

**MINUTES OF MEETING
BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS**

The Boards of Supervisors of the Brooks of Bonita Springs & Brooks of Bonita Springs II Community Development Districts held a Joint Special Meeting on **Thursday, January 30, 2014 at 1:00 p.m.**, at **The Commons Club at The Brooks Enrichment Center, 9930 Coconut Road, Bonita Springs, Florida 34135.**

Present for Brooks CDD were:

James Merritt	Chair
Jim Ward	Vice Chair
Rollin Crawford	Assistant Secretary
Phil Douglas	Assistant Secretary
Bob Bonner	Assistant Secretary

Present for Brooks II CDD were:

Joseph Bartoletti	Chair
James Strecansky	Vice Chair
Jack Meeker	Assistant Secretary
Ray Pierce	Assistant Secretary
Gary Davidson (<i>via telephone</i>)	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Dave Robson	Johnson Engineering
Dan Cox	District Counsel
John Asher	Taylor Morrison
Steven Farah	Lee County
Anura Karuna-Muni	Lee County

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:04 p.m., and noted, for the record, that all Supervisors were present, in person, for The Brooks of Bonita Springs. Supervisors Bartoletti, Meeker and Pierce were present, in person, for The Brooks of Bonita Springs II. Supervisors Davidson and Strecansky were not present at roll call.

Mr. Merritt explained that he requested a meeting of both CDDs to clearly understand the response given by the county to the Districts' request, at the October meeting, for further clarification with regard to what Lee County is proposing.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items only*)

There being no public comments, the next item followed.

JOINT MEETING ITEMS

THIRD ORDER OF BUSINESS

Discussion: Pebble Pointe

******This item, previously the Fourth Order of Business, was presented out of order.******

Mr. Merritt indicated that Mr. John Asher, a representative from Taylor Morrison, will present information regarding the new Pebble Pointe project, specifically with regard to a marketing sign.

Mr. Asher stated that he is the Land Development Director for Taylor Morrison, for Southwest Florida. He referred to a site plan for Pebble Pointe and noted that, although the plan is conceptual, it will not change significantly. Mr. Asher indicated that a permit modification was submitted to SFWMD and the Lee County Development Order plans are in progress.

Mr. Asher advised that Pebble Pointe will have 90 single-family homes, compared to the 200 condominiums that Oakbrook Properties was proposing; therefore, the density will be lower. The homes will primarily be one (1)-story, possibly two (2). The project is adjacent to the interstate and Taylor Morrison is trying to maximize the number of units.

Mr. Merritt inquired about the planned amenities. Mr. Asher advised that amenities will be minimal but pool packages will be offered to buyers. He noted that Taylor Morrison has an extensive line of pool and backyard amenities. There will be a small park in the back and an open area in the front, with pavilions and, possibly, a dog park.

Mr. Asher pointed out the location of the entrance to Lighthouse Bay and where the road ends. He explained that Coconut Road will be extended, which is a Lee County public right-of-way, and a cross section will be built, per Department of Transportation (DOT) plans. The landscaping will be extended and be similar to the existing landscaping. Mr. Asher indicated

that Taylor Morrison would maintain the landscaping; however, if it is more efficient and beneficial, maintenance may be performed by the CDD.

With regard to stormwater, Mr. Asher stated that Mr. Tilton received a copy of the application and it is being reviewed. Mr. Asher noted that there will be no impact on Lighthouse Bay; control structures will be in place to limit the community's discharge. He indicated that negotiations are in progress with Bonita Springs Utilities (BSU), for water and sewer. Mr. Asher pointed out that it may be necessary to loop the water line, in which case, the engineers will perform directional boring under the berm, to make the tie-in, in a location that is acceptable to BSU. He confirmed that the project will have no interconnection with Copper Leaf.

Mr. Asher referred to a conceptual rendering of the proposed project identification sign and noted that the monument will be approximately 4' tall, with a low row of landscaping underneath. Mr. Asher requested feedback from the Boards and asked if the monument sign would be acceptable. He noted that, although the Boards may approve it, Lee County DOT must also give approval, which is difficult to obtain.

Mr. Merritt noted possible line of sight problems. Mr. Asher advised that the landscape architects will determine if the monument should be located farther back, or be shorter.

In response to a question from Mr. Bartoletti, Mr. Asher confirmed that Copper Leaf's utilities will not be utilized.

Mr. Bartoletti asked if Lighthouse Bay should be concerned about anything with regard to the lift station. Mr. Asher explained that the lift station is an existing Lighthouse Bay lift station.

******Supervisor Davidson joined the meeting, via telephone, at approximately 1:15 p.m.******

With regard to the berms for Lighthouse Bay and Copper Leaf, Mr. Bartoletti advised that the CDD is currently responsible for maintenance and exotic material removal and has planted the trees. Mr. Bartoletti asked if a fence will be installed, at the bottom of the berm, or if residents will be lead to believe that the land going up the berm is their land and that they may intrude upon it. Mr. Asher indicated that the developer would want to ensure that, if the berm is not buffered or fenced, it is well maintained, which is something that they could work together on. Mr. Asher stated that it may be enhanced with native, natural vegetation or it may be buffered. Mr. Bartoletti voiced his concern that vegetation planted by residents may become obtrusive, depending upon how strong the neighborhood association is.

Mr. Asher stated that Taylor Morrison is strict, from an association standpoint, with regard to planting. The association will be responsible for landscaping. Mr. Bartoletti voiced his opinion that separation will be essential.

Mr. Asher pointed out that access will be required and there are no easements on the property; therefore, whatever is proposed, with regard to maintenance, allowance must be made for access.

Mr. Asher asked if the CDD's property is adjacent to the public right-of-way. Mr. Adams stated that the CDD has easements down the berms, on both sides. Mr. Merritt noted that the CDD has a 20' easement that cannot be developed.

Mr. Bonner noted that The Brooks residents invested a huge amount of money in the infrastructure, landscaping, etc., and there is a strong feeling among residents that, if the sign is installed, the perception will be that the development is part of The Brooks; however, Taylor Morrison did not pay for the infrastructure. Mr. Asher stated that, from a zoning standpoint, Pebble Pointe is part of The Brooks. Mr. Bonner pointed out that the CDD is currently maintaining the property where the sign is proposed to be installed; therefore, someone must maintain around the sign. Mr. Asher agreed.

*****Supervisor Strecansky arrived at the meeting, in person, at 1:20 p.m.*****

Mr. Adams explained that the community monument signs, flowers, etc., are maintained by each neighborhood. The area around the monument is maintained by the CDD.

Mr. Merritt indicated that he had conversations with Mr. Asher, who is not looking for a final decision today; however, he is seeking to establish open dialog with the CDDs and The Brooks community with regard to developing a "good neighbor" policy.

Mr. Ward inquired how this property became part of The Brooks. Mr. Merritt stated that it is part of the original Land Development Order. He explained that Mr. McArdle recognized that there was a greater potential use for this particular property than residential development and it was carved out, in a funnel shape, for the purpose of an eventual flyover I-75.

Mr. Ward asked if the monument sign will be confusing to Lighthouse Bay. Mr. Douglas remarked that he was not prepared to answer, at this time and he stated that there are signs, within The Brooks, that indicate where Lighthouse Bay is located but Mr. Asher is saying that there is no other location for this sign. Mr. Douglas voiced his opinion that it would not hurt

their community because it is fully built out. Mr. Douglas commented that his first reaction is not negative.

Mr. Bonner advised that most of the signage, throughout The Brooks, is at the gate. When driving down Coconut Road or Three Oaks Parkway, there are wooden signs identifying each community; therefore, it would break tradition to place the monument sign far from the front of the gate.

Mr. Ward voiced his opinion that it would have been more appropriate to place the sign at the end of the gatehouse to Lighthouse Bay. Mr. Asher stated that a smaller sign will be placed there, as well. Mr. Asher stressed that the monument is for marketing purposes.

Mr. Bartoletti stated that he would be more comfortable with having the monument at the entrance to the community and supporting a project identifier that is temporary in nature.

Mr. Bonner questioned the reason for Mr. Bartoletti's discomfort with having the sign in the proposed location. Mr. Bartoletti stated that it is confusing as to what it is representing, since there is no obvious entrance to anything.

Mr. Crawford voiced his opinion that the way to reach Pebble Pointe would be more obvious to people driving on Coconut Road or Three Oaks Parkway and it is to everyone's benefit to make that development more successful. Mr. Bartoletti felt that, if the Districts support banners, along with Lee County, the same purpose is achieved because the CDDs want Taylor Morrison to develop their property and be successful but, once the homes are built, everyone knows where they live and their visitors will be told what to do, so there is less of a need to have a monument in that location.

Mr. Asher reiterated the difficulty in obtaining approval from Lee County.

Mr. Asher was asked if he was considering a smaller monument sign at the entrance to Pebble Pointe. Mr. Asher replied affirmatively.

Mr. Strecansky inquired about the size of the houses that will be built. Mr. Asher advised that the homes will range from 2,400 to 3,600 square feet, the space between the homes will be 10' or 12' and the lots will be 50'.

Mr. Strecansky asked about plans for the excess water that cannot be retained on site. Mr. Asher explained that the water will go into Lighthouse Bay and there will be a control structure that limits it to the original design quantities. Water quality treatment will be performed on site. Mr. Asher pointed out that the lakes were made smaller, in order to fit the site

plan, so the elevations were increased slightly, which necessitated a control structure to hold back the additional water.

Mr. Strecansky recommended that Mr. Asher appear before the Estero Planning Panel, particularly for the sign.

Mr. Merritt advised Mr. Asher that, occasionally, the street lighting at the entrance creates an issue for residents because of the relationship to the houses and the berm size. He noted that care should be taken, in terms of the type of lighting that is used.

In response to a question, Mr. Asher indicated that there will be no community pool in an effort to keep association fees low. The community will be gated and have parks and, possibly, a dog park but no other amenities. He noted that a dog park is more popular than a pool.

Mr. Asher advised that the home prices will range from about \$400,000 to \$600,000 or \$700,000; however, real pricing will not be released until just prior to opening for sales.

Mr. Merritt thanked Mr. Asher for taking the time to attend the meeting and answer questions.

FOURTH ORDER OF BUSINESS

Discussion: Coconut Park Newsletter (*to be provided under separate cover*)

******This item, previously the Third Order of Business, was presented out of order.******

Mr. Adams indicated that the Newsletter Committee met to review the write-up and what is being presented is more of a communication than a survey. He noted that resident feedback is requested regarding the plans being considered, as well as any future ideas, in terms of additional elements to the park, in future phases. Mr. Adams stated that the committee felt that it was extremely important to provide a history of the park, such as why it was purchased and how it came about, as well as to discuss the improvements that were made in the last few years. The new facilities were introduced, along with the plan that is being considered, which involves relocating the basketball court, and the rationale behind the location of each of the facilities. Mr. Adams recalled that the Board Members emphasized the need to share costs with residents and how the Districts anticipate addressing those costs within the current budget and assessment levels.

Mr. Adams advised that a link was provided to a site, which is essentially the communication. At the end, simple questions are asked with regard to the proposal. A space

was provided for residents to give their opinions. Mr. Adams noted that more responses will be received from those who are against the proposal, rather than those who feel it is positive.

Mr. Adams advised that the write-up that was distributed is an outline; it will be sent to Ms. Cindy Dobyns, for formatting. As discussed, the communication will be sent as a mailbox stuffer, as well as an email communication, through "Constant Contact".

Mr. Douglas stated that the residents who play bocce indicated that Har-Tru is better than ClayTech. Mr. Adams pointed out that everyone has an opinion and ClayTech was brought to his attention by Mr. Bartoletti. In following up with the contractor, in his opinion, the ClayTech is the better choice. It has a clay feel and requires less maintenance.

Mr. Ward noted that the irrigation requirements are an issue with Har-Tru.

Mr. Strecansky asked who would maintain the courts. Mr. Adams indicated that The Commons Club resources will help with the administration of the facilities, meaning reservations and proper access. They will also assist with daily maintenance of the park. The Commons Club offered to pressure clean the facilities at no cost, several times per year. An outside contractor will be required to regenerate the surfaces once per year.

Mr. Bartoletti congratulated Mr. Adams and the committee for a well written letter. He pointed out that, because it is so well written and is being distributed via email and USPS, it might not be read completely, as there is no highlighted request for input. Mr. Bartoletti suggested advising residents that their input is desired now, as well as later.

Mr. Bartoletti asked the meaning of "pavilions", in the second paragraph. Mr. Adams advised that pavilions are shade structures. Mr. Bartoletti asked the Board Members to consider the need for seating. Mr. Adams noted that there are three (3) sets of three (3)-row portable bleachers. Mr. Bartoletti indicated that the bleachers are only considered for pickleball, not bocce ball, and suggested portable bleachers for bocce ball, as well.

In the original survey, Mr. Bartoletti recalled a large interest in a fitness walk. Mr. Adams indicated that this plan anticipates a path that connects all of the proposed elements, without interfering with the overflow parking area. Mr. Bartoletti recommended a statement, in the letter, advising that, as part of this plan, the walking path area will be expanded, which was one of the items requested in the original survey.

Mr. Davidson requested that Staff forward the letter, via email, to the heads of the various community associations for disbursement to residents, informing them that a newsletter is

forthcoming. He asked that the email include the link, which gives an explanation, as well as an opportunity for the residents to read it immediately, in case they do not read the mailbox stuffer.

Mr. Merritt reiterated Mr. Davidson's point that personal contact should be made with the individuals who are responsible for disseminating information to the communities, informing them that the newsletter will be coming and ensuring that it was received. Mr. Adams indicated that an email will be sent to all association contacts and followed up with a telephone call to ensure that they will be looking for the newsletter and asking them to forward it to the neighborhood representatives, to notify their residents that it is coming and that their attention is required.

Mr. Douglas asked if a site plan will be included. Mr. Adams confirmed that his intention is to attach the site plan to the newsletter.

FIFTH ORDER OF BUSINESS

Other Business

With regard to the Emergency Outfall Gate Project, Mr. Adams discussed a conference call that he and Mr. Cox participated in, the previous day, with representatives of Lee County and South Florida Water Management District (SFWMD). Mr. Adams indicated that he impressed upon the agencies the need for the Districts to be involved in monitoring and, at the very least, as a backup to the operation of the gate system. He explained to the officials that the Districts are seeking the same participation they had previously, with regard to operating the gates, and advised them that the Districts recognize that, while a permanent generator is not necessary, modification is required for a plug-in port, so a portable generator can be used, in the event of a power loss. The agency officials did not see this as a problem. Lee County's attorney and Mr. Cox will work together to draft the appropriate language and the document will be circulated to the Boards, upon completion.

Mr. Adams advised that discussion took place regarding the existing "trigger points" for gate operation, which will come from the permitting process. Mr. Adams indicated that some language will be similar, with regard to the cone of uncertainty and storm predictability; however, the elevations will probably change, as well as where the elevations are derived from.

Mr. Adams reported that Lykins Signtek is reviewing the neighborhood identification signs and will submit a proposal. He noted that oxidation occurred, over the years and the patina has worn off and some of the signs are tilted.

Discussion returned to the Coconut Park improvements. Mr. Adams stated that he will obtain timelines from Mr. Ritzman regarding permitting, construction and scheduling.

Mr. Robson reported that, before today's meeting, he met with Mr. Ziegler and Mr. Meyer, the golf course superintendent at Spring Run. Johnson Engineering will provide them with a proposal to perform a bathymetric survey of Lake L-10, as they plan their intake pipe for the irrigation system. Mr. Robson indicated that the Board adopted a resolution in 2010 to allow Spring Run to draw water for irrigation purposes and an easement was signed but has not been recorded.

Mr. Strecansky advised that he is the Vice President of BSU and, each year, an election is held. There are nine (9) Directors and three (3) positions are up for election each year. Mr. Strecansky noted that anyone who receives a bill from BSU may run for the Board. This year, 12 people have chosen to run. Of the 12, three (3) are current Directors. Mr. Strecansky indicated that BSU has an email regarding the election, which he will forward to the Boards.

*****The meeting recessed at approximately 2:15 p.m.*****

*****The meeting reconvened at approximately 2:20 p.m.*****

Mr. Adams noted, for the record, that all Supervisors were present in person, with the exception of Supervisor Davidson, who was no longer on the conference call, and Supervisor Douglas, who would return shortly.

Mr. Adams reiterated that a very positive telephone conference took place yesterday with Lee County and SFWMD officials regarding the Three Oaks Parkway weir project, the operational components of the project and how the Boards and Staff would like it to be prepared, on behalf of the Districts, with the Districts having some participation in the operation, if only as a secondary backup.

Mr. Adams introduced Mr. Anura Karuna-Muni and Mr. Steven Farah, of Lee County.

*****Supervisor Douglas rejoined the meeting.*****

Mr. Karuna-Muni referred to a PowerPoint presentation and noted that the graphics reflect the modifications to the project. He advised that changes were made to the channel downstream that are not shown on the slide. Mr. Karuna-Muni noted the location where the west gate will be removed so that there is only one (1) operational gate, to the east. In addition, the opening on the west side will be enlarged. Mr. Karuna-Muni explained that the structure operates like a fixed structure during normal operating conditions, meaning that no one will be

required to open it manually. The gate will remain at 13.6' but it may be lowered to 12', under two (2) extreme conditions. Mr. Karuna-Muni read the "Extreme Conditions:" in the OS-1 Revised Operational Schedule, which is being proposed as part of the permit application:

Condition A: the Brooks-Halfway Creek Extension (i.e. upstream of the OS-1) water level is above 14.1 ft, NGVD. The East Gate will remain open at 12.0 ft, NGVD until the water level upstream of the OS-1 reaches 13.6 ft, NGVD. The East Gate will be raised to normal condition at this time when the upstream water level reaches 13.6 ft, NGVD.

Condition B: the site is in the cone of an approaching storm within the next 7 days – The East Gate will remain open at 12.0 ft, NGVD until the site is outside the cone."

Mr. Karuna-Muni stated that, once the modification is completed, the county may assume operation of the gate and The Brooks will have the ability to operate in an emergency or Lee County can turn the gate operation over to The Brooks, if the county no longer needs it. The Districts would have the ability to operate the gate from a designated computer. In case of a power failure, a generator may be used. The third option is to operate the gate manually.

Mr. Merritt asked if Lee County would still be the permit holder if the Districts assumed responsibility for the gate operation. Mr. Karuna-Muni advised that it can be presented to SFWMD in that way; in either case, Lee County will assist The Brooks with the permitting process.

Mr. Merritt asked if Lee County, as the permit holder, will be responsible for maintenance of the structure, going forward. Mr. Karuna-Muni explained that funding is coming from the FDOT; therefore, the FDOT holds the county responsible for maintenance. He proposed an agreement between Lee County and The Brooks CDDs for maintenance, as it makes no sense for one (1) entity to handle the operation and another to handle the maintenance.

Mr. Merritt pointed out that the county is not currently in the best financial shape. Mr. Merritt inquired about the process for the Districts to perform future maintenance or modifications. Mr. Karuna-Muni indicated that it must be addressed in the agreement that he is referring to.

Mr. Adams voiced his opinion that it is a regional structure that serves more than The Brooks and the best situation is for the county to complete the construction, hold the permit and

have the primary operational responsibility, with assurances written into the operating agreement that The Brooks will operate the gates, as necessary, and in emergency situations.

Mr. Crawford requested that the Board Members have an opportunity to review the agreement, prior to execution, and concurred with Mr. Adams' recommendation.

Mr. Merritt expressed concern that, often, once a storm leaves, it is not unusual for other storms to follow or for sheet flow from the east to impact The Brooks, which must be considered, during the operational phase. Mr. Farah pointed out that any time the water is at 14.1' or higher, the gates will remain at 12'; therefore, sheet flow is not a concern.

A question was raised regarding the effect of storm surge, in Estero Bay, on the system. Mr. Karuna-Muni advised that, according to the proposed conditions, if the Estero River is at or below 12', the gate may be opened. If the river is above 12', it does not make sense to open the gate. Mr. Karuna-Muni stressed that there may be situations where common sense must be utilized. Mr. Adams emphasized the importance of communication.

SIXTH ORDER OF BUSINESS

Supervisors' Requests

There being no Supervisors' requests, the next item followed.

SEVENTH ORDER OF BUSINESS

Public Comments (*non-agenda items, only; four (4)-minute time limit*)

There being no public comments, the next item followed.

EIGHTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

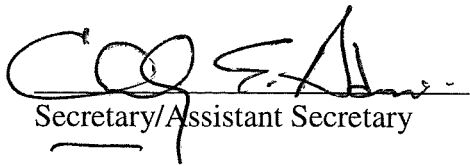
On MOTION for Brooks of Bonita Springs by Mr. Douglas and seconded by Mr. Bonner, with all in favor, the meeting adjourned at approximately 2:42 p.m.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Pierce, with all in favor, the meeting adjourned at approximately 2:42 p.m.

**BROOKS OF BONITA SPRINGS &
BROOKS OF BONITA SPRINGS II CDDS**

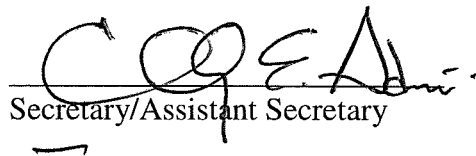
January 30, 2014

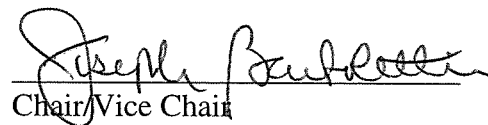
FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair