

**MINUTES OF MEETING  
STONEGATE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stonegate Community Development District held a Regular Meeting on June 15, 2022 at 6:30 p.m., at the Malibu Bay Clubhouse, 1020 NE 34<sup>th</sup> Avenue, Homestead, Florida 33033.

**Present at the meeting were:**

Joe McGuinness	Chair
Alberto Eiras	Vice Chair
Mariela Figueroa	Assistant Secretary
Arthur Goessel	Assistant Secretary
Michel Granobles	Assistant Secretary

**Also present were:**

Daniel Rom	District Manager
Michael Pawelczyk	District Counsel
Juan Alvarez (via telephone)	District Engineer
Victor Castro	UNUS Property Management
Arnaldo Sosa	Resident
Francisco Lopez	Resident
Sindo Canales	Resident
Anna Coward	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 6:38 p.m. All Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Public Comments: *non-agenda items***

Resident Francisco Lopez voiced his opinion that the lake erosion issues and his neighbors' lack of gutters are causing the cracks in and outside his home. He conveyed his frustration as he discussed these issues with many parties trying to get them resolved.

Mr. Alvarez noted his conversations with Mr. Lopez and inspection of the property at which he identified several issues pertaining to the slope, lack of gutters and foundational cracks. He suggested Mr. Lopez attend this meeting and engage an Engineer to inspect his home, as it might be a problem with the foundation under his home that is not due to lake erosion.

Mr. Castro circulated photographs and the following topics were discussed:

- Stress Cracks: Ms. Figueroa and other Board Members reported having the same issues in that neighborhood. Ms. Figueroa noted that this is a builder issue that she and other homeowners had to resolve themselves; it is not a CDD matter.
- Gutters: Although not a CDD issue, the Board suggested the HOA send a letter to the neighboring homeowner advising of their obligation to keep the water on their property. It was suggested that the HOA mediate between the homeowners.
- The obligation is to ensure CDD lakes have a 4:1 slope, in accordance with the permit.
- The CDD cannot repair the slope until the homeowners correct their drainage issues.  
As some conversation was in Spanish and translated, Mr. Castro will meet with Mr. Lopez.

**THIRD ORDER OF BUSINESS**

**Discussion/Consideration**

**A. True Blue Pools, Estimate #22-01436 for Pool Upgrades**

Mr. Castro presented the updated True Blue Pools estimate of \$355,572, which included the additional deck expansion and retaining wall costs, a result of combining both projects. The estimate was below the original cost estimate of \$420,000 for both projects.

Mr. Castro reviewed the scope of work, responded to questions and noted that the proposal was provided to Mr. Alvarez to determine if there are any overlapping items in the proposals and the Capital Improvement Plan (CIP).

**Mr. Alvarez joined the meeting at 7:05 p.m., via telephone.**

Mr. Alvarez reported the following:

- The City still needs to approve the Site Plan and the application must be resubmitted once the remaining two open permits are closed, which is expected to be done next week.
- Once the Site Plan is approved, construction plans must be prepared.
- The True Blue Pools estimate seemed reasonable but this is not an immediate project.

Discussion ensued regarding final engineering, permitting and total project costs, request to lock in TrueBlue’s rates, timeline and the sequence to obtain final approved site and construction plans. The consensus was for Mr. Pawelczyk to incorporate certain parameters into the Agreement for both parties to review and to present it at the next meeting.

**B. Armando Garcia Land Service, Inc. Estimate #1834 for Red Plant Replacement**

Mr. Castro presented the estimate to replace the copper leaf plantings around Lake #3 with green island ficus, which will affect the overall esthetic appearance of the area.

Conversation ensued regarding maintenance and maintenance frequency for the new plants and adjusting removal and installation costs for Zone 7, as installation in certain areas should be deferred until the construction project is completed. Mr. Castro will advise Mr. Garcia that the replacement project will affect the CDD's existing maintenance contract, as less maintenance will be needed. It was noted that the CDD is only invoiced for services provided.

**On MOTION by Mr. McGuinness and seconded by Goessel, with all in favor, authorizing Mr. Rom and Mr. Castro to negotiate with Mr. Garcia regarding Armando Garcia Land Service, Inc., Estimate #1834, to perform the work as identified, except areas of Zone 7, and to update the estimate to add the costs to trim the red plants in other areas, in a total not-to-exceed cost of \$20,000, was approved.**

**C. Luxe Control, LLC Estimate No. 377 for Clubhouse Wifi Upgrade**

Mr. Castro presented the estimate to upgrade the Clubhouse Wifi. After inspection of the entire system, it was determined that the cost of the upgrade and cameras are expected to be than the \$25,000 approved. He reviewed the scope of work for the overall project and noted the proposal for the cameras is pending, as the vendor is researching what product is best for certain areas. In addition, he approved a proposal of about \$800 for inspection of the entire system but still expects the final costs to be within budget.

**Mr. Granobles left the meeting at 7:37 p.m.**

**On MOTION by Mr. McGuinness and seconded by Ms. Figueroa, with all present in favor, Luxe Control LLC, Estimate No. 377, for the Clubhouse Wifi Upgrade, in the amount of \$8,861.28 plus the additional proposal of approximately \$800 for inspection of the entire system, for a combined not-to-exceed amount of \$10,000, was approved.**

**D. Modified Fee Schedule for Facility Rental Agreement**

Mr. Rom presented a redline edited version of the Club Malibu Bay Facility Rental Agreement and the modified fee schedule.

Mr. Rom distributed Mr. Goessel's emailed comments and recommendations on various matters. Based on the Clubhouse improvements being considered, he felt that the fees should be adjusted accordingly.

**Mr. Granobles returned to the meeting at 7:42 p.m.**

The Board and Staff reviewed the Annual Member Rate, rental fees, language and formatting in the document. Mr. Castro gave an overview of various procedures.

Mr. Goessel listed the suggestions in his email regarding credit cards and incorporating a pricing structure for weddings and organizations to entice renters. Mr. Castro was in favor of this but suggested tabling the wedding item until certain outside projects are completed.

Mr. Castro will incorporate the changes and present an updated Facility Rental Agreement at the next meeting.

**FOURTH ORDER OF BUSINESS**

**Consideration of Lift Station Tract P  
Conveyance to City of Homestead**

- A. Estates at Mendicino Plat *(for informational purposes)***
- B. Resolution 2022-04, Authorizing the Proper District Officials to Execute a Quit Claim Deed and All Other Necessary Conveyance Documents Necessary for the District to Convey the Lift Station Tract at Tract P, Estates at Mendicino, to the City of Homestead (“City”); and Providing for an Effective Date**
- C. Agreement *(to be provided under separate cover)***

Mr. Pawelczyk explained that, while preparing a Quit Claim Deed in response to the Waterstone Development’s request to convey its lift stations, the City also prepared one for this CDD. He noted that Mr. Rom is waiting on a response from the City regarding access to maintain landscaping outside the fenced area. Mr. Rom was asked to notify Mr. Julio Bren of the Board’s decision not to pursue this, as it did not see any benefit to doing so, and to also notify him that the Board is open to further dialogue during a CDD meeting.

**FIFTH ORDER OF BUSINESS**

**Discussion Items**

- A. Update: Pool Permit**
- B. Fiscal Year 2022/2023 Budget**

Mr. Rom highlighted the line item changes reflected in the updated proposed Fiscal Year 2023 budget and the assessment levels that, when compared to the budget at the last meeting,

only increased slightly from about \$118 to about \$123 per unit. An Assessment Comparison table for Fiscal Years 2015 to 2022 was offered.

Mr. McGuinness expressed concern that, although assessments are increasing, the CDD is not building sufficient fund balance to be able to complete other projects. He believed a formula in the projected budget column is incorrect and the correct amounts are not reflected. Mr. Rom stated he would review this and provide an update to the Board.

It was noted that homeowners should be informed that for several years the Boards decided against increasing assessments, which resulted in not building up the fund balance.

Discussion ensued regarding budgeting and funding future projects and unforeseen repairs, which will necessitate increasing assessments every year.

- **Consideration of Resolution 2022-05, Rescinding Resolution 2022-02 In Its Entirety; Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**  
**This item was an addition to the agenda.**

Mr. Rom presented Resolution 2022-05. Mr. Pawelczyk stated that the Board can approve the proposed Fiscal Year 2023 budget to set the maximum assessment level and set the Public Hearing; the budget can be changed up until it is adopted at the public hearing.

Ms. Figueroa conveyed homeowners’ questions regarding whether there is a potential to recoup funds by suing the prior property management company. It was noted that a lawsuit would be costly and might not guarantee a favorable monetary outcome.

**On MOTION by Mr. McGuinness and seconded by Mr. Goessel, with all in favor, Resolution 2022-05, Rescinding Resolution 2022-02 In Its Entirety; Approving a Proposed Budget for Fiscal Year 2022/2023, as presented, and Setting a Public Hearing Thereon Pursuant to Florida Law for September 14, 2022 at 9:00 a.m., at the Malibu Bay Clubhouse, 1020 NE 34<sup>th</sup> Avenue, Homestead, Florida 33033; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consent Agenda Items**

Mr. Rom presented the following:

- A. Acceptance of Unaudited Financial Statements as of April 30, 2022**

**B. Approval of May 3, 2022 Regular Meeting Minutes**

**On MOTION by Mr. Granobles and seconded by Ms. Figueroa, with all in favor, the Consent Agenda Items, as presented, were accepted and approved.**

**SEVENTH ORDER OF BUSINESS****Staff Reports****A. Operations Manager: *UNUS Property Management***

- **Allstate Resource Management, Inc., Mitigation Area Management Report**

Mr. Castro distributed the Management Report and highlighted the following:

- The remaining two open permits were expected to be closed by next week. The missing painting contractor was located and is expected to execute a new permit tomorrow.
- Preparation work for the storage shed will commence on Monday and is expected to be installed within the next two weeks; the site plan was approved and the permit is open.

Mr. Castro presented proposals to repair the roof leak. The Board reviewed the proposals and directed Mr. Castro to repair one leak, obtain proposals to repair the other three areas and contact T&S Roofing for a proposal to repair the three other areas of the flat roof and the entire Clubhouse roof, since it has not been repaired.

**On MOTION by Mr. McGuinness and seconded by Mr. Granobles, with all in favor, authorizing Mr. Castro to proceed with patchwork repairs of the existing leak and the Hardtop Roofing revised proposal for the remaining repairs, in a not-to-exceed amount of \$7,000, was approved.**

- Collected \$240 in rental fees since May 1, 2022.
- Received 96 rental registrations in the last 45 days, for a total revenue of \$525.

**B. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.***

Mr. Pawelczyk reported that Mr. Goessel qualified to run for a seat in the November 2022 General Election. He reminded the Board to file Form 1 by the July 1, 2022 due date.

**C. District Engineer: *Alvarez Engineers***

Mr. Alvarez reported the following:

- The two open permits must be closed so the application for the Site Plan can be submitted to the City before the end of the month; otherwise, the City will close out the process.

➤ Power Enterprise Electrical Corporation is unable to do the electrical project that the Board approved at the last meeting.

Mr. Alvarez requested approval to hire the second firm, TSTC, which is about \$5,000 more. As sufficient funds are available to cover the cost increase, Mr. McGuinness recommended proceeding with the project. The proposal will be emailed to Mr. Rom and Mr. Pawelczyk.

**On MOTION by Mr. McGuinness, and seconded by Mr. Eiras, with all in favor, the TSTC proposal, to install electrical connections to the aeration systems, in a not-to-exceed amount of \$14,880, was approved.**

**On MOTION by Mr. McGuinness, and seconded by Mr. Eiras, with all in favor, rescinding the previously approved Power Enterprise Electrical Corporation proposal, was approved.**

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

Mr. Rom responded to a follow up question about CDD responsibility to maintain the storm drains. The CDD is under contract with Allstate Resource Management, Inc. The yearly inspection was recently completed and the Report deemed all drains to be in good condition. Due to heavy rain, flooding was reported at 1620 N.E. 36<sup>th</sup> Avenue. The map showing the CDD’s maintenance responsibilities will be updated prior to the public hearing in September.

**I. 1636 Registered Voters in District as of April 15, 2022**

**II. NEXT MEETING DATE: August 2, 2022 at 6:30 P.M.**

- **QUORUM CHECK**

The next meeting would be held on August 2, 2022.

**EIGHTH ORDER OF BUSINESS**

**Supervisors’ Requests**

There were no Supervisors’ requests.

**NINTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to discuss, the meeting adjourned.

**On MOTION by Ms. Figueroa and seconded by Mr. McGuinness, with all in favor, the meeting adjourned at approximately 9:56 p.m.**



Secretary/~~Assistant Secretary~~



Chair/Vice Chair