month and December was expected to be, as well.
- Staff: Work with Staff would continue as they are inexperienced in golf and are struggling to learn changes on the new operating system.

**Mr. Brady joined the meeting via telephone at 9:15 a.m.**

- Complaints: Monitoring checklists were implemented to resolve complaints about some of the bathrooms. He felt they were improperly planned and recommended hiring a full-time maintenance person. Ms. Huff thought a full-time maintenance person would be a good idea.
- Mr. Robert Conway is leaving Legends on December 28 to become the First Assistant at Colonial, where he was given the highest salary on record.
- The beverage cart is going to the graphic shop and should be finished by mid-January.

- The Master Calendar would be updated monthly and posted on the Golf Course and CDD websites.

**FOURTH ORDER OF BUSINESS**

**Update: Common Area Landscape Maintenance**

As discussed earlier, Ms. Huff asked the Board to review the draft Common Ground Landscape Maintenance contract and submit changes to Mr. Adams. The final draft version would be presented at the next meeting before it is sent out to bid. The decision whether to outsource the project would be made later.

**FIFTH ORDER OF BUSINESS**

**Update: Community Landscape Committee**

Ms. Huff reported the following:

- She informed Mr. Scott Smith that the CDD will be cleaning up and removing the shrubberies at the intersection because of an incident.
- Mr. Smith confirmed that he received the line-of-sight (LOS) survey from Johnson Engineering. Both representatives would attend the January meeting to discuss the LOS and the removal process suggested by Juniper before the CDD begins redoing all the landscaping.

Discussion ensued regarding clarifying that the current project is to address LOS issues, whether the Board considered this to be a four-year project and if reserve funds would be used.

Ms. Huff stated that nothing is finalized and noted that prior discussions were to about using reserve funds for the landscaping project and a portion of the bond funds, which will also fund the roadway project and to possibly purchase the building. Mr. Vuknic stated the project would be done in phases. He felt that it would take about a year to complete, especially with the current supply shortage issues.

**SIXTH ORDER OF BUSINESS**

**Consideration of Johnson Engineering, Inc., Professional Services Agreement for Stormwater Management Needs Analysis**

Mr. Adams presented the Johnson Engineering Professional Services Agreement. He explained that newly adopted legislation requires CDDs to complete the State formatted Stormwater Needs Analysis Report, which will be an engineering and accounting function. The first Report must be submitted by June 30, 2022 and then every five years thereafter.

**On MOTION by Mr. DeBrino and seconded by Mr. Olive, with all in favor, the Johnson Engineering, Inc., Professional Services Agreement to prepare the Stoneybrook CDD Stormwater Management Needs Analysis Report, in a not-to-exceed amount of \$12,650, was approved.**

Mr. Adams noted that this is an unbudgeted expense. The cost will be higher for the initial Report but should be less for the subsequent reports every five years thereafter.

## SEVENTH ORDER OF BUSINESS

### Update: Potential Sale of TAQ Building

- **Commercial Contract for Purchase Agreement (*to be provided under separate cover*)**

Referencing handouts, Mr. Pires highlighted major points to the Commercial Contract to Purchase the TAQ Building in the redline/greenline versions reflecting TAQ Counsel's edits and his own. He noted there were still some minor edits to be made. He reported the following:

- The Seller would provide all related documents involving the property to the CDD via a drop box.
- The Seller agreed to cooperate with completing the ASTM Environmental Site Assessment questionnaire for the Phase 1 or Phase 2 environmental audits, which is part of the due diligence process. The Consultant would determine if it is necessary to complete one for Phase 2.

Ms. Huff stated that she reviewed several iterations over the last month and voiced her opinion that this is a good contract to commence the due diligence necessary to purchase the property. Mr. Pires suggested authorizing the Chair to execute the contract, in substantially final form, in case of any other minor changes aside from what was discussed. Ms. Huff stated if anything causes a change in the basic contract, she would not execute the document.

Mr. Santo Listro recalled that a precise timeline was discussed at the last meeting and he thought the CDD would make a decision today so that there would be some type of contract by January. He asked if the assessment on the value of the property was done.

Mr. Pires stated that a precise timeline was discussed and explained that the Purchase Agreement is to be signed by tomorrow, which is this contract. The Purchase Agreement is provided for an appraisal but the appraisal is not a contingency; under the contract, the CDD can terminate the Agreement for no reason or for any reason. Ms. Huff stated that the CDD

has until April 14, 2022 to back out of the Agreement and have the deposit returned. She would prepare an article about the purchase to put in the newsletter to residents.

Discussion ensued regarding the purchase price, paying the 1% interest on Monday if the contract is executed and the seller’s ability to back out of the contract.

**On MOTION by Mr. Simonson and seconded by Mr. Olive, with all in favor, the Commercial Contract for Purchase Agreement, in substantial form, to include edits from today and any other minor edits, and authorizing the Chair to execute the final version, was approved.**

Mr. Pires stated that Mr. Adams contacted Carlton to work on the appraisal. Ms. Huff stated she would prepare a brief synopsis of the progress for Mr. Adams to send to the Board, prior to the next meeting. In response to a question regarding Sunshine Law, Mr. Pires discussed which documents were exempt from public record.

**EIGHTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of October 31, 2021**

Ms. Huff presented the Unaudited Financial Statements as of October 31, 2021. She reported the following:

➤ She felt that the CDD is in a better financial position to obtain a bond to purchase the property and for the roadway construction and landscape projects, as the CDD’s only debt is the bunker renovation bond.

Mr. Adams stated he expected the bond validation process to take three to four months. Since funds are needed in April 2022, he felt that the CDD would probably have to obtain a Bond Participation Note from a private lender to bridge the gap between payment and the time the validated bonds are issued. Mr. Pires gave a timeline of the bond validation process; he anticipated that the bond would not be issued until June or July, not April.

➤ Mr. Pinder was transferring the \$2,879 remediation expense, from the “CAM (paid to TAQ)” budget line item to the “Building maintenance” line item.

➤ Mr. Pinder was going to percentage out the “pay related group insurance” budget line item expenses between Mr. Vuknic and Mr. Nixon’s group.

Mr. Nixon asked if it is a good idea to pay off the Series 2019 Golf Course Note early, with the funds on hand, so they are not adversely affected when they close the golf course to

work on the greens, cart paths, bridges and various infrastructure and maintenance items, such as the wash pad. Ms. Huff stated there is no pre-payment penalty and asked Mr. Nixon to obtain proposals that can be considered once the season ends.

**On MOTION by Mr. DeBrino and seconded by Mr. Simonson, with all in favor, the Unaudited Financial Statements as of October 31, 2021, were accepted.**

**NINTH ORDER OF BUSINESS**

**Approval of Minutes**

**A. October 26, 2021 Regular Meeting Minutes**

Ms. Huff presented the October 26, 2021 Regular Meeting Minutes. The following change was made:

Line 156: Delete “the” after “though”

**On MOTION by Mr. DeBrino and seconded by Mr. Simonson, with all in favor, the October 26, 2021 Regular Meeting Minutes, as amended and to include changes submitted to Management after the meeting, were approved.**

**B. November 9, 2021 Regular Meeting Minutes**

Ms. Huff presented the November 9, 2021 Regular Meeting Minutes.

Mr. Adams was asked to include the Juniper landscape renovation presentation on the January agenda and to invite to Ms. Holmes, of Johnson Engineering, to attend.

**On MOTION by Mr. Olive and seconded by Mr. DeBrino, with all in favor, the November 9, 2021 Regular Meeting Minutes, as presented, were approved.**

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Tony Pires, Esquire***

Mr. Pires stated that Mr. Rooney, Counsel for the Village of Estero did not object to the CDD’s revisions to the Draft Sidewalk Easement document but left the vegetation discussion up to Mr. David Willems, who had not contacted him.

Ms. Huff stated that Mr. Willems contacted her and conveyed to her the Village’s request. She advised him that she would discuss it with the Board at the next meeting. She

noted that the Village does not have sufficient room to install a 10’ wide sidewalk at the section of the back gate and is undertaking the cost to put the powerlines underground for that section. The Village asked the CDD to consider doing that section of the common ground landscaping and the road in conjunction with them. The Village expects to start the project within the next nine months. She conveyed to Mr. Willems that, if the CDD agrees to this, the County would have to be involved at the same time, as it agreed to redo some of that road in coordination with the CDD’s project. Ms. Huff stated she would speak to Scott about what the CDD can do in that area, in conjunction with what the Village is going to do and what the County wants to do.

Ms. Huff stated the Village plans to remove the utility box and two wooden poles at the front gate that will serve no purpose, which would result in a better LOS. She responded to questions about the CCD portion of the project and confirmed that the underground utilities will be placed from the back gate and along Corkscrew to Waymouth to allow for the 10’ sidewalk.

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

There was nothing further to report.

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

- **NEXT MEETING DATE: January 25, 2022 at 9:00 A.M.**
  - **QUORUM CHECK**

The next meeting will be held on January 25, 2022 at 9:00 a.m.

**ELEVENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

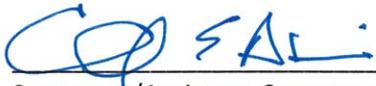
Mr. Brady asked if the cost for the Stormwater Management Needs Analysis Report would come from the general fund and if the golf course would have to pay a portion. Mr. Adams anticipated that it would come from the general fund.

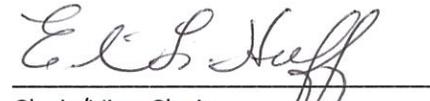
**TWELFTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Simonson and seconded by Mr. DeBrino, with all in favor, the meeting adjourned at 10:18 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair