

**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, April 27, 2016 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	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Dan Cox	District Counsel
Dave Robson	District Engineer
Doug Larson	President, The Commons Club

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 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*)

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

**Consideration of Resolutions Approving
the Districts' Proposed Budgets for Fiscal
Year 2016/2017 and Setting a Public
Hearing Thereon Pursuant to Florida
Law**

Mr. Adams stated that, each year, the District Manager is required to present a proposed budget, by June 15, and transmit it to the County. The major budget change was that, in Fiscal Year 2017, residents would no longer have payments for the property; however, the appropriated funds would still be collected and used for landscape contract maintenance, since Fiscal Year 2017 is a bidding year, the value of the contracts would probably increase. \$100,000 was budgeted for continued lake bank erosion repairs.

Mr. Adams stated that the Public Hearing for final budget adoption was proposed for August 24, 2016. At the July meeting, the Boards would have a final opportunity to make adjustments to the budget and assessment levels. If assessment levels increase, a separate mailed notice to property owners would be required.

With regard to the Debt Service, Mr. Adams explained that, each year, the principal payment amount increases and interest amount decreases.

Mr. Davidson inquired about the increase under "Parks and recreation Coconut Road Park", "Operation and maintenance*". Mr. Adams stated that, in prior years, capital outlay increased to address lighting issues and for increased enhancements in the plant replacement program. This increase was related to contract maintenance, in anticipation of a higher contract. Mr. Adams recalled that, when bids were last requested, there was a wide margin between the current and prior contractor. Landscaping is a labor intensive service and labor costs were skyrocketing in this area.

Mr. Davidson asked about pickleball court maintenance. Mr. Adams stated that the courts were "maintenance neutral".

Mr. Davidson noted that the final payment on the Series 2006 A-1 bonds would be made on May 1, 2016, resulting in a \$486 reduction, per home, which was not reflected in the assessments. Mr. Adams explained that the bonds were issued in three coupons, A-1, A-2 and A-3, as a pricing strategy by the underwriter. A-1 was the first phase of obligation. Once that is completed, A-2 begins and the amortization schedule continues for A-2, then A-3.

Mr. Ward stated that a representative from the landscaping industry spoke at Spring Run and discussed the issues the industry was facing. Labor rates were increasing, by \$1 to \$2, per hour, and it was difficult to attract laborers because of the construction industry.

Mr. Ward indicated that Mr. Doug Larson, President of The Commons Club, was in attendance and asked if additional information regarding the allocation process could be provided. Mr. Adams advised that an updated spreadsheet, identifying CDD specific and shared costs, would be sent.

Mr. Merritt reiterated that the landscaping was not satisfactory, from the beginning to the current date. When Girard Environmental Services, Inc. (Girard), was hired, eight people were to maintain four-and-a-half miles of landscaping, which is not possible. Complaints were received about irrigation heads not functioning properly and an irrigation specialist was to be on site, every day, which was not the case. Mr. Merritt felt it wise to include additional funds in the Fiscal Year 2017 budget, for landscaping, and that the amount should be closer to \$200,000, in order for it to be done, properly.

Mr. Merritt asked if the increase for "Engineering" was related to the National Pollutant Discharge Elimination System (NPDES) Program. Also, approximately \$39,000 was spent in Fiscal Year 2016 and the line item for Fiscal Year 2017 was \$30,000; he questioned whether the amount was satisfactory.

Mr. Robson explained that \$12,000 was for the Three Oaks Parkway and Coconut Road survey and Johnson Engineering was in the final stages of writing legal descriptions. With regard to NPDES, no changes were anticipated. The Districts are in the Cycle 3 permit. In the past, requirements for CDDs did not change but it was not known whether there would be changes for the Cycle 4 permit; however, changes would not be effective until after September 30.

Mr. Adams stated that, pursuant to a recent conversation with Mr. Ken Kool, of the NPDES, and his replacement, there is some resistance to the inclusion of additional CDDs in the program. Mr. Robson stated that the NPDES is considering removing Lee County CDDs and creating a "Phase 2", which would be a simpler permit.

Mr. Bartoletti noted an approximate 50% increase for pine straw, which is similar to the increase the neighborhoods experienced when transitioning from pine straw to mulch. Mr. Adams stated that labor for installation accounted for the majority of the increase.

Mr. Douglas asked Staff to quantify how much of the landscaping increase was for labor. Mr. Adams stated he would try to estimate the amount but felt it was all for labor, as fuel costs have stabilized. Mr. Merritt noted that, during discussions with bidders, Ms. Crismond should be able to ascertain the information. Ms. Crismond stated that many contractors advised that, when bidding takes place and questions arise about increased costs, contractors refer to increased labor costs.

Referring to the 2006 Series Bond Issue, on page 20, Mr. Bonner noted that there were two years remaining and asked what happens when it is paid off. Mr. Adams advised that the affected residents would no longer receive a debt service assessment. The District may be able to pay off the bond in Fiscal Year 2018, to avoid the final year's interest.

In response to a question, Mr. Adams agreed that the landscaping contract would increase and hoped that four or five bids would be submitted. He knows of two area contractors who were interested in bidding.

Mr. Bartoletti asked when bidding would take place. Mr. Adams advised that bid results would be presented at the October meeting. Mr. Bartoletti pointed out that the budget would be adopted by then. Mr. Adams noted a healthy surplus fund balance and was not concerned about the cost.

Mr. Merritt asked Staff to obtain bids from contractors that can perform the work and have adequate staff.

Mr. Davidson asked if the Districts dissuaded quality contractors who could perform the work by choosing lesser priced contractors. Ms. Crismond did not think so. Mr. Adams stated that landscaping contractors compete on government contracts, all the time, and are aware that governmental entities lean toward lower priced bids.

Mr. Merritt stressed the importance of having the right landscape supervisor.

- **Resolution 2016-1, *Brooks of Bonita Springs Community Development District***

Mr. Adams presented Resolution 2016-1 for the Brooks of Bonita Springs CDD Board's consideration.

On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Douglas, with all in favor, Resolution 2016-1, Approving the Districts' Proposed Budgets for Fiscal Year 2017 and Setting a Public Hearing for August 24, 2016, at 1:00 p.m., at this location, was adopted.

- **Resolution 2016-1, *Brooks of Bonita Springs II Community Development District***

Mr. Adams presented Resolution 2016-1 for the Brooks of Bonita Springs II Board's consideration.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Meeker, with all in favor, Resolution 2016-1, Approving the Districts' Proposed Budgets for Fiscal Year 2017 and Setting a Public Hearing for August 24, 2016, at 1:00 p.m., at this location, was adopted.

FOURTH ORDER OF BUSINESS

Discussion: Need for Newsletter

Mr. Meeker stated that Copperleaf and The Commons Club changed to online communications, with regard to activities, etc., and he saw no justification for a newsletter.

Mr. Ward asked if Mr. Meeker was referring to a printed newsletter or if he would consider an online communication. Mr. Meeker was referring to the printed newsletter that is mailed. He agreed that information should be available online, such as the budget, for those who were interested.

Mr. Strecansky advised that Bonita Springs Utilities (BSU) did away with mailed newsletters, due to cost. If residents want information, it can be found online.

As Communications Chairman, Mr. Davidson stated that the Districts do not have a complete email list for all communities and felt that a mailer was the proper venue; however, a comprehensive newsletter was necessary, to be mailed when residents return, which means preparation in November and December.

Mr. Douglas stated that each community could assume responsibility for disseminating the newsletter to its residents, via email; however, a "polished product" would be necessary. He agreed that it was too expensive to mail newsletters and was in favor of online communications.

Mr. Merritt inquired about mailing costs. Mr. Adams advised that each mailing was less than \$2,000. AboveWater Public Relations and Marketing, LLC, (AboveWater) receives bullet point facts, adds color and pictures and prints the newsletters as mailbox stuffers. Mr. Merritt stated that one or two newsletters were produced each year.

Mr. Merritt received more positive responses regarding the last two newsletters than he had in years; they contained good information and were very informative. Mr. Merritt was not in favor of eliminating the newsletter.

Mr. Adams felt that, with the cooperation of the Associations, electronic newsletters could be prepared and disseminated via e-blast. October was a perfect time because there are topics to report on, such as completed lake bank erosion repairs, bidding, the adopted budget and rates for the new fiscal year. Mr. Davidson agreed.

The consensus was for electronic dissemination.

FIFTH ORDER OF BUSINESS

**Approval of February 24, 2016 Joint
Regular Meeting Minutes**

Mr. Merritt presented the February 24, 2016 Joint Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Mr. Douglas, with all in favor, the February 24, 2016 Joint Regular Meeting Minutes, as presented, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Meeker, with all in favor, the February 24, 2016 Joint Regular Meeting Minutes, as presented, were approved.

- **Resolution 2016-2, Brooks of Bonita Springs Community Development District**
 - **Resolution 2016-2, Brooks of Bonita Springs II Community Development District**
- ***These items were additions to the agenda.*****

Mr. Adams presented Resolution 2016-2 for the Brooks of Bonita Springs CDD Board's consideration and Resolution 2016-2 for the Brooks of Bonita Springs II Board's consideration. The resolutions were related to the upcoming general election.

Mr. Strecansky stated that, two years ago, he was elected to serve a four-year term. Mr. Adams advised that the resolution was incorrect; for Brooks of Bonita Springs II, Seats 1 and 2, currently held by Supervisors Pierce and Davidson, respectively, were up for election. For Brooks of Bonita Springs, Seats 1, 2 and 3, held by Supervisors Douglas, Merritt and Bonner, respectively, were up for election.

Mr. Adams stated the resolution identifies that the election will be held on November 8, 2016 and the qualifying period is Noon, June 20 through Noon, June 24, 2016. The District is

required to post the general election notice in a local newspaper of general circulation at least two weeks in advance of the qualifying period.

On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Douglas, with all in favor, Resolution 2016-2, Placing Special District Candidates on the General Election Ballot, was adopted.

On MOTION for Brooks of Bonita Springs II by Mr. Meeker and seconded by Mr. Strecansky, with all in favor, Resolution 2016-2, Placing Special District Candidates on the General Election Ballot, was adopted.

In response to a question from Mr. Davidson, Mr. Adams advised that the pre-qualifying period begins on June 6 and interested parties can visit the Lee County Supervisor of Elections office (SOE) or visit www.lee.vote for their Special District qualification package. The filing fee is \$25 and the deadline for submission is May 23. In lieu of paying the filing fee, 20 signatures are required, by petition, and all must be qualified electors residing within the candidate's District.

SIXTH ORDER OF BUSINESS

Other Business

Mr. Bartoletti asked if the San Carlos Estates issue was resolved with Taylor Morrison Mr. Adams had not received a response.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

B. Engineer

Mr. Robson stated that he and Mr. Adams were not required to participate in an NPDES audit for the Districts; the River Hall, River Ridge and Miromar Lakes CDDs were chosen. Mr. Adams indicated that an onsite inspection would be performed.

C. Manager

i. Approval of Unaudited Financial Statements as of March 31, 2016

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2016.

With regard to the pickleball courts, Mr. Adams reported that the final inspection walk through was performed with the contractor and a short punch list was prepared. The light poles would be painted black and a credit would be issued for the separator fences, between the courts. A proposal for the wind screen would be provided and the ice water cooler was ordered and should be delivered in about two weeks. Ms. Crismond was securing proposals from Bentley Electric and a plumber. The cooler should be installed by the end of May. The next project would be paver bricks. Once the pavers are in place, the shell and mulch would be removed and shoe brooms may be considered, which would make the surface last longer.

Mr. Merritt complimented Staff and the contractor with regard to the lake bank erosion project, which turned out great.

ii. Registered Voters in Districts as of April 15, 2016

- **Brooks of Bonita Springs: 2,182**
- **Brooks of Bonita Springs II: 1,467**

There were 2,182 registered voters residing within the boundaries of the Brooks of Bonita Springs CDD and 1,467 registered voters residing within the boundaries of the Brooks of Bonita Springs II CDD as of April 15, 2016.

iii. NEXT MEETING DATE: July 27, 2016 at 1:00 P.M.

Mr. Merritt stated that the next meeting would be held on July 27, 2016 at 1:00 p.m., at this location.

D. Operations Report

- i. Landscape Maintenance Activities**
- ii. Lake Maintenance Activities**

Ms. Crismond stated that backup related to pond identification, for the continued aeration installation project, was not included in the agenda; therefore, this item would be discussed at the next meeting.

Ms. Crismond reported that culvert inspections, for Shadow Wood and Copperleaf, were completed on April 12. The last time the culverts were inspected and cleaned was in 2012. M.R.I. Underwater Specialists, Inc., (M.R.I.), identified 66 culverts with 25% to 100% blockage, which required cleaning. The proposal was \$45,825, the inspection was \$6,000 and \$5,000 was budgeted.

Mr. Adams indicated that funds were available in surplus fund balance. As he reviewed the report, other than on Page 2, which identified several culverts with intrusion from adjacent weeds, everything else was sand and debris. Mr. Adams suspected that most of the debris was leaves, particularly oak leaves.

Mr. Merritt recalled that, until 2012, \$25,000 was budgeted and utilized.

Mr. Adams stated that, after cleaning was performed, twice, many areas were less than 50% blocked. Mr. Merritt recalled that, previously, there was construction debris; now, there is silt and buildup.

Mr. Adams noted that all neighborhoods that receive water from the road to the lake take care of their own culverts. The Districts are cleaning culverts from lake to lake, as well as those going from lake to lake, across the road, with inlet boxes.

Mr. Davidson stated that, every year, Shadow Wood pays to have their culverts inspected and there is nothing in them. He assumed that debris washes downstream and enters the culverts going to the small lakes.

Mr. Davidson recalled that, when he and the District Engineer inspected Lake 100, the two culverts that feed into the north outfall were about 30% to 40% full of sand and did not recall anything being done to address it. Mr. Adams stated, if the culvert blockage was below 25%, it was not addressed. Mr. Merritt indicated that it was taken care of.

Mr. Davidson asked if a 40% buildup could occur, in four or five years, and if \$45,000 must be spent every four years. Mr. Adams replied probably.

Mr. Robson stated that the north outfall now discharges a lot more water so the culverts convey much less water. Mr. Davidson felt that dredging was required, in front of the culvert. Mr. Robson stated that Lee County intends to repair the gaskets at the north outfall structure and must dig out in front of the culverts in order pump water out of the north outfall structure and make the repairs, which might be a good time for a cleanup, because whatever is in front of them would be removed. Mr. Davidson asked if Lee County must address the issue or if the Districts must address it, from an engineering standpoint. Mr. Robson had not reviewed the M.R.I. report. Mr. Davidson stated that, since this is a main flow way drain that is relied upon for the outfall, it should be addressed.

On MOTION for Brooks of Bonita Springs by Mr. Douglas and seconded by Mr. Ward, with all in favor, the M.R.I. Underwater Specialists, Inc. proposal for culvert cleaning, in a not-to-exceed amount of \$45,825, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Strecansky, with all in favor, the M.R.I. Underwater Specialists, Inc. proposal for culvert cleaning, in a not-to-exceed amount of \$45,825, was approved.

Ms. Crismond recalled that, at the last Board meeting, Management was asked to obtain an estimate to pressure clean the curbs, medians and sidewalks, along Three Oaks Parkway and Coconut Road. The estimate was \$49,000. Cleaning must occur at night, when there is minimal traffic, and special equipment is required.

Ms. Crismond provided a status of Summit Broadband's (Summit) installation of fiber optic cable, which is not completed, and two main line breaks to the irrigation. Areas where cable was installed and sod was replaced do not look good. Mr. Bartoletti explained that Copperleaf and Spring Run required Summit to run a second line, independent of the line along Coconut Road, to ensure redundancy for those being served by the up site at Three Oaks Parkway and Coconut Road.

Mr. Merritt stressed that the Districts were looking for complete restoration.

In response to a question from Mr. Bartoletti regarding the sidewalk removal, Mr. Adams explained that Summit's contractor broke an irrigation main. Mr. Bartoletti asked if Staff wanted him to arrange a meeting to resolve the issue. Ms. Crismond replied affirmatively and stated that Resource Conservation Systems (RCS) should be in attendance, as RCS is paying for the repairs.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

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

NINTH ORDER OF BUSINESS

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

Mr. Larson stated that he was looking forward to continuing the close relationship that The Commons Club has with the CDDs.

Mr. Merritt asked Mr. Larson to discuss the issue with Pebble Pointe and the “walking signs”. Mr. Larson stated that he lives in Lighthouse Bay and walks to Winn Dixie, on weekends, which is when an individual is walking around carrying a sign. Last week, Mr. Larson noticed an article in the News-Press indicating that the Village of Estero would begin “clamping down” on individuals carrying signs. On his walk, Mr. Larson noticed that the person “relieved himself” behind the Copperleaf monument. The next day, Mr. Larson looked behind the signage and found water bottles and litter. This past weekend, someone was cleaning up behind the signage. Mr. Larson told Mr. Merritt that it was a “thorn in the side” for an individual to be on CDD property carrying a sign stating “No CDD”, referring to Pebble Pointe. The individual was on site again last weekend.

Mr. Merritt spoke with Mayor Batos, who was going to find out if the Village of Estero sign language would address this; however, Mr. Merritt has not received a response.

TENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 2:32 p.m.

On MOTION for Brooks of Bonita Springs by Mr. Ward and seconded by Mr. Bonner, with all in favor, the meeting adjourned at 2:31 p.m.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Meeker, with all in favor, the meeting adjourned at 2:31 p.m.

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

April 27, 2016

FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair