

**MINUTES OF MEETING
STONEBROOK SOUTH AT CHAMPIONSGATE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Stoneybrook South at ChampionsGate Community Development District was held Monday, November 7, 2022 at 11:30 a.m. at the Oasis Club at ChampionsGate, 1520 Oasis Club Blvd., ChampionsGate, Florida 33896.

Present and constituting a quorum were:

Adam Morgan	Chairman
Rob Bonin	Vice Chairman
Logan Lantrip	Assistant Secretary
Jarred Cornell	Assistant Secretary
Barry Bichard	Assistant Secretary

Also present were:

George Flint	District Manager
Kristen Trucco	District Counsel
Amanda Udstad	District Engineer
Alan Scheerer	Field Manager
Michelle Barr	Lennar Homes

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order and called the roll. Five Board members were in attendance constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Administration of Oaths of Office to Newly Elected Supervisors

Mr. Flint: I do need to administer the oath of office to Mr. Morgan who was just reelected. Adam, as a citizen to the State of Florida and of the United States of America, and as an Officer of the Stoneybrook South at ChampionsGate CDD, do you hereby solemnly swear and affirm that you will support the Constitution of the United States and the State of Florida?

Mr. Morgan: I do.

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Mr. Flint: Thank you.

B. Consideration of Resolution 2023-02 Canvassing and Certifying the Results of Landowners' Election

Mr. Flint: Next is Resolution 2023-02 canvassing and certifying the results of the Landowner election. The Board sits as the canvassing Board for purposes of certifying the election results. Just prior to the Board meeting we had the last Landowner election for Stoneybrook South at ChampionsGate. Mr. Morgan was elected with 500 votes and will serve a four-year term. Any questions on the resolution? If not, is there a motion to approve it?

Mr. Morgan: I will make a motion.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Resolution 2023-02 Canvassing and Certifying the Results of Landowners' Election, was approved.

C. Election of Officers

Mr. Flint: After each election, the statute requires that you elect officers.

D. Consideration of Resolution 2023-03 Electing Officers

Mr. Flint: Currently Mr. Morgan is Chairman, Mr. Bonin is Vice Chair, and the other three Board members are Assistant Secretaries. I am Secretary, Jill Burns is Treasurer, and Katie Costa is Assistant Treasurer.

Mr. Morgan: I would like to make it the same, please.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Resolution 2023-03 Electing Officers as stated above, was approved.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the October 3, 2022 Meeting

Mr. Flint: Next is approval of minutes from the October 3, 2022 meeting. Did the Board have any comments or corrections to those?

Mr. Morgan: It all looks good. I will make a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Minutes of the October 3, 2022 Meeting, were approved.

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FIFTH ORDER OF BUSINESS

Ratification of Series 2020 Requisition #7 & Consideration of Series 2020 Requisition #5

Ms. Trucco: Next is ratification of Series 2020 Requisition #7 and the consideration of the Series 2020 Requisition #5. The Requisition #7 is for Hamilton Engineering and Requisition #5 is to reimburse Lennar Homes, LLC for acquisition of construction. Any questions on #7 or #5?

Mr. Morgan: I will make a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Ratifying Series 2020 Requisition #7 & Approving Series 2020 Requisition #5, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Agreement with Berger, Toombs, Elam, Gaines and Frank to Provide Auditing Services for the Fiscal Year 2022

Mr. Flint: Next is the agreement with Berger, Toombs, Elam, Gaines and Frank to perform the District's annual independent audit. They were selected by the Board as the District's independent auditor. This is for the audit for Fiscal Year 2022. It looks like there is a typo in their price. I think it is supposed to be \$3,375.

Mr. Morgan: I will make a motion to approve based on correction of the typo.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Agreement with Berger, Toombs, Elam, Gaines, and Frank to Provide Auditing Services for the Fiscal Year 2022, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Landscape Maintenance Agreement with Down to Earth Landscape

Mr. Flint: Next is the Landscape Maintenance Agreement with Down to Earth, as we discussed in the previous meeting, Down to Earth has come forward with a request for a 20% increase in their contract. We would recommend the Board approve this agreement but authorize us to go out to bid for landscape maintenance services.

Mr. Morgan: The same as we have already discussed, Rob. Are you good?

Mr. Bonin: How long have we known about this?

Mr. Flint: A week or two.

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Mr. Scheerer: Yes, right before the agendas went out, they sent this to me via email and I sent it right over to George. I had a conversation with the CEO, Tom Lazzaro, and I told him that it would have been best if they had just held their price for at least 12 months because I have let them know that probably next year, we would be bidding them out at all the CDDs: ChampionsGate, Shingle Creek at Bronson, and anywhere else that we had them. Again, they agreed to hold their price for the month of October at the old rate for now.

Mr. Morgan: Basically, the rate prior was around \$200 and now it is \$250? Is that what I am guessing at? \$250 includes the 20%, right?

Mr. Scheerer: Yes, the previous rate was about \$17,364.05 and then they added a 20% on to that.

Mr. Morgan: So, it went up \$3,000 per month?

Mr. Scheerer: Yes.

Mr. Morgan: Okay.

Ms. Barr: Do you think they are trying to get out?

Mr. Flint: No.

Mr. Flint: They are making a bad business decision is what they are doing.

Mr. Scheerer: Yes, really bad. I made it clear in my conversation with them that this was not a good business decision. This is not the way you do work.

Mr. Flint: All you have to do is drive through the community and see their performance.

Mr. Bonin: Do you have the same map?

Mr. Scheerer: Not with me, I don't have any other maps with me.

Mr. Bonin: Can you shoot it to me?

Mr. Scheerer: Yes sir.

Mr. Bonin: What about RFP?

Mr. Scheerer: This is over the bid threshold, so we would have to do a formal advertisement in the paper, like George talked about earlier, 30 days in the paper.

Mr. Bonin: What is the bid threshold?

Mr. Flint: \$200,000. The last time we bid it out we bid it jointly with Lennar for the club, and with the HOAs we did a joint bid. I thought it worked pretty well, that process. I am not sure with the turnover of some of the HOAs and then some of them in the process of turnover. There are different management companies now; there is not just one.

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Ms. Barr: Really the country club is all we have to worry about.

Mr. Flint: Okay. If we can get first residential on the country club on Board. I think they have extended to the end of the year. Did you say that they had extended it to the end of the current year?

Mr. Scheerer: Yes, the first service said that they had extended them through the end of the year, December 31, but there is also a new proposal from Down to Earth to extend it beyond that and I guess they have got another company that they received a quote or quotes from that I'm not agreeing to.

Mr. Bonin: What is the rule on the threshold? You don't know you are over \$200,000 until you bid it out, right? \$17,000 a month is \$204,000.

Mr. Flint: If you think that you are going to be over then the safe course of action is to do the formal process because if you end up being over, you are going to have to go back and have to redo it.

Ms. Barr: There are going to be higher bids too, for sure.

Mr. Flint: Yes, the price is going to go up.

Mr. Scheerer: We still have additional areas on X Tract, Fox North, and Westside Boulevard that aren't included in that.

Mr. Bonin: What's the rule? If you bid it out and you get two bids under \$200,000 and four bids over \$200,000, what do you do?

Mr. Flint: If the contract that you enter into is less than \$200,000, then you don't have to do the formal bid. We are not bidding it out solely on the price.

Mr. Bonin: What?

Mr. Flint: We are not bidding it out solely on price and we don't know where they are going to come in. They could all be over \$200,000, some could be below, and some could be above.

Ms. Barr: Will this be based on the current contract price?

Mr. Flint: No, it is on the bid coming in.

Mr. Scheerer: The ideal time when I talked to Down to Earth was next year, but this was before any of this materialized because we would do it in April, right? This way when we adopt our proposed budget in May, we already know what that number is going to be and then the final

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budget in August and the contract would start October 1st, but this came in about 10 days or 14 days ago. The plan was already to bid them next year.

Mr. Morgan: My recommendation is to approve, so that we don't get the situation where we're in a gap like the other one and then make a motion to approve based on the fact that we are going to issue RFPs.

Mr. Bonin: When will the RFPs be ready to go out?

Mr. Flint: Our goal would be to get them back before the end of the calendar year. We want it on the street 30-days.

Mr. Bonin: Could we get this out to bid in the next two weeks?

Mr. Flint: Yes, if we are bidding it on our own, we can do that. The question would be the other parties, if we are going to do a joint bid, how much that might delay.

Mr. Morgan: At this point, is it wise to keep a joint venture or should we move off on our own?

Mr. Flint: In an ideal world, it would be because we've got a lot of areas that are right next to each other and if you don't have the same cut the same day each week, there are going to be arguments.

Ms. Barr: We can coordinate easily with you guys, that is not a problem.

Mr. Morgan: We can get them on board pretty quick?

Ms. Barr: 100%.

Mr. Flint: We can use the document we used last time, but we would have to modify the maps and the cost tables to add the additional areas.

Mr. Morgan: Let's go for it, Rob.

Mr. Bonin: Bid it out?

Mr. Morgan: We are going to approve this budget based on issuing an RFP.

Mr. Bonin: A public RFP or a non-public RFP?

Mr. Flint: I think we need to do public.

Mr. Bonin: That is what I am saying, can that get out in two weeks?

Mr. Flint: Yes, we have to write a notice in the paper, so there is some lead time on that, but that is a few days. Without the 20% increase, I would be recommending we bid it out because of their performance. You just have to drive through the community, and we have been beating up

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on them, meeting with their owners, and it has not resulted in any improvement in their performance.

Mr. Bonin: All of Fox property, Cherry Lake installed that. Is Cherry Lake doing the boulevard, westside?

Mr. Morgan: Yes.

Mr. Flint: It might be an ideal candidate to bid on it, if they think they can handle the size. We could break it up also, if need be. We can structure it so that we can break it up.

Mr. Richard: I would think that we would need to, like whoever the new company is, we would need to chunk it out to them. Think about how big this place is.

Mr. Bonin: On the HOA side, Michelle, are we getting close from Cherry Lake for maintenance?

Ms. Barr: We have not put it out to bid yet on the HOA side. You mean for the one-year maintenance on the installs?

Mr. Bonin: Yes.

Ms. Barr: No, we haven't started that yet.

Mr. Richard: We are trying to, whoever the installer is in a new area, take Fox North for instance, Cherry Lake has the contractor install it, then we want Cherry Lake to have the first year to eliminate the warranty gap.

Mr. Scheerer: That makes it easy and then we don't have to include it in the RFP notice.

Mr. Flint: We may end up being below.

Mr. Scheerer: No, we won't be.

Mr. Flint: Okay.

Mr. Scheerer: We are already over \$200,000 right now.

Mr. Flint: Without it?

Mr. Scheerer: Yes, we are \$204,000, like Rob says.

Mr. Bonin: The HOA side, we can do whatever we want.

Mr. Morgan: Alright, I will make a motion to approve based on the issuance of the RFP.

On MOTION by Mr. Morgan, seconded by Mr. Bonin, with all in favor, the Landscape Maintenance Agreement with Down to Earth Landscape, was approved.

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EIGHTH ORDER OF BUSINESS

Consideration of Conveyance of Real Property and Improvements

- A. Resolution 2023-04 – from Lennar Homes (Stoneybrook South North Parcel – Phase 5 Plat and Fox North Plat)**
- B. Resolution 2023-05 – from Len-CG South (Stoneybrook South Phase 3 Plat and Tract X Plat)**

Mr. Flint: Conveyance of real property, Kristen?

Ms. Trucco: Absolutely, in your agendas are two resolutions, 2023-04 and 2023-05. I'll introduce these together because the documents attached in the resolutions are identical except for a few differences including that in 2023-04, this is for the conveyance of real property and improvements from Lennar Homes, LLC to the District for Stoneybrook South north parcel Phase 5 plat and for the Fox North plat. For Resolution 2023-05 we have the conveyance of real property improvements from Len-CG South, LLC to the District and that is for Stoneybrook South Phase 3 plat and the Tract X plat. The conveyance documents are attached to the resolutions. Again, they are the same for each, just those differences of the grantor in these specific tracts where we have a special warranty deed that transfers the real property from the developer to the District. Then, we have a bill of sale, which transfers the infrastructure improvements. Following that, we have our agreement regarding taxes and our owner's affidavit, which are certifications from the developer so that there are no outstanding taxes or incumbrances on the real property improvements that would hinder the ability of the District to own and maintain them. Following them, we have the certificate of the District engineer, this is a requirement under the initial bond documents for the District including the Acquisition Agreement and this is just a certification from the District engineer that this conveyance was in accordance with the original development plans for the CDD and including the recorded plat and that all of the improvements have been constructed up to the Districts standards for acceptance and ownership of those. If you have any questions, I can take them now. I would say that we are looking for a motion to approve these resolutions in substantially final form since I am still waiting for the District engineer. Once I get that back, I can proceed with recording those.

Mr. Morgan: Can we make a motion to approve both at the same time.

Ms. Trucco: That is fine.

Mr. Morgan: I will make a motion to approve both resolutions.

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On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Resolution 2023-04 from Lennar Homes and Resolution 2023-05 from Len-CG South, was approved.

Mr. Morgan: Thank you, Kristen.

NINTH ORDER OF BUSINESS

Discussion of Pending Plat Conveyances

Mr. Flint: Any other pending plats or conveyances that we need to discuss?

Ms. Trucco: I think that this wraps it up. I have been emailing with Gary about the remaining tracts that still need to come to the CDD, so I think this is it.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Anything else, Kristen?

Ms. Trucco: That's it from me, thank you.

B. Engineer

Mr. Flint: Amanda, anything?

Ms. Udstad: No.

C. District Manager's Report

i. Approval of Check Register

Mr. Flint: You have the check register for the general fund and Board compensation totaling \$29,208. 56. Any questions on the check register?

Mr. Morgan: I will make a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: You have the unaudited financials through September 30th. If there are any questions, we can discuss those.

Mr. Morgan: We have \$9,000 left in the construction fund? Am I reading that right?

Mr. Flint: It says negative \$9,000.

Mr. Morgan: Negative \$9,000?

Mr. Flint: I need to find out why we have a negative \$9,000.

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Mr. Morgan: There is no action required on that, right?

Mr. Flint: Yes, and there is no money left.

Mr. Morgan: No money left, okay.

ELEVENTH ORDER OF BUSINESS

Other Business

Mr. Flint: Any other business or Supervisor's request?

TWELFTH ORDER OF BUSINESS

Supervisor's Requests

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

Mr. Flint: Is there a motion to adjourn?

Mr. Morgan: I will make a motion.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the meeting was adjourned.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, rescinding the adjournment, was approved.

Mr. Flint: We'll reconsider the adjournment of the Stoneybrook South at ChampionsGate Board meeting. We will rescind the motion to adjourn the meeting and we've got a proposal from Alan to repair a miter dam on one of our dry ponds. Barry, if you want to present that.

Mr. Bichard: In the repairs in the Tract K pond, we have a proposal from Cordero Services dated October 26th in the amount of \$15,370. It appears to be a complete bid. We are recommending approval to move forward with Cordero.

Mr. Morgan: Did we have any other responses?

Mr. Scheerer: We did, but they were higher.

Mr. Morgan: Barry, you and Alan, do you all think this is the one to go with?

Mr. Scheerer: Yes.

Mr. Bichard: We agree, yes.

Mr. Morgan: Rob, you good?

Mr. Bonin: Yes.

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Mr. Morgan: I will make a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Cordero Proposal, was approved.

Mr. Flint: Now is there a motion to adjourn?

Mr. Morgan: I will make a motion to adjourn.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the meeting was readjourned.

George Flint

Secretary/Assistant Secretary

Adam Morgan

Chairman/Vice Chairman