

MINUTES OF MEETING  
STONEBROOK SOUTH  
COMMUNITY DEVELOPMENT DISTRICT

The Regular meeting of the Board of Supervisors of the Stoneybrook South Community Development District was held Monday, October 5, 2020 at 10:00 a.m. via Zoom Teleconference.

Present and constituting a quorum were:

Basan Nembirkow	Chairman
Robert DiCocco	Vice Chairman
Patricia Newberry	Assistant Secretary
Chris Manjourides	Assistant Secretary

Also present were:

George Flint	District Manager
Vivek Babbar	District Counsel
Dave Reid	District Engineer
Alan Scheerer	Field Manager

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order, all four Board members were present via Zoom constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: This is an opportunity for any members of the public to provide comment to the Board on anything on the agenda they would like to bring to the Board's attention. If you do have public comment, we ask that you state your name and address and try to limit your comments to three minutes. Is there any public comment at this time? I am not seeing or hearing any so we will move onto organizational matters.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2020**

Mr. Flint: We do have a vacancy on the Board created by a resignation. One of the Board members moved into Stoneybrook South at ChampionsGate and had to resign from this Board.

Any time there is a vacancy created during a term of office, the remaining board members appoint the replacement. This seat does have a term that expires in November. Effective the second Tuesday after the election this seat will expire. If you were to appoint someone today, you would end up having to appoint that same person or someone else again after the November election. Are there any nominations at this time for the vacancy?

Mr. Nembirkow: I would like to nominate Mr. Terry Siron if he is present.

On MOTION by Mr. Nembirkow, seconded by Ms. Newberry, with all in favor, Appointment of Terry Siron to Fulfill the Board Vacancy with a Term Ending November 2020, was accepted.

**B. Administration of the Oath of Office to Newly Appointed Board Member**

Mr. Flint: Mr. Siron, since we are conducting this meeting via Zoom, I cannot swear you in over the Zoom call. Although you have been appointed, you won't be able to actually vote but you may participate in the discussions. Effective the second Tuesday after the election next month, your term expires. The Board will either have to reappoint you or appoint someone else. In the meantime, we will send you the paperwork and everything that you will need. Any Notary can administer the oath or if you want to wait until the next meeting, I can do it. The Executive Order that allows the Zoom meetings is supposed to expire at the end of this month, and I don't anticipate that it will be extended again. If we meet in November it will be in person, but it will be too early because it will be before your term expires.

**C. Consideration of Resolution 2021-01 Electing Assistant Secretary**

Mr. Flint: Resolution 2021-01 appoints the new Board member as an Assistant Secretary. If you want to leave him in the same seat that his predecessor was in, you can adopt this resolution or you can reconsider officers. You are going to need to reconsider officers after the election. The Statutes require you to elect officers every two years. Although, you are appointing him as an Assistant Secretary if you adopt this, the Board will be reconsidering officers again after the election. Do you want to go ahead and appoint him as assistant secretary?

On MOTION by Ms. Nembirkow, seconded by Ms. Newberry, with all in favor, Resolution 2021-01 Electing Terry Siron as Assistant Secretary, was adopted.

**FOURTH ORDER OF BUSINESS****Business Administration****A. Approval of Minutes of the August 3, 2020 Meeting**

Mr. Flint: We've got approval of the minutes from the August 3, 2020 meeting. Did the Board have any comments or corrections of the August minutes? Hearing none,

On MOTION by Ms. Newberry, seconded by Mr. Nembirkow, with all in favor, the Minutes of the August 3, 2020 Board Meeting, were approved.

**B. Consideration of Check Register**

Mr. Flint: You have approval of the Check Register from July 27, 2020 through August 29, 2020. You have it for the general fund; checks 447-467 totaling \$90,029.78, and the payroll totaling \$738.80. The detailed register behind the summary. If the Board has any questions, we can discuss those. Otherwise, I'd ask for a motion to approve the check register.

On MOTION by Ms. Newberry, seconded by Mr. Nembirkow, with all in favor, the Check Register, was approved.

**C. Balance Sheet and Income Statement**

Mr. Flint: You have the unaudited financial statements through August 31, 2020. There is no action required by the Board, but if you have any questions, we can discuss those. We are basically 100% collected on our assessments which were all on roll on the tax roll. Our total expenditures are about \$20,000 higher than our prorated at this time, but that does include \$50,000 in capital outlay part or all of which was the instillation of two fountains earlier in the fiscal year. Any questions on the financials? Hearing none,

**FOURTH ORDER OF BUSINESS****Business Items****A. Consideration of Proposals for Installation of Fountains in District Ponds**

Mr. Flint: We had a request from a resident who is also on the Resident Advisory Committee for the Homeowners Association. He submitted some information and pricing to install additional fountains within the CDD. Is anyone on the phone to present the request? If not, I will turn it over to Alan to lead the discussion.

Mr. Scheerer: In the agenda is a map outlining pond 7, 8, 9, and 10. The only fountains that would pertain to the Stonybrook South CDD are the fountain request for pond #7 and pond #8. Pond #9 is the golf course. Included in your agenda package is two proposals from Lake

Fountain & Aeration, which was the same company that installed the fountains on 15 and 16. It is the same horsepower, 7 ½ horsepower. The pond #7 proposal is \$25,289.45 and the pond #8 fountain is \$27,777.20. This is a request from Mr. Roberts who, I believe, is president of the RAC (Resident Advisory Council). He asked that these be included for consideration by the Board at today's meeting.

Mr. Flint: Any discussion from the Board on the request? As you know we did install two, as Alan mentioned, earlier this year. Those were unbudgeted and these would also be unbudgeted if the Board chose to take any action. There was a similar presentation made to the Stoneybrook South at ChampionsGate CDD but because those items were not budgeted, they did defer any action on those until the Budget for Fiscal Year 2022, so they took no action at this point on the ones that would be installed there.

John (member of RAC): George, this is John. I don't think that Neil or Peter could attend. I had the understanding that those holes on the fountains that were discussed are actually on the front 9 which is a separate CDD. I had thought that the proposal for this CDD was for a fountain on the lake on the 18<sup>th</sup> hole.

Mr. Scheerer: That's correct. These are for the fountains on the 18<sup>th</sup> tee and the 18<sup>th</sup> green which are the Stoneybrook South CDD. As George mentioned, Stoneybrook South at ChampionsGate had their meeting, that had some additional fountains which were the ones you described. The #9 on the pond map is golf course owned and maintained. That would be something we would think the golf course would want to look at doing.

Mr. Flint: Alan, do we have the right proposals in this agenda?

Mr. Scheerer: The way they are listed, yes.

Mr. Manjourides: Is that across the street?

Mr. Scheerer: No, it is right outside the Oasis Club and Westside Blvd., turn left, it's that first pond there on your left. It is not across the street. It is in the same vicinity that we put the sidewalk, down off of Dove Valley.

Mr. DiCocco: I think we need a little more clarity in exactly what ponds we are talking about and who is responsible, with a map. So we are not confused about pond #7. I just want to make sure that is our responsibility.

Mr. Manjourides: One of the things I want to bring up, especially on hole 15, the electrical boxes that are in front of that pond are behind somebody's house. There should be

some kind of hedging or something in front of them. You never saw those before and now all of a sudden you have these big electrical boxes; it takes away from the sightlines.

Mr. Scheerer: That's a minor correction. We can screen those with a Podocarpus hedge or something. I will get with Down to Earth today and see about getting that happening.

Mr. Flint: What is the Board's preference? Do you want to defer action until next meeting?

Mr. DiCocco: I make a motion to defer to the next meeting so we can research it a little further.

On MOTION by Mr. DiCocco, seconded by Mr. Manjourides, with all in favor, Deferring Action on Proposals for Installation of Fountains in District Ponds, was approved.

**B. Consideration of Resolution 2021-02 Declaring Vacancies in Certain Seats**

Mr. Flint: As I mentioned, we do have a vacancy and it was the seat that Mr. Siron was appointed to. No one qualified to run for that seat. There were two seats up for election, but only one had someone qualify to run. The Board needs to declare that seat vacant as of the second Tuesday after the election in November. What will happen at that point, the incumbent in that seat can either carry over for a period of time until you appoint somebody else, you can re-appoint the incumbent in that seat, or you can appoint someone other than the incumbent. Part of the statutory requirement, because no one qualified to run for that seat, you have to declare it vacant. And that is what this resolution does. Any questions on the resolution? If not do we have a motion to approve Resolution 2021-02?

On MOTION by Mr. Nembirkow, seconded by Ms. Newberry, with all in favor, Resolution 2021-02 Declaring Vacancies in Certain Seats, was approved.

**C. Consideration of Agreement with Berger, Toombs, Elam, Gaines & Frank**

Mr. Flint: You all went through a bidding process per the statutes and you selected Berger Toombs to perform the annual independent audit for the District. You entered into engagement letters annually with them. This is for Fiscal Year 2020 which ended on September 30<sup>th</sup>. It is for a not to exceed fee of \$3,475. That is consistent with what they bid when you selected them and it is also consistent with your budget. Are there any questions on your engagement letter? If not is there a motion to approve?

On MOTION by Ms. Newberry, seconded by Mr. Nembirkow, with all in favor, the Agreement with Berger, Toombs, Elam, Gains & Frank to Provide Auditing Services for the Fiscal Year 2020, was approved.

**D. Presentation of Arbitrage Rebate Calculation Report**

Mr. Flint: The District is required to perform a calculation indicating we are not earning more interest than we are paying, making sure there are no arbitrage issues. You've engaged LLS Tax Solutions to perform that calculation on behalf of the District. You can see that we have a cumulative negative rebate requirement of \$1.7 million. So there are no arbitrage issues for the Series 2014 bonds. Any questions in the report? Is there a motion to accept the report?

On MOTION by Ms. Newberry, seconded by Mr. Manjourides, with all in favor, the Arbitrage Rebate Calculation Report, was approved.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Flint: Vivek do you have anything for the Board?

Mr. Babbar: No, but I am happy to answer any questions if there are any.

Mr. Flint: Are there any questions for District Counsel? Hearing none,

**B. District Engineer**

Mr. Flint: Dave Reid, do you have anything for the board?

Mr. Reid: I don't have anything to report this week.

Mr. Flint: Okay, are there any questions for the Engineer? Hearing none,

**C. District Manager**

Mr. Flint: We've already covered the financials. We indicated that you would need to reappoint or appoint someone to seat #1 after the election.

**D. Field Manager**

Mr. Scheerer: Included in the agenda was the Field Manager's Report for today's meeting. Architectural fountains, the lights in the fountains are working well. Irrigation inspections and repairs are being made as needed. We did have a request to remove the raised piece of concrete that we had shaved down last month that was causing some headaches for

golfcarts. We went ahead and had several pieces removed. You can see, there were a couple good sized tree roots underneath some of the cart path on 13 to 14 so that was removed and redone. We had the archway lighting at all the entrances checked. They were working as of this report. Also, the lake fountains are all working. Mulch installation is complete on most all CDD areas as of this report. We continue to meet with Down to Earth on a regular basis. We are monitoring all the sidewalks. The two palm trees on Double Eagle that were diseased were removed. The fert and pest team with Down to Earth has treated all the turf for turf weeds. The detail crews are working on removing tree suckers, trimming hedges, and lemming up street trees. They are going to start cleaning up all the Robellinis within that community and are getting ready to apply their fall granular fertilizer. They will be replacing annual next month but do not have an exact day for you. Non-specialty palms were trimmed in August and September. We have the entry monuments schedule for pressure washing later this month. I can try to answer any questions you all might have.

Mr. Nembirkow: A resident is concerned for the long run about the supporting timbers on the ponds 2, 9, 15, and 18. Maintenance and then if they go bad, is money being put aside?

Mr. Scheerer: I believe those are golf course. I talked to Chris Russel about that three weeks ago and I believe the retaining walls are there to support the golf holes and that would be something golf would be budgeting for, according to Chris.

Mr. Nembirkow: His question was is there a budget item set aside, because they could be kind of expensive if they went. What is the story with Westside Boulevard? What is the planning for it to go to four lanes? And if it does, will the county be responsible for a second tunnel underneath for the golf carts?

Mr. Reid: The county will determine when Westside Boulevard is widened. When they do their traffic studies or if there are other developments, they'll decide when it needs to be four lanes and the county will construct the additional two lanes. They will also extend the tunnel to accommodate those extra two lanes.

Mr. Nembirkow: That won't be any cost to us or the golf course?

Mr. Reid: No, because it is not required for our traffic.

Mr. Nembirkow: There is no date for that?

Mr. Reid: No date that I am aware of.



Mr. Manjourides: I have a couple of questions for Alan. One is, on the entrance of Dove Valley they replaced some of the sidewalk. I'm not sure if they are finished, but the rubber needs to be replaced there also.

Mr. Scheerer: Yes, the truncated domes on both of those locations will be replaced. We ordered them as soon as the work was done.

Mr. Manjourides: The other thing is, if you go over there and you are looking at Dove Valley from Oasis Boulevard, on the left side behind the bush they left three or four big pieces of concrete. They need to clean that up.

Mr. Scheerer: We'll have that taken care of.

Mr. Manjourides: Also, as you are coming down Double Eagle towards Oasis Boulevard, on the right there are areas of trees that they put mulch. The grass is growing through the mulch. They did not spray for the grass and they didn't put very much mulch. If you can get Down to Earth to look at those spots.

Mr. Nembirkow: I just got a text message about the trees. Missing palm trees on 27, where are we on that?

Mr. Scheerer: They did the ornamental palms back in June and July and they just finished up the Washingtonians, I will have to follow up where we are on the next palm tree trimming.

Mr. Nembirkow: I think it's the replacement trees. Where are we with that?

Mr. Scheerer: We are nowhere with that right now because as I stated before, we are not going to be able to replace any of the missing palm trees with palm trees because of the lethal yellowing disease that is in there. At previous meetings I have stated to the Board that that's not going to be possible because we would have to virtually dig up an entire area out there and replace all the soil to make that happen. So, there is currently no plan based on the protocols laid out because you can't do that anymore because of the disease without replacing all the earth underneath. We may not be replacing anymore palm trees as they die due to this disease.

Mr. Nembirkow: Thank you.

Mr. Flint: We talked about possibly looking at alternatives but there is not a good alternative that will have the effect that a palm tree would have. Maybe a Japanese blueberry or a magnolia.

Mr. Nembirkow: Maybe at the next meeting or two we can discuss what alternatives are available and what would add to the aesthetic rather than detracting from it. The entry is the focal



point and we don't want to have something put in its place that doesn't contribute to the overall aesthetics of that.

Mr. Flint: We will definitely add that to the next agenda. Any other discussion for field management?

Mr. Manjourides: I have one more thing for Alan. The fountain as you are coming in from 27 on the right, it keeps going off. Is there something wrong with the braker?

Mr. Scheerer: That I don't know, I have only found it off once since the last meeting. I will get someone out here to service it. We will get a service call out on that fountain.

Mr. Nembirkow: while we're on that fountain over there. It seems that the backside lighting on that fountain when you enter is being blocked by the shrub. I guess Down to Earth can take a look at it and see what can be done.

Mr. Scheerer: Alright.

Mr. Flint: Anything else? We will schedule a discussion of the ponds for the next meeting. We will clarify the map, proposals, and ownership. We will add proposals for alternative landscaping to the ponds that have been removed. Alan will follow up on the fountain that seems to be tripping and also the vegetation in front of the lighting and monument.

#### **SEVENTH ORDER OF BUSINESS**

#### **Supervisor's Requests and Audience Comments**


Mr. Flint: Any other Supervisor's requests? We do have another opportunity for audience comment as well. Are there any audience comments before the Board adjourns? I'm not seeing any audience comments.

#### **EIGHTH ORDER OF BUSINESS**

#### **Adjournment**

Mr. Flint asked for a motion to adjourn the meeting.

On MOTION by Ms. Newberry, seconded by Mr. Nembirkow, with all in favor, the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman