

**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 24, 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
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
Dave Robson	District Engineer
Rochelle McIntosh (<i>via telephone</i>)	Auditor, Grau & Associates
Bill Kurth	LakeMasters Aquatic Weed Control, Inc.
Andy Nott	LakeMasters Aquatic Weed Control, Inc.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:02 p.m., and noted, for the record, that Supervisors Merritt, Douglas and Bonner were present, in person, for Brooks of Bonita Springs. Supervisors Crawford and Ward were not present. All Supervisors were present, in person, for Brooks of Bonita Springs II.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items only*)

There being no public comments, the next item followed.

BROOKS OF BONITA SPRINGS ITEMS

THIRD ORDER OF BUSINESS

**Presentation of Brooks of Bonita Springs
Community Development District's
Audited Financial Report for Fiscal Year
Ended September 30, 2015, Prepared by
Grau & Associates**

Ms. Rochelle McIntosh, of Grau & Associates, presented the Audited Financial Report for the fiscal year ended September 30, 2015. In the "Independent Auditor's Report", on Page 1, the financial statements reflected an unmodified, or clean, opinion. The financial statements presented fairly, in all material aspects, the financial operations, of the District. On Page 11, the "Debt Service 2001" fund had a small positive increase in Fund Balance. On Page 22, "Total expenditures" were under budget by \$38,239. The "Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters", on Page 24, indicated that no material weaknesses or significant deficiencies in the District's internal control were detected, nor were there findings for Fiscal Year 2015. On Page 26, the "Independent Auditor's Report on Compliance with the Requirements of Section 218.415, Florida Statutes, Required by Rule 10.556(10) of the Auditor General of the State of Florida", Ms. McIntosh read, *"In our opinion, the District complied, in all material respects, with the aforementioned requirements for the fiscal year ended September 30, 2015."*

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2016-3,
Accepting the Audited Financial Report
for the Fiscal Year Ended September 30,
2015**

This item was presented following the Fifth Order of Business.

BROOKS OF BONITA SPRINGS II ITEMS

FIFTH ORDER OF BUSINESS

**Presentation of Brooks of Bonita Springs
II Community Development District's
Audited Financial Report for Fiscal Year
Ended September 30, 2015, Prepared by
Grau & Associates**

Ms. McIntosh presented the Audited Financial Report for the fiscal year ended September 30, 2015. The "Independent Auditor's Report", on Page 1, reflected an unmodified, or

clean opinion. The financial statements presented fairly, in all material aspects, the financial operations of the District. The P&L, on Page 11, reflected “Fund balances – ending” of \$1.1 million. Overall, for all “Governmental Funds”, there was an increase of approximately \$2,600. There were reductions in the “General Fund” of approximately \$16,000 but there was a positive increase in the “Debt Service 2006” fund, which offset the overall deficiency and resulted in a positive \$2,600. On Page 22, “Fund Balance – Budget and Actual – General Fund”, “Total expenditures” were \$19,000 below budgeted expenditures. On Page 24, the “Independent Auditor’s Report on Internal Control Over Financial Reporting and on Compliance and Other Matters” identified no material weaknesses or significant deficiencies in the District’s internal control, nor were there findings for Fiscal Year 2015. Based on testing, the District complied with Florida Statutes, Section 218.415.

BROOKS OF BONITA SPRINGS ITEM

- **Consideration of Resolution 2016-3, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2015**

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

Mr. Bartoletti presented Resolution 2016-3 for the Board’s consideration.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Bonner, with all in favor, Resolution 2016-3, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2015, was adopted.

BROOKS OF BONITA SPRINGS II ITEM

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2016-3, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2015

Mr. Bartoletti presented Resolution 2016-3 for the Board’s consideration.

On MOTION for Brooks of Bonita Springs II by Mr. Pierce and seconded by Mr. Strecansky, with all in favor, Resolution 2016-3, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2015, was adopted.

*****Ms. McIntosh left the meeting.*****

JOINT MEETING ITEMS

SEVENTH ORDER OF BUSINESS

**Public Hearing to Hear Comments and
Objections on the Adoption of the
Districts' Final Budget for Fiscal Year
2016/2017, Pursuant to Florida Law
(Both)**

A. Affidavit of Publication

The affidavit of publication for today's Public Hearing and Regular Meeting was included for informational purposes.

B. Consideration of Resolutions Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2016, and Ending September 30, 2017; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Davidson asked if the \$12,000 "Contractual services" line item, under "Lighting", on Page 1, was a retainer and why it was separated from \$2,500, under "Miscellaneous". Mr. Adams explained that the \$2,500 was "catch all" and "Contractual services" was for electricians, repairs and parts.

Mr. Davidson noted that the "Pine-straw/soil/sand" line item, on Page 2, was the same as Fiscal Year 2016; however, only \$40,732 would be spent in Fiscal Year 2016. Mr. Adams stated that the Districts budgeted for two mulch change outs. One change out was included, with the anticipation that mulch may be added in high profile areas or around new plantings.

Mr. Davidson asked if the "Plant replacement supplies" line item was the cost for one planting of flowers. Mr. Adams stated that the item was for plant replacement and Staff approved the start of Phase One of two plant replacements, along the Coconut Road thoroughfare. Phase One was to replace old, deteriorating material. Phase Two, for Three Oaks Parkway, would occur in September and be billed in October. The understory of the thoroughfares, within the medians and on the sides, would be replaced. Juniper was being replaced, empty beds were being filled and other deteriorating plants were replaced. The project was not related to flowers; flowers were part of the maintenance contract.

Mr. Davidson was concerned that the "Irrigation water" line item would be nearly \$40,000 over budget. Mr. Adams advised that there were several leaks, supplemental water was required for new plantings and there were increases from Resource Conservation Systems (RCS)

on the per 1,000 gallon charge. RCS's previous increase was substantial. Mr. Davidson asked if a budget increase was necessary. Mr. Adams stated that the budget could be adjusted but the goal was to keep assessment levels the same, year-over-year. Fund Balance would be used to offset the additional expenditure. Mr. Adams suggested continued water usage monitoring. A budget amendment may be necessary. Mr. Davidson asked if the District lost a lot of water. Mr. Adams responded that a lot of water was lost and felt that the contractor was slow to respond to leaks. There were many leaks, one of which was significant, along with dry spots, which led Mr. Adams to believe that valves were shut down. Ms. Crismond was constantly communicating with the contractor about making repairs. The contractor must be more vigilant about managing the irrigation system and, in that regard, Staff would add requirements in the upcoming bid specs to mandate a better and more sustained presence of an irrigation manager, on site.

In response to a question from Mr. Davidson regarding the increase under "Landscape maintenance contract", Mr. Adams stated, to make assessments close, year-over-year, which the Boards mandated, there was room for additional dollars; therefore, funds were added to that line item, which would still probably be low.

Mr. Merritt felt that Bentley Electric (Bentley) was a good company but, either not enough money was budgeted, Bentley was not being diligent or the Districts must work closer with the HOA, because 50 or 60 lights were out, for months. Ms. Crismond stated that Management no longer received reports. Mr. Adams stated that Management relied heavily on the Shadow Wood Roving Patrol, for years; the patrol reviewed the street lights and lighting but stopped, without informing Management. Adjustments would be made with Bentley, who would also begin monitoring and providing reports to Management.

Mr. Strecansky spoke with Cheryl, after the last meeting, and she was more than willing to assign a monitoring patrol to provide reports. Mr. Merritt was opposed to paying Bentley when one of the Associations could perform the work. Mr. Merritt would follow up. Mr. Adams advised that there was no response from the Association, so Staff was seeking an alternative. Mr. Merritt stated that maintenance had fallen behind, in a number of areas, especially on Three Oaks Parkway and Coconut Road, over the past two years, and was not pleased.

With regard to "Irrigation water", Mr. Merritt indicated that the Districts spent thousands of dollars for a state-of-the-art system; however, capability was lacking on the part of the contractor. The contractor is not on site often enough and does not understand the system. Water runs when it is raining. The real problem on Three Oaks Parkway and Coconut Road was

the landscape contractor; someone must be on site, daily. Irrigation should cost approximately \$80,000. Mr. Adams stated that was the amount for several years but it was spiking, again.

Mr. Douglas agreed with Mr. Merritt's remarks and felt that the number of lights that were out was deplorable. Based on previous discussions, he felt that the amount budgeted for "Landscape maintenance contract" was very low. Mr. Adams stated that the last time the contract was bid, there was a correction by the incumbent contractor, Brickman, which eventually led to them losing the contract, based on an increase from \$150,000 to \$160,000. Girard Environmental Services' (Girard's) bid was just above what the Districts were used to paying. It was okay for a new company trying to break into a new market but the level of service was not sufficient; it was a constant battle. A few interested parties would submit bids. The increase was \$65,000, outside the park, and \$15,000 to \$20,000, inside the park. More funds could be appropriated or fund balance could be utilized, if necessary, since both Districts had substantial fund balances.

Mr. Bonner asked if unused funds, allocated for "Pine-straw/soiled/sand", could be moved within the budget. Mr. Adams responded affirmatively.

*****Mr. Adams opened the Public Hearing.*****

No members of the public spoke.

*****Mr. Adams closed the Public Hearing.*****

i. Resolution 2016-4, Brooks of Bonita Springs Community Development District

On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Douglas, with all in favor, Resolution 2016-4, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2016, and Ending September 30, 2017; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

ii. Resolution 2016-4, Brooks of Bonita Springs II Community Development District

On MOTION for Brooks II of Bonita Springs by Mr. Strecansky and seconded by Mr. Davidson, with all in favor, Resolution 2016-4, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2016, and Ending September 30, 2017; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

C. Written Comments/Objections

i. Daniel J. DeSantis, 9130 Hollow Pine Drive

Mr. DeSantis' comments were taken under advisement.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolutions Imposing
Special Assessments and Certifying an
Assessment Roll**

A. Resolution 2016-5, *Brooks of Bonita Springs Community Development District*

Mr. Bartoletti presented Resolution 2016-5 for the Board's consideration.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Bonner, with all in favor, Resolution 2016-5, Brooks of Bonita Springs Community Development District, Imposing Special Assessments and Certifying an Assessment Roll, was adopted.

B. Resolution 2016-5, *Brooks of Bonita Springs II Community Development District*

Resolution 2016-5 was presented for the Board's consideration.

On MOTION for Brooks of Bonita Springs by Mr. Pierce and seconded by Mr. Strecansky, with all in favor, Resolution 2016-5, Brooks of Bonita Springs II Community Development District, Imposing Special Assessments and Certifying an Assessment Roll, was adopted.

NINTH ORDER OF BUSINESS

**Consideration of Resolutions Adopting
the Fiscal Year 2016/2017 Joint Meeting
Schedule**

Mr. Bartoletti presented Resolution 2016-6 for the Boards approval. Mr. Adams noted that the schedule was the same as in previous years but the winter meeting was scheduled for January, on Thursday, rather than Wednesday, due to conflicts.

Mr. Merritt noted that, normally, the budget was presented in June and he did not see a June meeting on the schedule. Mr. Adams explained that, due to travel conflicts, the budget meeting was moved to April. Mr. Merritt stated that the Audit must be completed earlier. Mr. Adams agreed. Mr. Merritt felt that at least six meetings were necessary. Mr. Adams stated that the Board could call more meetings, as needed. Mr. Merritt stated that the Chairs should be advised of meeting cancellations.

A. Resolution 2016-6, *Brooks of Bonita Springs Community Development District*

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Bonner, with all in favor, Resolution 2016-6, Adopting the Fiscal Year 2016/2017 Joint Meeting Schedule, was adopted.

B. Resolution 2016-6, *Brooks of Bonita Springs II Community Development District*

On MOTION for Brooks of Bonita Springs II by Mr. Pierce and seconded by Mr. Strecansky, with all in favor, Resolution 2016-6, Adopting the Fiscal Year 2016/2017 Joint Meeting Schedule, was adopted.

▪ LakeMasters Aeration Proposal

******This item, previously part of Item 16D, was presented out of order.******

Ms. Crismond presented an aeration proposal from LakeMasters Aquatic Weed Control, Inc. (LakeMasters). Staff continues to identify the worst lakes, on an annual basis, until aeration is installed in all lakes. For Lakes 32, 36, 38, 39, 80 and 82, the cost was \$72,500. Aeration installation was not bid out because, in the past, LakeMasters always bid lower than other contractors. \$75,000 was budgeted for new installations.

Mr. Merritt asked how effective aerators were, in terms of controlling lake issues, and what would occur without it. Mr. Bill Kurth, of LakeMasters, responded that the lakes would have more significant algae growth. There was significant algae growth, in the past two years; however, nutrient levels in the lakes are affected by rainfall. In addition, the Districts

reconstructed two golf courses and made renovations on two more, so nutrients were added, because heavy fertilization occurs during the grow in period. The conditions would be a lot worse without aeration but aeration does not solve every problem. With regard to the long-term value of aeration in the lakes, muck would build up and dredging might be necessary, without aeration. Currently, there was no significant muck build up but aeration prevents the production of muck.

Mr. Merritt commented that other communities spent millions for dredging. Mr. Kurth stated that many communities cannot dredge because the issue is so severe. Mr. Adams felt that, if the ponds were aerated, dredging may never be required. The Lake Bank Erosion project recovers soil that washed into the pond from the lake bank and aeration helps mitigate against the buildup of organic materials, over time, which directly relates to health and pond capacity. Mr. Merritt felt that addressing the lake bank erosion issue, early on, would save money and the aeration investment would curtail it, even more.

Mr. Davidson asked how many more lakes would be aerated and whether the flow ways could be aerated. Ms. Crismond replied all of the lakes but the flow ways were a lower priority. Mr. Adams stated that the goal was to aerate as many as possible and it would be continue to be a budget item.

Mr. Bartoletti stated, as more pumps were added, there would be a greater electricity demand, and questioned the energy efficiency of the current pumps and options to replace them, in the future, to save on electrical costs. Mr. Nott, of LakeMasters, stated that LakeMasters was using the most energy efficient model on the market, .25 kilowatts per hour. In response to a question from Mr. Bartoletti, Mr. Adams stated that the monthly bill on a ¾-horsepower pump was approximately \$40. Mr. Nott stated that a commercial rate was provided when new services were installed. Mr. Bartoletti asked if surplus funds would be utilized. Mr. Adams replied no; \$75,000 is budgeted, annually.

On MOTION for Brooks of Bonita Springs by Mr. Bonner and seconded by Mr. Douglas, with all in favor, the LakeMasters Aquatic Weed Control, Inc., proposal, to install aerators in six lakes, in the amount of \$72,500, was approved.

On MOTION for Brooks of Bonita Springs by Mr. Davidson and seconded by Mr. Strecansky, with all in favor, the LakeMasters Aquatic Weed Control, Inc., proposal, to install aerators in six lakes, in the amount of \$72,500, was approved.

TENTH ORDER OF BUSINESS

**Consideration of Award of Contract for
Aquatic and Wetland Management**

Ms. Crismond presented the Lake and Wetland Management contract, which was for one year, with a two-year option. The same two contractors, Aquagenix and LakeMasters, always bid on the project. Page 2 reflected bids submitted in previous years. LakeMasters had a 6.7% increase over the current contract, due to increased chemical costs for treatment of submersed vegetation and labor costs related to littoral plants and wetland maintenance. LakeMasters was performing well, with minimal issues.

Referring to the quotes, Mr. Davidson noticed that, since 2008, Aquagenix was very competitive, sometimes lower. It seemed as though the Districts were getting to the point where a sole source contract, perhaps because of local knowledge, made it prohibitive for anyone else to bid, appropriately. He asked how the Districts' experience with submerged hygrofilia was conveyed to Aquagenix, for an "apples to apples" comparison. Ms. Crismond stated that the information was included in the specifications. Sealed bidding was used and all contractors received the same requirements; hand pulling and chemical treatments were included in the specifications. LakeMasters' increase was due to issues in the field, such as treating invasives and hand removal of weeds on lake banks to keep from damaging the littorals. Contractors were required to visit the community and review the systems in order to bid.

Mr. Douglas was looking at a good company that appeared to be much cheaper but had no experience in The Brooks. With no experience, some items may not be considered.

Mr. Adams stated that the contract had a sealed bid requirement because of the pricing threshold. The District was required to award the bid to the lowest responsible and responsive bidder, in the best interest of the Districts.

Mr. Merritt stated that, two years ago, Mr. Adams and Ms. Crismond advised LakeMasters not to indiscriminately spray and destroy the littorals; they must be hand pulled. LakeMasters was advising the Districts that, in order accomplish that goal, it would cost more. In Mr. Merritt's experience, with LakeMasters, when the Districts had an issue that other

communities were experiencing but not resolving, The Brooks had results, sometimes at LakeMasters' cost.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Bonner, with all in favor, the LakeMasters Lake and Wetland contract, for lake and wetland maintenance, in the amount of \$316,488, was approved.

Mr. Strecansky asked how many companies could bid on this contract. Ms. Crismond stated that six companies attended the pre-bid meeting. Locally, not many companies were equipped to handle a contract like The Brooks.

Mr. Davidson noted that, in the bidding process, because of LakeMasters' knowledge of The Brooks, no one could really compete, which amounted to a sole source contract, and he felt it would continue to be that way. It did not seem right but he did not want to change for fear of what might occur.

On MOTION for Brooks of Bonita Springs II by Mr. Davidson and seconded by Mr. Pierce, with all in favor, the LakeMasters Lake and Wetland contract, for lake and wetland maintenance, in the amount of \$316,488, was approved.

BROOKS OF BONITA SPRINGS ITEM

ELEVENTH ORDER OF BUSINESS

**Update: Qualified Candidates for
November 8, 2016 General Election**

- A. Seat 1: Phil Douglas [incumbent -unopposed]**
- B. Seat 2: James A. Merritt [incumbent - unopposed]**
- C. Seat 3: Robert A. Bonner [incumbent - unopposed]**

This information was for provided for informational purposes.

BROOKS OF BONITA SPRINGS II ITEM

TWELFTH ORDER OF BUSINESS

**Update: Qualified Candidates for
November 8, 2016 General Election**

- A. Seat 1: NO QUALIFIED CANDIDATES**

B. Seat 2: Gary R. Davidson [incumbent - *unopposed*]

Mr. Adams explained that Seat 1 would be an open seat, on November 22, 2016; however, the incumbent was interested in resuming his position. At the January meeting, the Board would declare a vacancy and consider an appointment to the remainder of the term. If Mr. Pierce was appointed, he would continue in Seat 1. Mr. Pierce stated that, due to travel requirements, he thought that the qualifying date was concurrent with the Form 1; it was an error, on his part.

THIRTEENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of July 31, 2016**

Mr. Bartoletti presented the Unaudited Financial Statements as of July 31, 2016.

FOURTEENTH ORDER OF BUSINESS

**Approval of April 27, 2016 Joint Regular
Meeting Minutes**

Mr. Bartoletti presented the April 27, 2016 Joint Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following change was made:

Line 330: Change "Districts" to "Copperleaf and Spring Run"

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Bonner, with all in favor, the April 27, 2016 Joint Regular Meeting Minutes, as amended, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Strecansky and seconded by Mr. Pierce, with all in favor, the April 27, 2016 Joint Regular Meeting Minutes, as amended, were approved.

FIFTEENTH ORDER OF BUSINESS

Other Business

Mr. Meeker asked if it was about time to consider refinancing the bonds. Mr. Adams was investigating refinancing of the Brooks of Bonita Springs II bonds and would present an analysis at the October meeting. Currently, the District was in the "Premium Period", meaning that a 1%

premium would be paid. After the bonds were paid in Fiscal Year 2017, the District would have an opportunity to refinance.

Mr. Merritt asked about the chances of paying off the Brooks of Bonita Springs bonds early, without incurring a penalty or interest. Mr. Adams would explore the possibility.

Mr. Bartoletti asked Staff to replace the missing palm tree, on Copperleaf, on the north side.

Mr. Douglas noted that repairs were being made to the fence around Shadow Wood, toward the railroad tracks, which caused a disturbance of the vegetation. Ms. Crismond stated that Shadow Wood was taking care of it.

Mr. Bartoletti asked if the drilling under the road, by the railroad tracks, was the result of a waterline break. Ms. Crismond responded affirmatively, it was being traced, now. Mr. Adams stated that it took place within a crossing pipe. Ms. Crismond stated that Shadow Wood would be taking care of that, as well.

Mr. Bartoletti noted that, yesterday, one of the sprinkler heads near the Shadow Wood entrance, was not spraying water on the median; it was spraying across the east bound lane. He requested that Girard make the repair.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being no report, the next item followed.

B. District Engineer

Mr. Robson stated that the key map identified each of the 12 entities that have property being maintained by the landscape maintenance contractor. 29 individual parcels were spread throughout the 12 entities. The Shadow Wood Community Association was the largest, with six parcels. Mr. Robson had files, legal descriptions and sketches for each area. Ms. Crismond had the most knowledge of whether the limits were correct and was asked to review each area, before the next meeting. He felt that the map was clear enough to determine where maintenance was being performed. The documents were created but must be verified.

Mr. Bartoletti clarified that the purpose of the exercise was to place the Districts in a position where they had sovereign immunity for accidents occurring on Three Oaks Parkway or Coconut Road. The purpose of the survey was to determine the boundaries being transferred to the 29 parcels and 12 legal entities to the CDDs, for the purposes of achieving sovereign

immunity. The information should be reviewed with the entities involved, with discussion of how to proceed, at the October meeting. Mr. Adams would provide hard copies to the Boards.

Mr. Davidson asked if the documents would be distributed to the 12 entities for their agreement. Mr. Robson felt that would be premature. Mr. Robson stated the Board Members who live in the neighborhoods should compare the map to the area and determine if it was correct.

Mr. Bonner inquired about the cost for the project. Mr. Adams stated that this was a large engineering effort, costing nearly \$20,000. Mr. Robson originally thought there would be 10 or 12 parcels but there were 29. Mr. Adams stated that the descriptions could be exhibits to a standard agreement. The difficult work was completed and Mr. Cox would create the template agreement and change the names for each entity.

Mr. Bartoletti stated that the fences would remain; the boundary line would be moved to the fence line.

Mr. Douglas indicated that the information must be presented to each community's board, since the boards control the land.

Mr. Merritt asked where objections would come from. Mr. Bartoletti believed objections would come from the residents who did not know what was being done and why. By transferring the land that terminates at the fence line to the CDDs, all liability would be eliminated.

Mr. Adams stated that four entities would be contacted.

Mr. Merritt recommended inviting representatives from each entity to attend a CDD meeting to explain why the transfer would be beneficial to them. Mr. Adams suggested inviting them to the October meeting. With regard to Shadow Wood, Mr. Bartoletti asked if the five HOAs would be invited. Mr. Merritt felt that a representative from each community should be present.

Mr. Merritt requested information regarding the current water elevation. Mr. Robson stated that Mr. Adams had access to the water information from the north outfall. Mr. Adams would provide the information to Mr. Merritt.

Mr. Robson stated that the Board could obtain a flow way measurement on a regular basis. Johnson Engineering recently downloaded the data at the railroad tracks and was in the process of generating a graph displaying the water level and the flow across.

C. District Manager

There being no report, the next item followed.

D. Operations Report

i. Landscape Maintenance Activities

ii. Lake Maintenance Activities

Ms. Crismond stated that the landscape contract was going out to bid. Summit Broadband (Summit) was reimbursed. Mr. Merritt asked what the reimbursement was for. Ms. Crismond replied the damage caused by installing the fiber optics on Three Oaks Parkway. The contractors were paid by Summit. Mr. Merritt clarified that the Districts retained contractors to correct the work and the contractors were paid.

Ms. Crismond stated that landscape renovations were occurring on Coconut Road. The billing would be split between the Fiscal Year 2016 and 2017 budgets. Ms. Crismond would have the palm tree requested by Mr. Bartoletti replaced out of the Fiscal Year 2017 budget.

Mr. Merritt stated that the plants at the entrance off of US 41 required watering.

Ms. Crismond stated that landscape bed renovations were occurring, including removing old Juniper and Indian Hawthorn. Mr. Merritt asked how the renovations were paid for. Ms. Crismond responded that renovations were included in the budget.

Mr. Merritt stated that Girard was awarded a \$96,000 contract. Mr. Crismond responded affirmatively. Four contractors were asked to bid. Two contractors that supply and install materials were too busy and the two who were in a position to perform the work submitted proposals for the same amount. Girard, the current contractor, was already on site and, therefore, was awarded the contract. Ms. Crismond noted that the contract was for installation, not maintenance.

Mr. Merritt asked about the lake bank restoration project at Lighthouse Bay. Mr. Douglas stated that the results were “excellent”; residents were very pleased. The final two phases were being completed and everything was proceeding smoothly. Mr. Adams noted that the 2016 phase would begin next week.

Mr. Merritt stated that the Districts had a \$5,000 budget for culvert inspections and the inspection was \$46,000. Ms. Crismond clarified that the inspection was performed and the cleaning was \$46,000, which the Boards approved, at the previous meeting. The project was completed.

Mr. Merritt asked Ms. Crismond to comment on her meeting with Girard. Ms. Crismond felt that it was a great meeting; there was good dialog and communication about the Districts’

expectations, Girard's continued failures, changes were suggested in Girard's organization, etc. The Manager for The Brooks' account was terminated and the Field Manager was retained but assigned to the renovation project. A new Field Manager was hired to be on site, every day but she was still disappointed. There were weeds in the landscape beds and dead plant material. For two years, the same conversation occurred and nothing changed. Sealed bids would be requested.

Mr. Merritt asked if Girard had an obligation to replant, once the contract ends. Ms. Crismond replied they might. When the contract is up and landscape material is identified that must be replaced. If the contract is not renewed, Girard should be given the opportunity to correct issues identified by the new contractor, in a specified amount of time; otherwise, the work would be performed and deducted from Girard's payment.

SEVENTEENTH ORDER OF BUSINESS Supervisors' Requests

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

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

There being no public comments, the next item followed.

NINETEENTH 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. Merritt and seconded by Mr. Bonner, with all in favor, the meeting adjourned at 2:30 p.m.

On MOTION for Brooks of Bonita Springs II by Mr. Strecansky and seconded by Mr. Davidson, with all in favor, the meeting adjourned at 2:30 p.m.

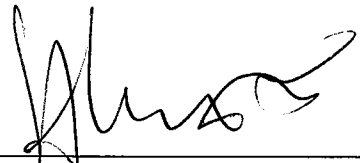
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**BROOKS OF BONITA SPRINGS &
BROOKS OF BONITA SPRINGS II CDDS**

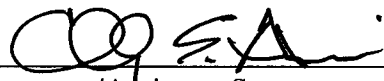
August 24, 2016

FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair