

**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 Regular Meeting on **Wednesday, October 29, 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
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

**Also present were:**

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Dan Cox	District Counsel
Andy Tilton	District Engineer
David Dore-Smith	Copperleaf Golf Superintendent
Dennis Bretz	Brickman Group
Wes Cleaves	Girard Environmental
Ronnie Simpson	Girard Environmental
Roger Whitehead	Resident
Residents	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 1:00 p.m., and noted, for the record, that Supervisors Merritt, Crawford, Ward and Bonner were present, in person, for Brooks of Bonita Springs. Supervisor Douglas was not present. Supervisors Bartoletti, Meeker, Strecansky and

Pierce were present, in person, for Brooks of Bonita Springs II. Supervisor Davidson was not present.

**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**

**Copperleaf Presentation on Lake  
Modifications**

Mr. David Dore-Smith, Copperleaf Golf Course Superintendent, discussed the lake modifications proposed by Copperleaf. He explained that Copperleaf wants to enlarge some of the lakes, which will generate enough soil to complete the proposed modifications. The lakes would be enlarged by approximately one acre, in total size, at no cost to the CDD. The project funded through Copperleaf's renovation budget and the contractor will be selected in the next week or two.

Mr. Dore-Smith advised that Q. Grady Minor & Associates, Copperleaf's engineer, developed the drawings. The Lee County codes regarding lake bank slopes and littoral plantings will be followed. Protective barriers will be installed, particularly on hole #7, where a large lake modification will take place. Mr. Dore-Smith stated that silt fences will be placed along the shoreline, where soil is exposed. He toured the property with a Lee County representative and verbal approval was given to proceed with the project.

Mr. Dore-Smith requested District approval of the modifications, as the owner of the lakes, as part of the submission to Lee County and South Florida Water Management District (SFWMD).

Mr. Crawford asked if the District Engineer had an opinion of the project. Mr. Tilton explained that the side slopes must meet the agency requirements in order to obtain the permit modification; enlargement creates more volume for storage and treatment, both of which address any District concerns. He pointed out that Copperleaf will be concerned with the aesthetics and will ensure that the lake banks look good.

**On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Crawford, with all in favor, authorization for Copperleaf to submit a permit modification to Lee County and SFWMD, for lake modifications, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Strecansky and seconded by Mr. Meeker, with all in favor, authorization for Copperleaf to submit a permit modification to Lee County and SFWMD, for lake modifications, was approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Award of Contract for  
Landscape Maintenance (*to be provided  
under separate cover*)**

Ms. Crismond explained that the landscape maintenance contract expires on November 30. Four contractors attended the pre-bid meeting and three bids were received.

Ms. Crismond advised that Brickman Group (Brickman) held the contract for four years, at \$549,971; their new bid is a 31% increase. She stated that, despite increased labor costs, 31% is a very large increase for this program. Ms. Crismond explained that there have been numerous meetings with regard to quality assurance; however, the level of service is not where Staff expects it to be. She recalled mentioning, at the last meeting, that Brickman is merging with ValleyCrest Landscape Maintenance (ValleyCrest) and Staff felt that the merger would be good for the Districts. No information was provided in the contract specs and, when she spoke with Brickman's East Coast Vice President, he indicated that, even though the companies were merging, ValleyCrest and Brickman each have their own clients.

Ms. Crismond reported that TruGreen Landcare (TruGreen) was the highest bidder and the bid from Girard Environmental (Girard) was \$15,000 above the current contract amount. She reminded the Boards that more work was added to the contract, including mowing the I-75 berm twice per year.

Ms. Crismond stated that Girard is a large company and was contracted by the City of Cape Coral. She reviewed some of the Cape Coral road right-of-ways maintained by Girard and took photos, which were distributed.

Mr. Adams pointed out that Brickman's bid was a \$170,000 increase. He discussed difficulties with regard to responsiveness of the field crew. Mr. Adams advised that, when he

spoke with Brickman, he was advised that Mr. Paul Copenhafer, the person that Staff relied on in the previous year, was brought back from the transition; however, Staff was never notified and did not receive any communication from Paul regarding the project in the subsequent weeks.

Mr. Adams stated that he drove through the community and advised that the ornamental grasses were trimmed, including the muhly grass. He explained that this is the time of year when muhly grass grows pink feathers at the top; Brickman cut the tops off, throughout the community, as part of the ornamental grass cutback, which was not scheduled for this time of year. Mr. Adams felt that this was another indicator that the field crews are not properly supervised.

Mr. Strecansky asked if Staff knew who would be assigned to the project. Mr. Adams noted that representatives of both firms were present today and suggested that the Board take a few minutes to conduct an “interview”.

Mr. Wes Cleaves, Regional Manager of Girard Environmental, stated that he handles all landscape operations on the west coast of Florida. He indicated that Girard is a very large, privately owned company, servicing areas such as Tampa, Celebration and Metro West, in the Orlando area. The owners, Mr. Rick Girard and Mr. Randy Girard, are at work every day and each client has direct contact with them.

Mr. Cleaves noted that, this year, Girard will become the largest privately owned landscape company in Florida. The company has the necessary assets and financial backing to take on a project of any size and scope.

Mr. Bartoletti asked Mr. Cleaves how he would staff his organization if the Districts were to award them the contract. Mr. Cleaves advised that there would be a dedicated team for this site. Girard is located in South Fort Myers, in close proximity to the interstate. A degreed horticulturalist will join Girard’s staff, in the next two weeks, and serve as a dedicated account manager for this and surrounding properties.

Mr. Merritt inquired about crew size. Mr. Cleaves stated that crew size will vary, at different times of the year, based upon the specifications. The CDD will have a six to seven-person crew, through peak seasons. Additional crews will be brought in, when necessary, for ornamental cutbacks, etc. Mr. Cleaves stressed that there would be weekly presence on the property throughout the year. Mr. Merritt asked how many days per week Girard would be on site. Mr. Cleaves replied five.

Mr. Merritt inquired about irrigation. Mr. Cleaves stated that Girard has an irrigation technician but he will not be on site full-time, unless repairs are required. Mr. Merritt stressed that irrigation is one of the Districts' main concerns. He pointed out that no community in Lee or Collier County has more intense landscaping than The Brooks; the community has more than four miles of right-of-way landscaping and requires a daily on-site irrigation person. Mr. Cleaves stated that, if necessary, the technician would inspect the irrigation on a daily basis.

In response to a question from Mr. Bartoletti, Mr. Cleaves discussed how the company plans to add qualified staff. Mr. Bartoletti asked if Girard performs tree trimming or uses a subcontractor. Mr. Cleaves indicated that large-scale tree trimming is subcontracted.

Mr. Ronnie Simpson, a certified arborist with Girard, stated that he is in the process of becoming one of 500 Board Certified Master Arborists in the world. He explained that, whether a subcontractor is hired or tree trimming is performed in-house, he writes tree trimming and management specifications for each tree, as there is no blanket approach. Mr. Simpson noted that he serves on the City of Cape Coral Tree Board and was appointed to the Lee County Department of Transportation (DOT) Advisory Committee for landscape issues and right-of-ways.

Mr. Bonner pointed out that Girard's bid was significantly lower than the others and, in the past, hiring the low bidder was a "disaster". He questioned Mr. Cleaves about his comfort level with his firm's bid, in comparison to the other two bids. Mr. Cleaves noted that other vendors were raising their hourly rates but Girard has been fortunate enough to keep rates down. He stated that the company is realistic when bidding a project; however, there are always risks for both parties.

Mr. Cleaves advised that he has been involved with many projects in the area, such as Fiddler's Creek CDD and Marco Island; he and Mr. Simpson understand correct pruning techniques and how to manage a property like The Brooks.

Mr. Ward asked if Girard recently lost any contracts due to performance. Mr. Cleaves replied "Here, in this market, no, we have not." The company's retention is 15% to 16% higher than it was five years ago.

In response to a question from Ms. Crismond, Mr. Cleaves indicated that a separate crew will be responsible for mowing and detail at the Enrichment Center. Work will be performed in the morning, to avoid interruptions at the pool.

Ms. Crismond pointed out that, per contract specifications, the vendor must supply a letter and information regarding the subcontractors they may use; the only subcontractor mentioned was TruGreen Chemlawn. Mr. Cleaves clarified that Girard would not intend to use a TruGreen subcontractor in The Brooks.

Mr. Bartoletti called on Mr. Dennis Bretz, of Brickman, to discuss their proposal.

Mr. Bretz acknowledged that the increase was substantial but pointed out that Brickman had four years of history with The Brooks and the price remained the same for four years.

Mr. Bretz explained that each year of the contract was analyzed with regard to the amount of hours and dollars spent. He noted that labor increased 30% since the original bid was submitted; material and subcontractor costs increased substantially. Mr. Bretz clarified that Brickman's estimates were based on hours; the number of estimated hours and the number of hours worked were tallied for each year. In the first year of the contract, the company was over by thousands of hours; however, the investment was made to ensure that the property was in good condition. In the second year, the same number of hours was invested but the price remained the same because positive improvements were observed.

Mr. Bretz stated that the bid amount was determined, once the costs and hours were analyzed, with the understanding that the increase was significant and that there would be a risk, based on other bids. He emphasized that, for Brickman to be successful and continue providing service to The Brooks, there was no other option.

Mr. Bretz agreed with Ms. Crismond that the company had challenges in the past year. He indicated that Brickman and ValleyCrest selected a team of successful, experienced branch managers to travel around the country and analyze branches that were successful and those that struggled and then compile a list of best practices. Mr. Bretz noted that, once the companies merge, they will have the combined history and experience of each company's successes.

Mr. Bretz expressed Brickman's desire to continue working with the Districts and voiced his appreciation for the opportunity to address the Boards.

With regard to crew size, Mr. Bretz stated that a five-man crew mows Coconut Road, Imperial and the Coconut Road Extension, on day one and Three Oaks Parkway on day two. A four-man detail crew assigned to The Brooks prunes shrubs and "limbs up" trees at the Enrichment Center every day and a two-man crew is responsible for weed control. Mr. Bretz acknowledged personnel issues and explained that, at times, only one crew member was on staff

but two are necessary to spray daily. A full-time irrigation technician is assigned to The Brooks and Brickman is very familiar with the irrigation system.

Mr. Ward asked if the 30% increase in labor costs was due to increased staff or labor cost increases. Mr. Bretz explained that labor costs increased and Brickman is part of e-verify; therefore, the company must ensure that all employees are legal and each one is screened and documented.

Mr. Ward asked Mr. Bretz how Girard could perform the work for \$100,000 less than Brickman. Mr. Bretz indicated that he was not familiar with Girard's business. He reiterated that Brickman had four years of history and knew what it took to "do this job". He acknowledged that his company cannot perform the work for the amount proposed by Girard but pointed out that the third bid was \$50,000 or \$60,000 higher than Brickman's.

Mr. Bonner asked what percentage of Brickman's bid was related to labor, vis-à-vis materials. Mr. Bretz replied about 39% or 40%. Mr. Bonner asked if that could be the reason that another vendor was able to bid lower. Mr. Bretz indicated that everyone knows The Brooks and, when other companies have an opportunity to bid, they will do what they can to "get a foot in the door".

Mr. Ward noted that price was not the only consideration; Brickman's performance had been substandard, for various reasons, which Mr. Bretz acknowledged. Mr. Bretz asked the Board Members to look past that issue and consider that Brickman had been with the Districts for four years and much positive feedback was received during that time.

Mr. Bonner inquired about Brickman's retention rate in Florida. Mr. Bretz advised that the renewal retention rate was 95% for three and one-half years.

Mr. Bartoletti pointed out that he heard nothing, in the presentation, with regard to best practices that would be applied to the property and asked Mr. Bretz what he would do differently to enhance what the community already had. Mr. Bretz indicated there would be more consistency with on site-staff presence, as well as changes with regard to the flower installation program and how shrubs were being addressed. Mr. Bretz admitted that Brickman made a mistake with the muhly grass. Mr. Bartoletti asked how the mistake could have occurred with a company of Brickman's stature and experience and voiced his opinion that Brickman "has taken their eyes off the ball for a merger opportunity that distracted them fully". Mr. Bretz commented that the merger had not affected performance, other than Mr. Copenhafer being out of the office. As the merger moves forward, there will be new implementations.

Mr. Bartoletti remarked that Brickman impressed the Boards for the first three years and there was great improvement; however, it was difficult to understand how things fell apart so rapidly with an experienced chain of command.

Mr. Strecansky pointed out that 40% of \$500,000, for labor, was \$200,000, and 30% of that was \$60,000. Mr. Bretz explained that the increase included labor, materials, additional hours, subcontractor costs, etc.

Mr. Crawford expressed that he “feels for Brickman” and the Board Members should not forget the work that was performed in the first three years; however, from a legal standpoint, the Boards were obligated, as public bodies, to issue the contract to the lowest responsive, responsible bidder and there was nothing to indicate that the low bidder was not responsive or responsible. Mr. Crawford felt that the Board Members would be subject to criticism if the contract was not awarded to the lowest bidder.

Mr. Meeker noted that the landscape contract is bid every two years; if Girard does not perform well, the contract will be bid again, in two years.

Mr. Merritt conveyed his appreciation to Brickman, noting that there were issues when the company was hired but those issues were dealt with.

Mr. Merritt commented that he was not comfortable with a 25% to 30% increase and he was also uncomfortable with the current bid of \$553,000. He indicated that he would vote for Girard but had reservations about whether they could perform at the expected level of service for the bid price.

**On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Mr. Bonner, with all in favor, awarding the landscape maintenance contract to Girard Environmental, for a not-to-exceed amount of \$553,699.21, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Strecansky and seconded by Mr. Meeker, with all in favor, awarding the landscape maintenance contract to Girard Environmental, for a not-to-exceed amount of \$553,699.21, was approved.**



Mr. Adams recalled continued discussion, at the last meeting, regarding the development and management of Coconut Road Park. As a result of discussions about the possibility of The Commons Club acquiring the property from the Districts and assuming responsibility for the development of the property, the Boards asked to carry this item on the next agenda.

Mr. Adams noted that one development option consisted of three bocce ball courts, three pickleball courts and relocation of the basketball courts. The second option was to expand the development of pickleball from three to six pickleball courts, with no bocce ball courts. The capital cost of three bocce ball courts and three pickleball courts, or six courts, and not relocating the basketball courts, was discussed, as well as maintenance and management for each. Mr. Adams pointed out that, in both options, the walkway would be expanded and the facilities secured to ensure that only credentialed individuals could use them.

Mr. Adams noted little difference between the two options. The originally surveyed program was \$275,330, with annual operating costs of approximately \$12,000. Option two, for pickleball courts only, was \$229,000, with annual operating costs of approximately \$7,000.

Mr. Bartoletti recalled that, at the April meeting, the Boards approved Option 2, with no bocce courts and the possibility of six pickleball courts; that decision was delayed, based on other discussions. He felt that the Districts were in a position to proceed with Option 2, once the number of pickleball courts was determined.

Mr. Adams advised that the Boards may rescind the previous motions, which was why he reviewed both options.

Mr. Bonner expressed concern with the fencing and associated costs. He recalled that the Boards wanted three pickleball courts and the walkway additions, to begin with. With regard to strangers coming on site to play pickleball, Mr. Bonner advised that, if it became a problem, it could be addressed at that time.

Mr. Meeker was in favor of three pickleball courts and three bocce ball courts and indifferent about the fence.

Mr. Bonner pointed out that every community, except Shadow Wood, has bocce ball courts; he felt that there was not enough interest since those who play, do so in their respective neighborhoods. He noted that residents would perceive the bocce ball courts as being built for Shadow Wood.

Mr. Pierce did not feel that the Board Members had an answer regarding the use of public land and questioned whether the development of the park was how the CDDs should spend money. He asked where the funds would come from.

With regard to the use of public funds, Mr. Bartoletti recalled that District Counsel indicated, many times, that the only way to prohibit public participation is with a fence and a fee-based structure.

Mr. Cox stated that a reasonable fee may be charged for outside usage.

Mr. Pierce indicated that, when the survey was distributed, residents did not understand that the park was public land or the operational issues faced by the CDDs. He advised that 52% of the 315 surveys that were returned had negative comments. Mr. Pierce stressed that the Board Members must take that into consideration, as well as the source of funding. He pointed out that the CDDs spent \$150,000 per year to maintain Coconut Park and, if other amenities were added, costs would increase.

Mr. Strecansky recalled discussion, at the last meeting, about The Commons Club maintaining the park. Mr. Adams voiced his understanding that The Commons Club was no longer interested in pursuing the matter. Mr. Strecansky asked if maintenance was the CDDs' responsibility. Mr. Adams explained that the Districts previously secured additional recreational powers and it is fairly common for CDDs to own and operate recreational facilities, although most are passive, such as basketball courts and playgrounds.

Mr. Bonner noted that the loan for the purchase of the property would be paid off this year. He reiterated that the property was purchased for the benefit of the entire community and, if a concern develops about strangers wandering onto the property, installing a fence and charging a nominal fee can be addressed at that time. Mr. Bonner suggested beginning with the pickleball courts and walkways, which is the least expensive option, in order to make use of the property.

With regard to maintenance, Mr. Bonner advised that bocce ball courts are high maintenance and he felt that the proposal amount was low. He indicated that pickleball courts last a long time and it is a growing sport. Mr. Bartoletti pointed out that none of the communities can provide pickleball on their own because it would mean giving up a tennis court.

Mr. Pierce reiterated his question about whether developing Coconut Road Park was the correct way for the CDDs to spend money. He recalled conversations, in previous meetings, about the need for aeration in the lakes, erosion issues and whether more should be spent on

irrigation. Mr. Pierce asked how the Board Members would tell their neighbors that, although there are erosion problems, they will not be addressed for three or four years. Mr. Pierce felt that the Districts were spending money in the wrong place. He stressed that the Boards are responsible for the amenities, roadways and lakes, which are a big responsibility.

Mr. Bartoletti recalled that funds were budgeted for aeration.

Mr. Merritt commented that the community did not have significant erosion issues. Mr. Adams advised that, while there were several priority erosion problems that must be addressed, and others that were mounting, the system was in good shape, for its age, which he attributed to the Districts' aggressive aquascape program.

Mr. Bartoletti asked Mr. Adams to help address Mr. Pierce's concerns with regard to erosion and aeration.

Mr. Adams stated that Mr. Pierce's point was that the Districts are in the business of lake and wetland maintenance, which is one of their core services, and a portion of the funds that could be used to address the areas requiring erosion repairs would be diverted to build recreational facilities, in addition to the associated operating costs. Mr. Adams voiced his opinion that the Districts owed it to residents to give attention to all of the services being provided. He felt that the attitude of the constituency was for something to be done with the open field.

Mr. Adams agreed with Mr. Bonner's suggestion to "take baby steps". He indicated that the walkway additions made perfect sense and pickleball is a diverse, popular sport.

Mr. Ward expressed agreement with Mr. Adams and advised that the feedback he received, via email, was 99% favorable; he was in favor of installing six pickleball courts.

Mr. Crawford sympathized with Mr. Pierce's comments; however, the Districts were spending a lot of money to maintain the area; funds from taxpayers who support the CDDs are being spent on the open space but they are not able to use it. Adding this incremental step will provide something for residents to use. Mr. Crawford felt that future expansion of the courts would be necessary.

Mr. Crawford voiced disappointment with The Commons Club board and felt that the facility was a good fit for that organization.

Mr. Strecansky asked if The Commons Club would manage scheduling. Mr. Bartoletti replied affirmatively.

**On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Crawford, with all in favor, authorization for three pickleball courts and walkway additions, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Meeker and seconded by Mr. Bartoletti, with Mr. Meeker, Mr. Bartoletti and Mr. Strecansky in favor and Mr. Pierce dissenting, authorization for three pickleball courts and walkway additions, was approved. (Motion passed 3-1)**

**SIXTH ORDER OF BUSINESS**

**Update: Cost Sharing Negotiations with  
Pebble Point at The Brooks**

Mr. Ward asked when construction would begin in Pebble Point. Mr. Adams stated that he will secure proposals and report back to the Boards. He felt that construction might begin in the spring.

Mr. Strecansky recalled the cost being \$107,000. Mr. Adams indicated that \$107,000 was the cost, based on proposals from several months ago.

Mr. Bartoletti noted that the cost did not include the fence.

Mr. Adams advised that Pebble Point enjoys the benefit of location and does not lie within the boundaries of the District; however, the rights to use The Brooks name were secured. Pebble Point was not successful in negotiating with The Commons Club for memberships and, as a result, they are not interested in cost sharing. Pebble Point will maintain 400' from where the Districts' responsibility ends.

Mr. Bonner asked if the Districts had recourse for the roadway damage caused by the trucks. Mr. Adams advised that the roadways belong to Lee County.

Mr. Ward asked if Pebble Point was tied into The Brooks lake system. Mr. Bartoletti replied affirmatively. Mr. Adams explained the requirement to receive drainage from adjacent systems without an obligation to participate in the cost.

**SEVENTH ORDER OF BUSINESS**

**Update: Grant of Easements for  
Purposes of Running Fiber Optic Lines  
through District Property within  
Copperleaf**

Mr. Bartoletti recalled that, at the last meeting, the Boards approved moving forward with granting easements, with the stipulation that Copperleaf provide documentation as to where the fiber optic lines would be installed on CDD property. Said documents were developed by Summit Broadband and provided to Mr. Cox; a meeting was scheduled to finalize the grant of easements.

**On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Merritt, with all in favor, authorization to finalize the grant of easements for installation of fiber optic lines through District-owned property, within Copperleaf, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Pierce and seconded by Mr. Strecansky, with all in favor, authorization to finalize the grant of easements for installation of fiber optic lines through District-owned property, within Copperleaf, was approved.**

Mr. Bartoletti reported that the same work must be performed in Spring Run. The project could not move forward until a preliminary design of the cable installation system was provided. Once the design was received, mapping was completed and provided to Mr. Cox. Mr. Cox is finalizing the preliminary design of the cabling system.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Johnson Engineering, Inc., Professional Services Supplemental Agreement No. 30 for NPDES Cycle 3, Year 3 Annual Report**

Mr. Adams presented the Johnson Engineering, Inc., Professional Services Supplemental Agreement No. 30 for NPDES Cycle 3, Year 3 Annual Report, for the Boards' consideration. He indicated that the permit cycle closes in mid-September and co-permittees are required to submit a report at the end of February, for transmittal to the state.

Mr. Adams referred to Page 2 of 2, which identified the Cycle 3, Year 3 Annual Report activity, and noted that one item was unique for this year of the five-year cycle. He advised that the proposed fee for time and materials was \$12,500 and reimbursable expenses were \$1,250, for a total not-to-exceed amount \$13,750, which was slightly less than in prior years.

Mr. Tilton stated that Mr. Robson provided the agreement and he felt that, although there was an added item, there was no need to add a substantial amount for that item.

Mr. Merritt asked what the Districts can expect, going forward, with regard to the cost of meeting the NPDES requirements, as they increase. Mr. Tilton indicated that the amount could decrease or increase.

**On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Merritt, with all in favor, the Johnson Engineering, Inc., Professional Services Supplemental Agreement No. 30 for NPDES Cycle 3, Year 3 Annual Report, in a not-to-exceed amount of \$13,750, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Strecansky and seconded by Mr. Meeker, with all in favor, the Johnson Engineering, Inc., Professional Services Supplemental Agreement No. 30 for NPDES Cycle 3, Year 3 Annual Report, in a not-to-exceed amount of \$13,750, was approved.**

**NINTH ORDER OF BUSINESS**

**Approval of August 27, 2014 Joint Public Hearing and Regular Meeting Minutes**

Mr. Bartoletti presented the August 27, 2014 Joint Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following changes were made:

Line 466: Add “the current” before “Comcast”

Line 564: Change “culverts” to “western outfalls”; add “via” before “Coconut Road”

**On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Ward, with all in favor, the August 27, 2014 Joint Public Hearing and Regular Meeting Minutes, as amended, were approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Meeker and seconded by Mr. Strecansky, with all in favor, the August 27, 2014 Joint Public Hearing and Regular Meeting Minutes, as amended, were approved.**

**TENTH ORDER OF BUSINESS**

**Other Business**

There being no other business, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being nothing additional to report, the next item followed.

**B. Engineer**

Mr. Tilton advised that he received a report on the water levels at the south outfall.

Mr. Merritt pointed out that, in June, the levels were above the crest. Mr. Tilton acknowledged that water flowed out of the system for about 90 days, which, for the upstream conservation areas, is good; however, it was a little short for the Cypress. Mr. Merritt stated that the system had more water last year. Mr. Tilton confirmed that water flowed for a longer period of time.

Mr. Merritt stressed that the system is performing as designed, even though it is deficient in the north. Mr. Tilton indicated that the county is preparing documents to go out to bid for the project. Mr. Merritt explained that the improved performance will permit the system to perform as designed and better than in the past. Mr. Tilton agreed that the system will provide more consistent outflow.

Mr. Merritt asked if the added outflow of the north gate would impact the western outfall. Mr. Tilton indicated that the only impact will be a slight decrease. At the same water elevation, the same amount will exit the west side.

**C. Manager**

**i. Approval of Unaudited Financial Statements as of September 30, 2014**

Mr. Adams reported that “Revenues” were at 100% and “Expenditures” were at 99% of budget. He noted that several accruals will be added; therefore, expenditures will increase to 100%, if not slightly over. If expenditures go over budget, a budget amendment will be presented at the next meeting to prevent a note in the audit indicating that budgeted appropriations were exceeded without Board approval.

Mr. Merritt stated that “irrigation” was over \$100,000. Staff must ensure that the new landscapers are fully aware of the irrigation issues. Mr. Adams noted that a portion of the

amount was attributable to the new understory programs that were completed in three phases, this year.

Mr. Merritt pointed out that there was more water on the road this year and the system was irrigating when it was raining. He noted a change in irrigation specialists and was unsure whether the “learning curve was there yet.”

In response to a question from Mr. Bonner, Mr. Adams confirmed that the last loan payment for Coconut Road Park was due in 2015.

Mr. Bartoletti discussed the large amount of water at the Shadow Wood entrance, on Coconut Road, during the rainy season. Mr. Merritt explained that the drainage box was clogged and he called the county twice. Mr. Bartoletti pointed out that the issue was the same on the other side, at Spring Run. Mr. Adams indicated that he will contact the county in this regard.

**ii. NEXT MEETING DATE: January 23, 2015 at 1:00 P.M.**

The next meeting will be held on January 23, 2015 at 1:00 p.m., at this location.

**D. Operations Report**

**i. Landscape Maintenance Activities**

**ii. Lake Maintenance Activities**

Ms. Crismond indicated that she will make sure that Brickman understands that any unresolved items must be completed before Girard takes over, on December 1. She and Mr. Adams will handle the transition and, if any items remain unresolved, funds will be held back and deducted from Brickman’s fees.

Mr. Merritt asked if there were any major outstanding issues. Ms. Crismond advised of plant material replacement, in certain areas, and discussed the items that Brickman must complete in November.

Mr. Adams stressed that Management will review the irrigation system, upon transition.

Mr. Bartoletti advised that he received reports from members of the Shadow Wood Fishing Club about openings that no longer exist due to weed growth. He asked Management to provide direction to LakeMasters Aquatic Weed Control, Inc. (LakeMasters), to clear those areas. Ms. Crismond stated that the maps are marked and there were written locations in the specs; therefore, LakeMasters had no excuse. Mr. Adams stated that the areas are now memorialized in the GIS system. In response to a request from Mr. Bartoletti, Ms. Crismond advised that she will provide copies of the maps.



**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests**

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

**THIRTEENTH ORDER OF BUSINESS**

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

Mr. Roger Whitehead, a resident, requested a date for the north outfall project. He expressed his appreciation to Mr. Tilton for his comment about the county but noted that the project was to have been completed several years ago.

Mr. Tilton advised that he did not have a specific date but will ask the county and advise Mr. Whitehead. Mr. Adams clarified that the project was to be completed this spring and explained that it is a low water project. Mr. Bartoletti noted that the Boards finalized the interlocal agreements between both bodies in May.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned at 2:50 p.m.

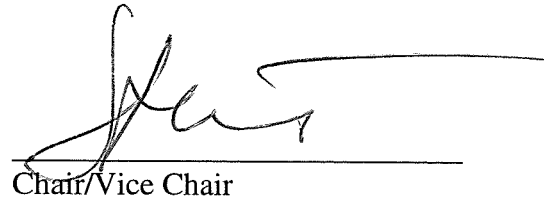
[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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

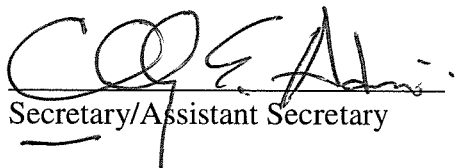
**October 29, 2014**

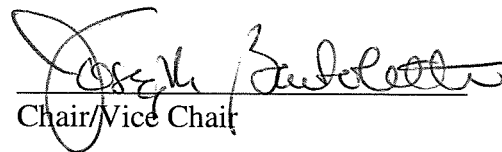
**FOR BROOKS OF BONITA SPRINGS:**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair

**FOR BROOKS OF BONITA SPRINGS II:**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair