

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, February 7, 2022 at 10:00 a.m. at Oasis Club at ChampionsGate, 1520 Oasis Club Blvd., ChampionsGate, Florida.

Present and constituting a quorum were:

Robert DiCocco	Vice Chairman
Chris Manjourides	Assistant Secretary
Terry Siron	Assistant Secretary
Julia Dan Tu	Assistant Secretary

Also present were:

George Flint	District Manager
Vivek Babbar <i>by phone</i>	District Counsel
Dave Reid	District Engineer
Alan Scheerer	Field Manager

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order. Four Board members were present constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: Next is public comment period. There is a public call-in number with no participants, so we have closed that line. We will move forward with business administration.

**THIRD ORDER OF BUSINESS**

**Business Administration**

**A. Approval of Minutes of the December 6, 2021 Meeting**

Mr. Flint: First is approval of the minutes from December 6<sup>th</sup>. Did the Board have any comments or corrections to those? On the iPad in the upper right corner, you'll see a little bookmark tab. If you push on that, the sections are tabbed so you can skip around if you need to. So you don't have to scroll all the way through if you want to get to the financials. Any comments or corrections? If not, is there a motion to approve them?

On MOTION by Mr. Siron, seconded by Ms. Dan Tu, with all in favor, the Minutes of the December 6, 2021 Board Meeting, were approved.

**B. Consideration of Check Register**

Mr. Flint: You have the check register from November 29<sup>th</sup> through January 31<sup>st</sup> for the General Fund and the Board payroll and that total is \$2,482,994. A significant portion of that you will notice is the Debt Service assessment revenue that comes in from the County that we have to transfer to the Trustee and that is why that number is so large. Any questions on the check register? If not is there a motion to approve it?

On MOTION by Mr. Siron, seconded by Mr. DiCocco, with all in favor, the Check Register totaling \$2,482,994, was approved.

**C. Balance Sheet and Income Statement**

Mr. Flint: We also have the unaudited financials through December 31<sup>st</sup>. There is no action required by the Board. If you have questions on the financials, we can discuss those. You can see we've moved funds to a Capital Reserve Fund now per the adopted budget. On the balance sheet you see that we have \$1,153,764 in a Capital Reserve Fund that was transferred out of the General Fund.

Mr. DiCocco: George, does that continue to go up? I thought we were not allowed to accrue money.

Mr. Flint: No, we can accrue. There is not limit on reserves for Special Districts. And the reason we have that balance is there were some impact fee credits that came back from the credit for improvements that the CDD paid for, so the impact fee refunds came to the District and not to Lennar.

Mr. DiCocco: But does that continue? I thought it was like \$800,000 or something like that. Has it always been a million?

Mr. Flint: That was in the budget to move over. If we look at the statements of revenue and expenditures, you can see down at the bottom of page two, there is a transfer out from capital reserve of \$1,153,696.

Mr. DiCocco: Oh okay, that was the transfer out. I got it.

Mr. Flint: From the general fund to the capital reserve and now the capital reserve fund is established. We don't have an annual transfer out budgeted at this point to continue to contribute

to that reserve fund, but we have those funds set aside. And it can always be moved back, there is no restriction on the use of that money. If for some reason we need to move it back to the General Fund the Board can do that. Any questions on the balance sheet and income statement?

#### **FOURTH ORDER OF BUSINESS**

#### **Business Items**

##### **A. Discussion of Property Ownership Clarification**

Mr. Flint: We had Neil Roberts with the Country Club Homeowner's Association. I'm sorry, that's probably not the proper term. They've been going through ownership and responsibilities of certain parcels and there are a couple that are applicable to the Stoneybrook South CDD that they've asked if they should be in the District's name versus the HOA or Lennar's. We had a conference call at the end of last week with Alan, district engineer, and district counsel to go over the list. Dave, you want to hit on, I think two of the parcels are in Stoneybrook South.

*\*Inaudible discussion about the maps and parcels in the background.*

Mr. Flint: The CDD maintains the right-of-way along Oasis Club Boulevard, but all the internal roads are HOA. Then Westside Boulevard is the counties, but we maintain the right-of-way for Westside Boulevard versus the county because you wouldn't want the county's level of service for that. So, I guess there were two different emails. One dealing with the golf course ponds and their retaining walls and the other dealing with these two tracts. Do you want to hit on these two tracts first?

Mr. Reid: Yeah, I think we can take care of these first.

Mr. Flint: Okay, go ahead and explain what their request is.

Mr. Reid: Well, the pond tract should be CDD, that's Lennar right now. Lennar is going to transfer it and it needs to go to the CDD. Because the CDD maintains all the stormwater ponds.

Mr. Flint: We have all the other ponds.

Mr. Reid: And then the tract here, the question of that was, that's like a buffer tract along the west side and it's part of the condo development. So, the question there was should it go to the CDD for maintenance? I think if it's part of the condo development then the CDD doesn't need that, and it does not benefit the CDD. I think it should be in the HOA of the Condo.

Mr. DiCocco: I agree. We don't do anything else over there.

Mr. Flint: If it's not part of the stormwater system or the road right-of-way or the walls, I don't see why we would own or maintain that piece.

Mr. Manjourides: There was a pipe that broke over there at one time and it made a big gully and the HOA paid to have it fixed. It was a sewer pipe I believe.

Mr. Reid: The sewer from here goes down and connects to the right.

Mr. Manjourides: It had broken, dirt and everything came down and everything and they had to dig it out and everything, but the HOA paid for it. The CDD didn't pay for it.

Mr. Reid: That's all part of the private system.

Mr. DiCocco: So, Lennar has it right now?

Mr. Flint: Lennar has the stormwater pond.

Mr. DiCocco: Who has the other one?

Mr. Flint: The HOA.

Mr. DiCocco: Then it gets to stay there, right?

Mr. Manjourides: Yeah.

Mr. Flint: Unless there is a separate condo association.

Mr. Reid: Lennar is going to transfer them to somebody else.

Mr. DiCocco: Alright, so let them transfer that one to the condos and we'll take the other one because we do the reclaim ponds. It's pretty much a drywell over there. The one that's called a pond. It's right at the tee-box on eleven.

Mr. Manjourides: No, not that. This is the one that is behind the plaza.

Mr. DiCocco: You're right, I'm sorry.

Mr. Flint: So, can we have a motion that the one common tract next to the condos, our recommendation would be that it go to the association and then the stormwater pond tract we would accept, and we would direct counsel to work on the necessary conveyance documents to accept the stormwater tract. Is there a motion to that affect?

On MOTION by Mr. DiCocco, seconded by Mr. Siron, with all in favor, Taking Ownership of the Stormwater Tract and Directing District Counsel to Prepare Conveyance Documents While the Other Tract will be Given to the HOA, was approved.

Mr. Flint: There was another email regarding the retaining walls around the golf course ponds, and Dave is handing out some maps. The ponds themselves are intended to be owned by the CDD on the golf course, because they are part of the storm water system. However, the golf course has been maintaining those, not the CDD. We're going to go back and see if that

arrangement was formalized. There should be an agreement in place that authorizes the golf course to maintain CDD ponds. If there isn't, we're going to want to draft that agreement so that the golf course has the authority and the obligation to maintain the ponds. Which they are doing right now. As part of that agreement, we would argue that those retaining walls should be included in the golf courses responsibility because according to Dave they're not necessary for the functioning of the stormwater system. Some of them were put in based on aesthetic reasons or design reasons that could have otherwise been done differently. We're not sure if the argument is that because they are on the stormwater tract, they are our responsibility. Our argument would be that they are not necessary to the functioning of the system, and we wouldn't have otherwise constructed those so we don't believe we should maintain them. But we're going to have to do some follow up work on that.

Mr. DiCocco: I agree with George, I would look into the original agreement, and I would concur with you that it is their responsibility.

Mr. Manjourides: They are probably trying to give it to us because it's going to cost a lot of money.

Mr. Reid: And the other questions was, there are some golf holes, two and nine, and there are retaining walls around these tee boxes along the wetlands. They were all put in for the golf course and there are no stormwater ponds associated with fifteen and eighteen.

Mr. DiCocco: Well, two and nine fall under the CDD for K-Tract, don't they George?

Mr. Flint: If they are on the other side of Westside Boulevard, yes.

Mr. DiCocco: So, two and nine belong to the golf course now, but the CDD would act on those.

Mr. Flint: Correct.

Mr. DiCocco: But as far as fifteen and eighteen, I propose that we research the original agreement and then act accordingly but would recommend that the golf course continue the maintenance of both of those.

Mr. Flint: Alright, so I am not sure there is any action yet on that item. What we'll do is we will research weather there is a maintenance agreement because that was before my time and Vivek's time. Ideally, there would have been an agreement in place that they've been maintaining it. We just need to formalize that arrangement. And hopefully as part of formalizing that arrangement they are not going to push back and say, well we've been maintaining it all this time,

but now you guys maintain it. That'll be a start. I'll respond back to Neil Roberts with the action the Board took today and then the discussion on the retaining walls.

**B. Consideration of Proposal for Preparation of Stormwater System Report Per New Statutory Requirement**

Mr. Flint: Item 4B, I think we talked at a prior meeting that the legislature adopted some new requirements last legislative session that now require all governments including Special Districts to prepare certain reports associated with stormwater system and wastewater systems. We don't own any wastewater systems, so it really only applies to our stormwater system. The due date for that report is June 30<sup>th</sup>. We have asked District engineer to put together a proposal for what would be necessary to prepare that report. Dave, did you want to move forward with what you have or review it? How do you want to handle that?

Mr. Reid: I might be over thinking it in the scope of what we have to do, but I don't know if there are any drafts or reports that have been done.

Mr. Flint: Sorry I am just handing this out, it came in late Friday.

Mr. DiCocco: I have it in my agenda.

Mr. Flint: Oh it got added, I didn't know if Stacey got it on time to put it on the iPad.

Mr. Reid: So, I attached the scope of what the report is on the second page, and then I filled out the work authorization that describes all that work. George feels that the estimate I have come up with is a little high. I have not done one of these before, so I might be overthinking the scope. I am open to if there is a suggestion that George, if you think that based on other ones that you're doing, I'll adjust the fee.

Mr. Flint: The problem is, because this is a new requirement, no one really has a good feel for the expectations and the workload required. I am getting proposals ranging anywhere from \$2,500 up to \$34,000. Most of them fall in the range of \$15,000 to \$17,000. This is the highest one we've seen and again, I think everyone is trying to figure out. Poulos & Bennett are coming in at \$15,000 to \$17,000 and Osceola Engineering is at \$2,500 but those are for newer Districts. This is the highest quote we have seen. We have the scope in the legislation, but we don't know what level of detail they are really looking for. The sad thing is, in my experience these reports are just going to sit on a shelf and no one is ever going to really even look at these. We have to do what are called public facility reports every five years. We send them to the county, but I don't think they even know what they are supposed to do with the reports. I think this is probably going to fall

under the same category. I don't want to defer this too much longer because you only meet every other month and I think your next meeting would be in April. Or are we meeting in March?

Mr. Manjourides: I think that my feeling is we should do the cheaper one to see if that qualifies.

Mr. Flint: Well, the cheaper one doesn't apply to this. Those are the District engineers for the other CDDS.

Mr. Manjourides: No, I'm saying you said, \$15,000...you know what I'm saying? This one says \$34,000.

Mr. DiCocco: A middle ground, basically.

Mr. Manjourides: As long as it qualifies for what we need to do. There is no reason to spend more money because it's not for us, it's for them, right?

Mr. Flint: Stoneybrook, your District is probably going to be a little more workload because of the age of the District and the size. It's smaller than Stoneybrook at ChampionsGate, but Stoneybrook at ChampionsGate is newer. The information is more readily available. So, the work effort on this one I think maybe a little bit more than a newer District and maybe even more that Stoneybrook South at ChampionsGate, but still, I don't know that it rises to the level of the amount in this proposal. If you're comfortable and the Board is comfortable, you can do a not to exceed number and just gear your effort toward the amount that's budgeted.

Mr. DiCocco: Where does the budget come from on this?

Mr. Flint: Well, we'll probably have to do it out of the capital reserve money, and it's appropriate to do that. If you did a reserve study or something like that, normally you fund those out of the same pot of money that you actually fund the improvements out of. So, it's not a budgeted item, the Board is going to have to do a budget amendment at the end of the year to fund it anyway.

Mr. Reid: What I can do is, we can do half of that. Say 17 for this one. I can do it for that, it's just the level of detail. That's the hourly effort I'll put into it. So, there's a cap on it, honestly, I'm not worried about it. I can do a not to exceed that.

Mr. Manjourides: As long as it qualifies for what we need to submit.

Mr. Flint: I think once we submit in June and we start getting comments back, we'll know more. I'd almost rather err on the side of a little less effort than more effort and let them tell us

they need more information because then you may incur expenses for a level of detail that they don't even need.

Mr. DiCocco: And like you said, somebody is going to give it a look over and say okay, put it on a shelf.

Mr. Flint: Yeah, maybe. I mean I might be wrong, maybe this will be an active tool that is used but I am a little bit skeptical.

Mr. Manjourides: Can we do something to the tune of not to exceed \$10,000 and use that as a starting point?

Mr. Flint: I'd rather do a little higher, then if he can do it for ten, he does it for ten.

Mr. Reid: We can do a do not exceed, let's say we did the seventeen and if I can do it for ten, I'll do it. And that's kind of how I do most of my other work. It's just hourly with an overall budget. This one I do have a lot of questions about, the interpretation of the scope and how you address that. And then with this one with all the different areas and ponds and all that stuff, I budgeted field time to take pictures of all the structures and almost like an update to the maintenance, the kind of report that I do in June for the annual report. so this is kind of going to take some of that effort. I could use most of that information for the June report. So, I have to do two reports.

Mr. DiCocco: Okay, here's my question. That \$34,000, was that just our piece and not Stoneybrook South at ChampionsGate?

Mr. Reid: I have them for all of them.

Mr. DiCocco: So, that cost would be split then, right?

Mr. Flint: No, there's two separate reports.

Mr. DiCocco: That's my question, is this just for ours?

Mr. Flint: Yes, it's just for yours. There's another proposal for the same amount for Stoneybrook South at ChampionsGate, we're going to have the same discussion at 11:30, probably.

Ms. Dan Tu: Based on your experience, could you just do the most basic case. The minimum?

Mr. Reid: I really don't know. My experience is you can't do it for \$2,500. But when I write my reports, when we start a CDD and I do my Engineer's report, which kind of addresses cost, development, and all that stuff, they are \$10,000 to \$12,000 to \$15,000 in time to do all of



that. And then the reviews, the attorneys review it, Lennar reviews it, and I've also put in here that I will submit the report the first of June so that you all can review it and if anybody has anything or any comments that we can incorporate that for the final report. I have time in there for addressing your comments. I think that \$15,000 is a reasonable number for this. It may save me time for the June report because I've already gone through it, but it depends if I don't include what I normally include in the June report, then I would put less into here to save for that report.

Mr. Manjourides: Why don't we do a not to exceed of fifteen.

Mr. Flint: Is there a motion to that affect?

On MOTION by Mr. Manjourides, seconded by Ms. Dan Tu, with all in favor, a Not to Exceed \$15,000 for the Engineer to Prepare the Stormwater Systems Report, was approved.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Flint: Okay, staff reports; Vivek, do you have anything from District Counsel?

Mr. Babbar: I just want to let the Board know that we are monitoring the legislative session that began January 11<sup>th</sup> and is scheduled to conclude March 11<sup>th</sup>. A few bills have been filed that may impact the CDD. Nothing out of the ordinary or that would result in a significant expense like the stormwater report right now. Obviously, that can always change. There can be amendments to bills, they can sneak something in. Two I will highlight, just for the sake of brevity. They haven't really gone anywhere quite yet, but it's possible that they can pick up or have action taken on them. One would automatically suspend the in-person quorum requirements in the event the Governor declares a state of emergency. So basically, the special authorization that we had during COVID times would automatically be in effect. It was presented last year as well and didn't go anywhere, but it's possible that it could take some action this year. Anytime there's not a state of emergency, we still need an in-person quorum requirements. So, three people present at a meeting. The other is looking to increase the quality payment discount if you pay a tax bill early. Currently, everyone eligible to have a 4% discount if they pay in November, that would jump up to 6%. It's great in theory, but the CDD like most other governments, we create our operating budget and then we gross it up based on collection costs and discounts and in the end it will probably result in an increase for residents, not really an increase in the budget, but it would be a little bit of a complicated thing to do and it is likely just because it's an election year that it got presented.

Mr. Flint: Vivek, let me just explain on that issue. So, right now for the CDD to collect \$100 we assess \$106. That's because the county charges 2% to use the tax bill and then we have to allow for the 4% discount. So, we have to assume that everyone pays in November. So, if they are going to increase the 4% to 6%, we are going to have to increase from \$106 to \$108. It ultimately would just result in higher assessments. It will help on your property taxes, on your ad valorem property tax bills but on your non ad valorem.

Mr. Babbar: Yes, thanks for explaining that, George. We'll monitor the session and provide updates and if there is anything significant, we'll provide a written memorandum and go over that in a future Board meeting. That's all I have for the Board, and I am happy to answer any questions if there are any for me.

Mr. Flint: Any questions for counsel? Hearing none,

**B. District Engineer**

Mr. Flint: Dave, anything else?

Mr. Reid: No, I have nothing additional.

**C. District Manager**

Mr. Flint: I don't have anything.

**D. Field Manager**

Mr. Flint: Field manager's report, Alan.

Mr. Scheerer: Included in your agenda pack is the Field Manager's Report for this month. A lot of it is kind of redundant. Fountain lights, archway lights, irrigation inspections, new annuals were installed. The lake fountains; as far as I know, they are all working just fine. I know I talked with Mr. Manjourides before the meeting, and he gave me some of his wonderful photography classes this morning on some mildew and a few flickering lights. Again, we are struggling sometimes with the letters individually working on the ChampionsGate, so we are working on that. He says that the 27 fountain every once in a while, is off. I come out here every week and I see it on, so possibly someone is resetting the breaker. As the Board realizes, this happened a few months back. We had the fountain company out here and they found no amperage issues, no other issues as to why the breaker would be tripping. I thought it was all working fine, but possibly not. So, we will continue to work on that. Dry ponds are scheduled to be maintained at the end of the month. We continue to meet with Down to Earth, the irrigation repairs. I don't know if any of you all got

the email blast that was sent out last month, I think Down to Earth did one about having to shut the reclaim down for a couple of days. They had some work to do. That didn't really affect us too bad at all and then it came back up the next couple of days as they said. F&P crews are working on the turf and plants, selective weed control and Saint Augustine, and ant mounds as needed. When we get rain, the next day usually when it gets warm, we get the ants that pop up, so we will continue to treat those as we go. There was some mildew stuff growing on the Bella Citta monument. We did all the neighborhood monuments last year. We pressure washed them and had them all painted so we will start with Bella Citta, and we'll start pressure washing all the entry monuments and there is some stucco damage that we are going to get fixed as well. The plan is for the budget for 2023 would be to repaint all the archway entrances and also paint the architectural fountain in the 2023 budget. We can probably do it this year, but we are just trying to keep it in the budget so everybody knows where the money is coming from. So we sill look to do the three main entrances here and all the archways.

Mr. Manjourides: The archways, do they clean those too?

Mr. Scheerer: We'll have them all pressure washed in advance.

Mr. Manjourides: But do they do the lights?

Mr. Scheerer: They'll pressure wash the lights; they'll clean everything. Because those are LED light strips. So, it's not like a lightbulb.

Mr. Manjourides: I'm just wondering because the glass is all mildewed.

Mr. Scheerer: We typically don't go in and remove the glass unless we're doing a repair.

Mr. Manjourides: I'm saying the outside.

Mr. Scheerer: I can have that done. That will all be washed. Some of that stuff might be internal too because they are 3D lights. You know, they are the boxed lights. We'll clean them all up and make them look pretty for 2023 and as you know we are coming into budget season. Probably at your April meeting we will be talking about 2023 already. Our office has been talking about it since December. We'll be adding some capital projects to your list since we did all the neighborhood monuments already. Chris, thanks for your pictures. I look forward to them every two months.

Mr. Flint: Any other questions for Alan? Hearing none,

## **SIXTH ORDER OF BUSINESS**

## **Supervisor's Requests**

Mr. Flint: Any other issues or Supervisor requests? Anything else we need to discuss before the Board adjourns?


**SEVENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Flint: If there is nothing else, is there a motion to adjourn?

On MOTION by Mr. Siron, seconded by Mr. DiCocco, with all in favor, the meeting was adjourned.

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman