

**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 Public Hearing and Regular Meeting on **Wednesday, August 26, 2015 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
Phil Douglas	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	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Dan Cox	District Counsel
Dave Robson	District Engineer
Joe Archazki	General Manager – The Commons Club
Sheryl Hilburn	General Manager – Shadow Wood Association
Bill Hollister	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:05 p.m., and noted, for the record, that all Supervisors were present, in person, for Brooks of Bonita Springs and Brooks of Bonita Springs II.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items only*)

Mr. Bill Hollister, a resident, voiced his opinion that the CDD does a phenomenal job on landscaping and drainage, which adds to the quality of life. He recalled his opposition to using taxpayer money on The Commons Club; however, he would play pickleball there, or other available activities. Fundamentally, Mr. Hollister did not like the concept but recognized that what the Districts did for Copperleaf and The Commons Club means that there is community concern about spending money.

Mr. Hollister suggested asking members of surrounding clubs to think strategically and build the park or get the clubs together so that those surrounding the CDD do not destroy the Commons Club facility by building competitive facilities. He stated that the lack of a strategic approach concerned him, as a taxpayer.

Mr. Hollister reiterated that, in his opinion, taxpayer money should not be used to fund recreational projects.

Mr. Bartoletti thanked Mr. Hollister for his comments.

JOINT MEETING ITEMS

THIRD ORDER OF BUSINESS

**Public Hearing to Hear Comments and
Objections on the Adoption of the
Districts' Final Budget for Fiscal Year
2015/2016, Pursuant to Florida Law
(Both)**

A. Affidavit of Publication

Mr. Adams presented the affidavit of publication for today's Public Hearing and Regular Meeting.

B. Consideration of *Brooks of Bonita Springs Community Development District* Resolution 2015-4, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2015, and Ending September 30, 2016; Authorizing Budget Amendments; and Providing an Effective Date

C. Consideration of *Brooks of Bonita Springs II Community Development District* Resolution 2015-4, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2015, and Ending September 30, 2016; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolutions 2015-4 for each Board's consideration.

Mr. Adams stated that assessment levels will remain about the same, year over year, with an operation and maintenance (O&M) reduction from \$528.22 in Fiscal Year 2015, to \$528.09 in Fiscal Year 2016. He indicated that the “Capital outlay - lake bank erosion repairs” line item remained in the Fiscal Year 2016 budget and was anticipated to be a 4 to 5-year phased in project.

Mr. Adams commented that there were no significant changes within the Fiscal Year 2016 budget or the expenditure line items. He noted that the final Coconut Park property acquisition payment was made in July, 2015, and was removed from the budget, going forward.

Mr. Davidson noted that, under “Expenditures”, “Capital outlay- Pickleball Courts” was under “Landscape maintenance”, when it should be under “Parks and recreation”. Mr. Adams explained that the “Parks and recreation” category was a shared cost between the CDDs and the Commons Club; “Capital outlay- Pickleball Courts” is not a shared expense.

Mr. Davidson pointed out that, for the last five years, a mortgage payoff was in that category but was not a shared expense. Mr. Adams indicated that the expense could be placed anywhere the Board wanted it.

*****Mr. Bartoletti opened the Public Hearing.*****

No members of the public spoke.

*****Mr. Bartoletti closed the Public Hearing.*****

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Crawford, with all in favor, Resolution 2015-4, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2015, and Ending September 30, 2016; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

On MOTION for Brooks of Bonita Springs II by Mr. Davidson and seconded by Mr. Meeker, with all in favor, Resolution 2015-4, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2015, and Ending September 30, 2016; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Imposing Special Assessments and Certifying an Assessment Roll

- A. *Brooks of Bonita Springs Community Development District Resolution 2015-5, Imposing Special Assessments and Certifying an Assessment Roll*
- B. *Brooks of Bonita Springs II Community Development District Resolution 2015-5, Imposing Special Assessments and Certifying an Assessment Roll*

Mr. Adams presented Resolutions 2015-5 for the Boards' consideration.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Bonner, with all in favor, Resolution 2015-5, Imposing Special Assessments and Certifying an Assessment Roll, was adopted.

On MOTION for Brooks of Bonita Springs II by Mr. Pierce and seconded by Mr. Meeker, with all in favor, Resolution 2015-5, Imposing Special Assessments and Certifying an Assessment Roll, was adopted.

FIFTH ORDER OF BUSINESS

**Consideration of Joint Meeting Schedule
for Fiscal Year 2015/2016**

- A. *Brooks of Bonita Springs Community Development District Resolution 2015-6, Adopting the Annual Meeting Schedule for Fiscal Year 2015/2016*
- B. *Brooks of Bonita Springs II Community Development District Resolution 2015-6, Adopting the Annual Meeting Schedule for Fiscal Year 2015/2016*

Mr. Adams presented Resolutions 2015-6 for the Boards' consideration.

On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Ward, with all in favor, Resolution 2015-6, Adopting the Annual Meeting Schedule for Fiscal Year 2015/2016, and authorizing Staff to advertise, accordingly, was adopted.

On MOTION for Brooks of Bonita Springs II by Mr. Davidson and seconded by Mr. Pierce, with all in favor, Resolution 2015-6, Adopting the Annual Meeting Schedule for Fiscal Year 2015/2016, and authorizing Staff to advertise, accordingly, was adopted.

SIXTH ORDER OF BUSINESS

**Update: Potential Transfer of Property
from Associations Adjacent to Three
Oaks and Coconut Road Right-of-Ways
to the CDDs**

Mr. Robson and Mr. Cox met with two survey mappers. They obtained the 2007 landscape survey and Mr. Cox provided copies of the instrument numbers from the transfer property. Mr. Robson advised that the CAD drawings were upgraded to reflect the legal descriptions from the provided instruments. It was established that Lee County has 75' of right-of-way (ROW) on each side of Three Oaks Parkway, for a roadway median of 150'.

Mr. Robson stated that, within the next two weeks, a follow up survey will be performed and the true location of the fence and platted properties that border the ROW will be identified. Mr. Cox indicated that, based on that 75' center line, Lee County most likely owns up to where the fence is located.

In response to Mr. Merritt's question, Mr. Cox stated that more information was needed to determine how much Coconut Road ROW is county owned. Mr. Merritt felt that information regarding the ROWs should be included in the newsletter.

It was clarified that 150' of ROW, on Three Oaks Parkway, belongs to Lee County.

Mr. Douglas inquired if the county assumed liability for Three Oaks Parkway. Mr. Bartoletti clarified that the issue being addressed was the exposure the community may have had, based on ownership, down to the walkway. Mr. Davidson recalled that the Boards approved including The Commons Club under the Districts' insurance policy, as an insured, and asked if that related only to the ROW off of Coconut Road.

Mr. Adams explained that the contractor provided a Certificate of Insurance (COI) naming The Commons Club as an additional insured, where there is the joint agreement with the CDDs. He indicated that The Commons Club was covered for exposure on this particular site. Mr. Adams clarified that coverage extended to the areas of The Commons Club that are maintained by the CDDs as part of the shared costs agreement.

Mr. Adams stated that, in the case of The Commons Club, the COI, from Girard Environmental Services, INC (Girard), extends to their services performed on association property and there is no encouragement to transfer ownership of that property to the CDDs. He indicated that, in the ROWs, to protect the associations from a claim with untethered limits, the association must remove their interests from within the fence line.

Mr. Ward commented that it there was no drawback to transferring the property to the CDDs.

Mr. Adams explained that millions of dollars in claims can be levied against associations and claims against the CDD are capped at \$200,000, under sovereign immunity. He stated that, where it does not have ownership, the CDDs have an easement and the improvements, including the fences, were paid for out of the bond issue.

SEVENTH ORDER OF BUSINESS

**Update: Drainage Swale Repairs Along
Flow Way in Copperleaf**

Mr. Robson indicated that there were three official site meetings, to date, with Summit Broadband (Summit), to assure that the installation of cables does not interfere with the swale or landscaping located beyond resident lot lines and within CDD property.

Mr. Robson stated that, in some areas where the swale is flat enough, planning has been able to accommodate existing landscape with only 1' or 2' of encroachment. He noted that seven or eight trees must be relocated or removed. The largest concern, regarding swale interference, is the installation of the box for the fiber optics.

Mr. Robson was kept abreast of the schedule by the contractor. A construction walkthrough was set for mid-September, with construction to begin at the end of the month.

Mr. Bartoletti thanked Mr. Robson and Mr. Tilton for their extra effort to make sure the project was completed properly. He indicated that, while the CDDs granted Summit an easement to install the fiber optic backbone, fiber optic vaults that provide service to the houses must be installed on private property, requiring separate easements. Johnson Engineering modified the location of the vaults, closer to the water, without affecting performance, foregoing the need for additional easements.

Mr. Merritt inquired if the vaults were unique to the swale area. Mr. Bartoletti explained that there is fiber optic cable throughout Copperleaf and one vault for every six homes. The vaults are 2.5' wide by 3' long and 30" deep, with a green heavy duty cover that is flush with the grass that grows around them. The vaults can be seen but are unobtrusive.

Mr. Bartoletti stated that the biggest issue encountered, during installation, was the elevated water table. The ideal digging depth for conduit is 30"; in one area, water was reached at 21".

Mr. Davidson asked if the intent was to stay as close to the private property as possible, within the CDDs' easement. Mr. Bartoletti replied affirmatively. He reiterated that the goal was to stay within CDD property, as close to the stakes of the property line as possible, making sure not to impact the flow way.

Mr. Bartoletti recalled that some residents were previously against the project and commended Mr. Robson and Mr. Tilton for an excellent job of "winning them over".

EIGHTH ORDER OF BUSINESS

**Update: Emergency Outfall Structure
Upgrades Project**

Mr. Adams indicated that the startup meeting will be held on Monday.

Mr. Robson stated that, as of yesterday, the controls had been reinstalled in the structure. He commented that, after the startup meeting, Mr. Adams will be able to operate the emergency outflow structure via his laptop or smart phone.

Mr. Robson indicated that the controversy regarding the saw cuts in the opening were resolved by the extension of the cuts, creating a true rectangular opening, eliminating the hanging concrete.

Mr. Robson advised that, after the start up, the project will be past the 90% substantial completion phase and the contractor will be due payment.

Mr. Merritt complimented Mr. Robson on an excellent job of "staying on top of the project, forcing the issue and getting completion".

Mr. Bartoletti questioned whether the "No Walking" sign would be removed from the walkway. Mr. Robson replied that it would be discussed at Monday's startup meeting

Mr. Merritt advised that the western bank, along the ditch, must be addressed by Girard. Ms. Crismond clarified that the western bank belongs to the county.

Mr. Merritt argued that the CDDs benefited from the upkeep of the western bank and concluded that the county was not going to maintain it. He indicated that the Districts cleared the area in the past.

Mr. Adams understood Mr. Merritt's point and noted that cattails, primrose, etc., created a bottleneck; however, he was not comfortable proceeding without an agreement or memorandum of understanding between the CDDs and the county.

Mr. Merritt asked that a Memorandum of Understanding (MOU) be prepared. Mr. Adams stated that he would discuss the issue with the county.

Mr. Davidson indicated that the western bank was never that over grown before. He noted that, whether it was raining or not, there was constant water flow since the change was made. He stated that, with the constant flow of water, the situation will worsen.

Mr. Merritt agreed that the water flow was an improvement but the Districts treated the area in the past and controlled the amount of vegetation in the flow way, closer to the Estero River. Mr. Adams clarified that the CDDs cleared structure to structure but not beyond that, where the problem is.

Mr. Bartoletti suggested contacting neighboring communities, as done in the past, rather than the Districts shouldering the entire maintenance expense.

Mr. Adams commented that, in the past, there was no growth from the sidewalk to the outfall ditch and suggested that the county's maintenance refrained from maintaining that area during construction. He stated that the problem might be resolved by reminding the county that they should be maintaining the western bank because it is located in their ROW.

Mr. Adams indicated that spraying that small section of ditch would not be worth the effort of trying to secure a shared cost. He stated that, if the CDDs were given permission, they should spray the area, as spraying the western bank would only take approximately one hour, every quarter.

Mr. Robson pointed out that Tropical Storm Erika put the Districts into the permit condition of being able to lower the gates.

NINTH ORDER OF BUSINESS

Update: Pickleball Court Project

Mr. Adams indicated that the site preparation company will be on site next week. He noted that the lighting, poles with nets and fencing were ordered and in transit. Mr. Adams stated that asphalt would be laid once site prep was complete. He noted that the asphalt will need 30 to 45 days to cure before the final coat. Weather permitting, the courts should be completed by the end of September and available for play in mid-October.

TENTH ORDER OF BUSINESS

**Demonstration: Pickleball Court
Reservation Program**

Mr. Archazki, General Manager of The Commons Club, noted the he would demonstrate the Hold My Court (HMC) website and the Members First website would be demonstrated after 2:00 p.m.

Mr. Archazki indicated that HMC is a free website used by a number of Pickleball associations and communities. He had confidence in the system, as it is used by Sun City Pickleball Clubs in Arizona, one of the largest pickleball communities in the United States. Mr. Archazki noted that, being a free site, HMC included advertisements. In comparison, Members First, a private website without advertisements, costs several thousand dollars per year.

Mr. Archazki believed that HMC was the right product to start with and could be reevaluated after six months. He indicated that the drawback for HMC, besides the advertisements, was that it only allowed for a small box of customization and did not have room to display pickleball rules, guidelines, etc. Mr. Archazki noted that the Arizona association provided a link to a website with marketing and basic information.

Mr. Archazki demonstrated the use of the HMC website.

Mr. Archazki indicated that, with HMC, only the member who reserves the court is known; the other members of the party are not listed. With Members First, all players are displayed.

Mr. Davidson thought that the HMC site included a place for ten or 11 bolded items where you could learn how to play pickleball. Mr. Archazki replied that the HMC site includes a box that allows up to 250 characters but a link to pickleball information on either the Commons Club website or the CDD website could be provided.

Mr. Strecansky asked how far in advance a reservation could be made. Mr. Archazki indicated that the Board could set those parameters; most facilities use seven days.

Mr. Strecansky was concerned that peak playing periods would be overloaded and that one person would reserve all the peak playing periods. Mr. Archazki indicated that, while HMC is first come first serve, with three courts, he did not think it will be a problem.

Mr. Archazki felt that pickleball players are generally “wholesome” and that only 1% or 2% of players may cause issues. He indicated that, if a player is out of line, the Pickleball groups commonly intercede among themselves. Mr. Archazki stressed that, with three courts, there would be sufficient availability.

Mr. Strecansky commented that, with a large number of people, three courts were not a lot. He stated that a way to stop one person from monopolizing peak court time must be found.

Mr. Archazki indicated that parameters may be set; for example, a registered member may be allowed to reserve a specific court time five times during one three-month period.

Mr. Ward questioned if the various members of a foursome could be restricted from making multiple court reservations for the same day. Mr. Archazki indicated that, since only the person making the reservation is known, there would be no way to restrict other foursome members from making a separate court reservation. He was unsure if Members First provided that ability.

Mr. Archazki indicated that the majority of play occurred between 8:00 a.m. and noon and after 3:30 p.m. He reiterated that there will be ample court availability and did not see the Boards' concerns being challenges that could not be resolved.

Mr. Merritt stated that, if pickleball takes off, there will be people who attempt to "game the system" and that the Boards will have to adjust how it is dealt with. Mr. Davidson suggested that the Boards assume that people will not attempt chicanery.

Mr. Bonner asked how the Boards could control registration. Mr. Archazki replied that court walk-ons cannot be controlled but a District controlled code could be required for HMC registering.

Mr. Bonner indicated that if unregistered walk-on becomes a problem, the District can charge for play. Mr. Adams stated that court boundaries must be secured, with a key fob/card system, to charge those who do not have an authorized credential to enter.

Mr. Ward asked if a Brooks resident membership card could be issued. Mr. Adams reiterated that limited court access cannot be enforced without controlled entry.

Mr. Davidson liked that HMC was an independent system and that those who wish to play pickleball must register.

Mr. Douglas inquired if HMC or Members First granted better controls to prevent people from "gaming the system". Mr. Archazki replied that there was no significant difference.

Mr. Bartoletti read a statement from Mr. Alex Messerie, the Copperleaf Pickleball League organizer, into the record:

"My opinion is that the Hold My Court system will provide the functionality that we need to maintain a fair and orderly reservation system across Brooks. I registered on the site, made a reservation and then cancelled my reservation. I found the process to be flawless. I did not find advertisements on the Hold My Court system to be bothersome, mostly, because making a reservation takes less than 30 seconds. Of importance, and I stress this, my

analysis was that the Sun City Pickleball Club in Arizona has 17 pickleball courts and successfully uses the Hold My Court pickleball reservation system.”

Mr. Bartoletti indicated that, if issues arise, a request for guidance could be made to the Sun City Pickleball Club. He suggested using the Hold My Court system for pickleball reservations. There were no objections from the Boards.

ELEVENTH ORDER OF BUSINESS

Approval of July 22, 2015 Joint Regular Meeting Minutes

Mr. Bartoletti presented the July 22, 2015 Joint Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following changes were made:

Line 182: Change “The CDD” to “Copperleaf”

Line 253: Change “six” to “three”

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Douglas, with all in favor, the July 22, 2015 Joint 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 July 22, 2015 Joint Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Other Business

Ms. Sheryl Hilburn, General Manager of the Shadow Wood Association, stated that the Shadow Wood Community Association Board of Directors approved installation of two lighted fountains in the lakes flanking the community entrance on Coconut Road. The community association recognized that they are financially responsible for the installation and ongoing maintenance of the fountains; however, Mr. Adams advised that approval was necessary from the Brooks of Bonita Springs Board to enter into a consent agreement for the use of Lakes 33 and 34.

Mr. Bartoletti asked if fountain maintenance included replacement, reserving for replacement and payment of electricity. Ms. Hilburn confirmed that it did and noted that the community will use LakeMasters as the vendor.

Mr. Merritt commented that it was not a unique situation; a number of communities in The Brooks have fountains in District lakes.

Mr. Adams indicated that the agreement was standard.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Douglas, with all in favor, the consent agreement with Shadow Wood Community Association for the installation and on-going maintenance of lighted fountains in Lake 33 and Lake 34, was approved.

Mr. Douglas questioned if The Commons Club was reserved for the Fiscal Year 2015/2016 meeting schedule. Mr. Adams replied affirmatively.

Mr. Merritt stated that he is constantly asked by residents if “the CDD will ever be paid off”. He requested that information addressing the bond issue be included in the newsletter. Mr. Merritt stated that it must be made clear that, even with three years remaining for the completion of the bond issue, for a certain a portion of The Brooks, O&M assessments will continue.

Mr. Adams proposed an October timeframe for a newsletter and noted that, allowing for the completion of the Pickleball courts, an instructional article on how to reserve the courts could be included.

Mr. Merritt requested information in the newsletter regarding the erosion control work being performed. He was very impressed with the work, thus far, under very difficult circumstances. Mr. Merritt was surprised that, with drainage lines going into the lake, no irrigation lines or individual property owners were affected. Mr. Adams agreed that the vendor did a good job working around possible obstacles. He only received one phone inquiry from a resident regarding the project and the discussion was educational in nature.

Mr. Merritt stated that the Districts should take the opportunity to take credit for investing in the littorals to ensure that the lake banks were stabilized, which greatly reduced the cost. The newsletter should include information concerning the ROW issue and that the Board was taking initiative, to the benefit of the Brooks communities.

Mr. Adams reiterated that an October timeframe would allow for inclusion of additional work by Mr. Robson and Mr. Cox and allow for presentation to the association managers prior to release.

Mr. Davidson questioned which communities will benefit from the Brooks II Series 2006 A1 bond being paid off. Mr. Bartoletti clarified that benefits would be seen by individual property owners and not the community.

Mr. Adams explained that the Brooks II Series 2006 - A1 was the first CUSIP of a multiple CUSIP Bond issue. He noted that, where A1 leaves off on May1, 2016, on Page 17, A2 picks up, on Page 18. The difference lies in the interest rates.

Mr. Adams advised that, when the A1 CUSIP is retired, the obligation for A2 would begin in 2017, followed by the A3 CUSIP, with a final payoff in 2031. Mr. Adams noted that, in the case of the three CUSIPs that make up this one bond issue, the principal is pushed further out with each new schedule. He clarified that the Brooks I Series 2006 A-2 bond issue will be paid off in 2019.

Mr. Merritt stressed that, while payoff of the Brooks I Series 2006 A-2 was three years away, the District will still require capital improvements and replacements. He noted that street lighting on Coconut Road and Three Oaks Parkway will be necessary in the near future. Mr. Adams confirmed that there will be another assessment for financing to address the items in the ten-year plan, which included street lighting.

Mr. Adams commented that the CDDs pay FPL on a per-pole schedule and FPL does not currently have a schedule that recognizes LED lighting. A switch to LED street lights would be nice for consumption; however, the Districts would not see a financial benefit.

Mr. Merritt reiterated that, at some point, there must be a transition from debt repayment to making improvements and replacements. Mr. Adams agreed.

Mr. Bartoletti stressed that the priority topic of the newsletter must be the explanation of the bond issue.

Mr. Davidson asked for clarification of a subsection of "Section 3. Budget Amendments", on Page 2, of Resolution 2015-4:

"Pursuant to Section 189.016, Florida Statutes, the District at any time within the fiscal year or within 60 days following the end of the fiscal year may amend its budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.”*

Mr. Bartoletti and Mr. Merritt explained that funding could be shifted between line items but the assessment cannot be increased. Mr. Adams added that the 60-day period referred to how long the financials could remain open for accruing and making final journal entry adjustments before the audit process begins.

Mr. Ward asked if the \$200,000 liability limitation was ever challenged. Mr. Cox replied that, if someone were awarded a judgment against the CDD that exceeded the limitation, they would collect the \$200,000 from the District; beyond that, the claimant could go after the insurance coverage and, beyond that, they would seek a claims bill from the legislature. Mr. Cox reiterated that the limitation protects the District from any further liability.

As a contributory to the operation of the CDD, Mr. Bartoletti believed he was at risk, as an individual. Mr. Cox replied “that is why you have insurance”

Mr. Adams clarified that, operating as a Board, Board Members have Directors and Officers coverage and, unless operating as an individual, contrary and with malice, in their actions, Board Members are protected. Mr. Cox assured that, while acting in their official capacity and consistent with the authorities granted by statute, Board Members have qualified immunity. He indicated that, if someone were to sue the CDD and sue the Board Members individually, the individual suits would be dismissed as a matter of course.

Mr. Bartoletti was aghast of Girard’s lack of concern for their employees and the public at large. He recommended that Girard’s management attend a CDD meeting and record, in the minutes, that the Boards instructed Girard to correct the danger being caused on the roads. Mr. Merritt supported Mr. Bartoletti’s request and added that Management addressed this issue many times. Mr. Adams stated that Girard has very rigid Maintenance of Traffic specifications that must be followed to the letter of the law.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

B. Engineer

Mr. Robson indicated that water quality monitoring data was collected yesterday. He noted that water level information will be obtained next week. Mr. Robson stated that the report would be sent to Mr. Adams for dissemination before the next meeting.

C. Manager

i. Approval of Unaudited Financial Statements as of July 31, 2015

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2015.

Mr. Merritt pointed out that irrigation costs for July, 2015 were \$21,000.

C. Operations Report

i. Landscape Maintenance Activities

Ms. Crismond stated that a meeting with the landscapers was scheduled for the following Tuesday at 2:00 p.m. at the entry of Copperleaf, to tour the entire CDD property.

ii. Lake Maintenance Activities

Ms. Crismond stated that additional littorals will be planted where lake bank erosion was repaired. Mr. Adams indicated that sod installation was delayed due to high water levels in the lakes.

Mr. Bartoletti encouraged the Board to take advantage of the property tours with Ms. Crismond, as they are very informative and identify impending challenges with regard to plantings.

FOURTEENTH ORDER OF BUSINESS

Supervisors' Requests

A resident if the assessments would be reduced with the payoff of the park acquisition, and Mr. Douglas believed that this is the impression that many residents may have. He pointed out all of the plantings that must be replaced in the coming years; however, residents do not consider such expenditures.

Mr. Merritt commented that potential expenses were not limited to plant replacement and cited the erosion work being done.

Mr. Peirce commented that the long-term erosion repair project was going well and asked if there was a list of which lakes were to be repaired on a yearly basis. Mr. Adams will develop a list.

FIFTEENTH ORDER OF BUSINESS

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

There being no public comments, the next item followed.

SIXTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 2:23 p.m.

On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Merritt, with all in favor, the meeting adjourned at 2:23 p.m.


On MOTION for Brooks of Bonita Springs II by Mr. Davidson and seconded by Mr. Pierce, with all in favor, the meeting adjourned at 2:23 p.m.

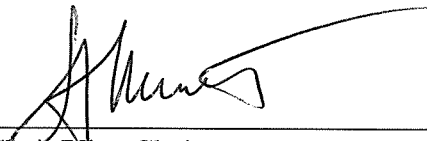
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**BROOKS OF BONITA SPRINGS &
BROOKS OF BONITA SPRINGS II CDDS**

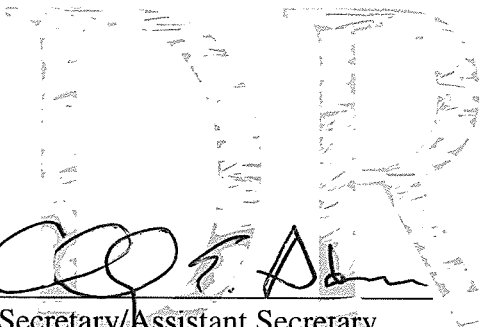

August 26, 2015

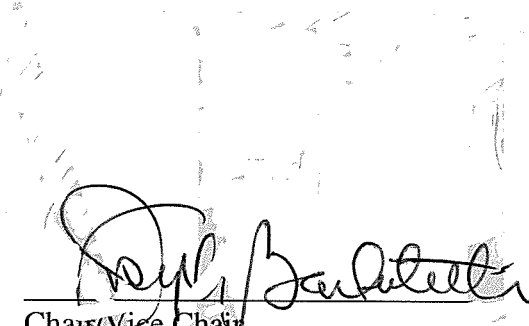
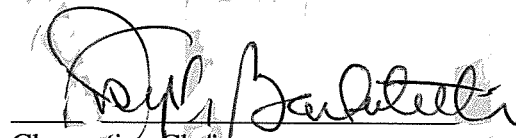
FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:



Secretary/Assistant Secretary



Chair/Vice Chair