

**MINUTES OF MEETING  
STONEGATE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stonegate Community Development District held Public Hearings and a Regular Meeting on September 13, 2023 at 11:00 a.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
Yoniel Boza	Assistant Secretary

**Also present were:**

Daniel Rom	District Manager
Michael Pawelczyk	District Counsel
Liza Smoker	Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
Juan Alvarez	District Engineer
Victor Castro (via telephone)	Field Operations
Jennifer Puerto	Resident
Hernan Chavez	Resident
Manuel Quinones	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:02 a.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments: non-agenda items**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Discussion: Board Direction for Pool  
Renovation RFP**

Mr. Rom stated Staff is coordinating with True Blue Pools (True Blue), the pool maintenance vendor, to secure a proposal for pool renovations. True Blue expressed interest in performing the work but efforts by True Blue to provide a payment and performance bond, which is required per Florida Statutes due to the value of the contract, were unsuccessful. Mr. Rom asked for the Board's permission to advertise a formal Request for Proposals (RFP) for pool renovations to generate further interest.

Ms. Figueroa asked for an estimated project timeline. Mr. Alvarez stated it could take about ten weeks to award the contract and six months to put together a construction schedule. Starting today, the pool renovation project would take a total of approximately nine months to complete. He suggested including verbiage in the RFP package stating that the pool equipment is separate from the contract and engaging a contractor to do everything except for the items that only True Blue can do, excluding the mechanical plans for the pool equipment, and allowing True Blue to enter into a separate contract to facilitate that component. Mr. Castro stated the CDD has a company to do the pool, it just needs a vendor to construct the retaining wall. Mr. Pawelczyk stated, legally, it will be necessary to appoint/engage an individual to coordinate the different contractors working on the project.

Discussion ensued regarding construction permits, waiving the performance bond requirement, verbiage in the RFP package, the full RFP, True Blue, equipment plans, whether to separate the pool project into two or three components, a prime/general contractor and the project timeline.

Mr. McGuinness expressed frustration that upgrading the pool has been ongoing for two to three years and that it might take another nine months for the work to officially commence. He thinks the Board needs to consider a plan B, such as splitting the work into three projects.

Mr. Alvarez stated the project can be split in two parts, one being pool equipment and the pool water and the other being the pavers and the wall, but not into three parts. The RFP is going to be publicly bid but a "plan B" might include doing the pool work and putting the equipment in a place that does not depend on building the wall. He suggested engaging a prime contractor and allowing True Blue to do the pool and the mechanical, including obtaining the necessary permit.

The Board and Staff discussed soliciting proposals from vendors, the bid process, what to do if the CDD cannot find a prime contractor, eliminating the deck expansion portion and a not-to-exceed amount for the mechanical plans.

**On MOTION by Mr. McGuinness and seconded by Mr. Goessel, with all in favor, allotting a not-to-exceed payment of \$25,000 to True Blue Pools to provide plans, subject to True Blue issuing a credit to the CDD for the plans if the CDD enters into an agreement with them to do the pool equipment work, was approved.**

The Board directed Staff to advertise an RFP for a General Contractor based on the plans and utilizing the expertise of the District Engineer.

Asked about the proposal timing, Mr. Rom stated Staff must first obtain the plans from True Blue and then produce and transmit the RFP to the newspapers, which needs a lead time of 10 days. Mr. McGuinness lamented that the project will not be completed by the summer of 2024, based on the project timeline, and that the Clubhouse will be closed all summer. Mr. Rom stated the Board will be apprised of when the RFP packages go out and Staff will provide periodic updates.

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

#### **Consideration of Armando Garcia Land Services, Inc., Specifications and Estimate for Updated FY2023 Lawn Maintenance Services**

Mr. Rom distributed a proposal from Armando Garcia Land Services, Inc., which includes plant trimmings for Lakes 3 and 5 for \$27,150, and a revised total of \$128,772.90.

Mr. Castro recapped an opinion by Mr. Garcia that it is in the CDD's best interest to have the lakes trimmed a minimum of three times per year, including cleaning out the plant beds every time that work is performed. He explained that the \$27,150 is the yearly total for three cuts for the two lakes; the price could increase if there is one additional cut, depending on rainfall and how the fiscal year falls. Trimming is necessary to keep the plants at a certain size, ensure fullness and deter weed growth, which suffocates the plants.

Discussion ensued regarding the contract, cost increase and if it is necessary to have plants around the lakes.

**On MOTION by Mr. McGuinness and seconded by Mr. Eiras, with all in favor, the Armando Garcia Land Services, Inc., proposal, in the amount of \$101,612.90, as presented, including ad-hoc approval by the District Manager and Operations Manager for plant trimmings at Lakes 3 and 5, only as requested, was approved.**

**FIFTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2023/2024 Budget**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Rom presented Resolution 2023-07 and reviewed the proposed Fiscal Year 2024 budget. The only change since the last meeting was the allocation of \$160,000 that was set aside for a playground, to the Unassigned Fund Balance, as directed by the Board.

**On MOTION by Mr. McGuinness and seconded by Ms. Figueroa, with all in favor, the Public Hearing was opened.**

Resident Manuel Quinones voiced his concerns about too many cost increases and asked the Board to consider delaying the playground project one year and using those funds to address pressing issues, such as the pool.

Discussion ensued regarding the CDD’s list of priorities, the Clubhouse, lakes, playground, pool and gym access and unassigned fund balance.

Mr. Rom read an email from resident Rosa Doran into the record, as follows:

“I would like to voice my concern about the CDD meeting being held at a time when most residents are working. I noticed the proposed increase on the tax bill yet have not received the

budget for Malibu Bay. I would like my disapproval for any increase to be noted in the minutes for this meeting. Thank you in advance.”

Mr. Rom stated he responded to an email received from resident Jose Lopez regarding the increase. Regarding the timing of the meetings, Mr. Rom stated the Board held a meeting in August to give residents the opportunity to voice their opinions pertaining to the budget and only a handful of residents attended. Meetings are scheduled at least six times per year beginning at 6:30 p.m. This meeting is being held at 11:30 a.m., due to the conflicting schedule of a Supervisor who does not have normal working hours and because the budget Public Hearing meeting must be held within a certain week to utilize the County Property Appraiser’s office for assessments.

**On MOTION by Mr. McGuinness and seconded by Ms. Figueroa, with all in favor, the Public Hearing was closed.**

Mr. McGuinness discussed the assessment, the CDD’s challenges, items that must be maintained, unassigned fund balance and the projects he would like to prioritize in the coming year.

Discussion ensued regarding lake maintenance, pool upgrades and maintaining reserves for future projects.

Mr. McGuinness asked for the following adjustments to be made to the Fiscal Year 2024 budget:

- General Fund Budget “Unassigned Fund balance – ending (projected)” line item: Change to \$200,000
- O&M Assessment: Increase by \$182.52 per unit

**On MOTION by Mr. Eiras and seconded by Ms. Figueroa, with all in favor, Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; as amended and such that the per unit assessment increase is not to exceed \$182.50, Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Imposition of Special Assessments for Operations and Maintenance for Fiscal Year 2023/2024, Pursuant to Florida Law**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

**On MOTION by Mr. McGuinness and seconded by Mr. Boza, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. McGuinness and seconded by Ms. Figueroa, with all in favor, the Public Hearing was closed.**

Mr. Rom presented Resolution 2023-08 and read the title.

**On MOTION by Mr. McGuinness and seconded by Mr. Boza, with all in favor, Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consent Agenda Items**

- A. Acceptance of Unaudited Financial Statements as of July 31, 2023**
- B. Approval of August 1, 2023 Regular Meeting Minutes**

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

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Operations Manager: UNUS Property Management**

There was no report.

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

• **2023 Legislative Update**

Mr. Pawelczyk presented a Legislative Memorandum from his firm and discussed the ethics training requirement beginning January 2024. There is also a new requirement for contracts to include punchlist costs and a ban on the use of prohibited applications on devices.

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

There was no report.

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

• **NEXT MEETING DATE: October 3, 2023 at 6:30 PM**

○ **QUORUM CHECK**

The October meeting will likely be canceled.

**NINTH ORDER OF BUSINESS**

**Supervisors' Requests**


There were no Supervisors' requests.

**TENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Ms. Figueroa and seconded by Mr. McGuinness, with all in favor, the meeting adjourned at 12:58 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair 2/6/24